

Regular Meeting of the Board of Directors Tuesday, August 23, 2022

10:00 a.m.

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

AGENDA

For record-keeping purposes, and if staff may need to contact you, we request that a speaker card, located at the Community Room entrance, be completed and deposited with the AVTA Clerk of the Board. This will then become public information. Please note that you do not have to complete this form or state your name to speak. A three-minute time limit will be imposed on all speakers other than staff members.

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.

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 Richard Loa, Director Raj Malhi, Director Michelle Flanagan

APPROVAL OF AGENDA

PUBLIC BUSINESS – AGENDIZED <u>AND</u> NON-AGENDIZED ITEMS:

If you would like to address the Board on any agendized or non-agendized items, you may present your comments at this time. For record-keeping purposes and so that staff may contact you if needed, we request that a speaker card, located in the Community Room lobby, be completed and provided to the Clerk of the Board. This will then become public information. Please note that you do not have to complete this form or state your name to speak.

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. A three-minute time limit will be imposed on all speakers other than staff members.

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 related to the transit industry. **Staff will seek direction as is necessary from the Board with regard to the following item(s).**

- SRP 1 PRESENTATION TO JUDY VACCARO-FRY, CHIEF FINANCIAL OFFICER, FOR 15 YEARS OF OUTSTANDING AND DEDICATED SERVICE – MARTIN TOMPKINS
- SRP 2 PRESENTATION TO KARLA IRAHETA, CUSTOMER SERVICE REPRESENTATIVE II, FOR 10 YEARS OF OUTSTANDING AND DEDICATED SERVICE – MARTIN TOMPKINS
- SRP 3 PRESENTATION TO LYLE BLOCK, PROCUREMENT AND CONTRACTS OFFICER, FOR 10 YEARS OF OUTSTANDING AND DEDICATED SERVICE – MARTIN TOMPKINS
- SRP 4 PRESENTATION TO MV TRANSPORTATION EMPLOYEE OF THE MONTH MICHAEL SHERRILL
- SRP 5 PRESENTATION TO ANTELOPE VALLEY TRANSPORTATION SERVICES EMPLOYEE OF THE MONTH – ART MINASYAN
- SRP 6 MICROTRANSIT AND DIAL-A-RIDE KEY PERFORMANCE INDICATORS (KPI) REPORT – ART MINASYAN
- SRP 7 LEGISLATIVE REPORT FOR AUGUST 2022 JUDY VACCARO-FRY
- SRP 8 MAINTENANCE KPI REPORT JOSEPH SANCHEZ

Board of Directors – Regular Meeting Agenda August 23, 2022 Page 3

SRP 9 OPERATIONS KPI REPORT – MICHAEL SHERRILL

CONSENT CALENDAR (CC): Consent items 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 JULY 26, 2022 – KAREN DARR

Recommended Action: Approve the Board of Directors Regular Meeting Minutes of July 26, 2022.

CC 2 FINANCIAL REPORT FOR JULY 2022 – JUDY VACCARO-FRY

Recommended Action: Receive and file the Financial Report, including Quarterly Treasurer, Capital Reserve, and Farebox Recovery information, for July 2022.

NEW BUSINESS (NB):

NB 1 CONTRACT #2023-15 TO BYD MOTORS INC. THROUGH THE STATE OF GEORGIA CONTRACT #99999-001-SPD0000138-0008, FOR PURCHASE OF 30-FOOT, 35-FOOT, AND 40-FOOT BATTERY-ELECTRIC TRANSIT BUSES – LYLE BLOCK

Recommended Action: Authorize the Executive Director/CEO to execute Contract #2023-15 to BYD Motors Inc. through the State of Georgia Contract #99999-001-SPD0000138-0008, as follows: 1) two (2) K7M-ER 30-foot battery-electric heavy-duty low floor transit buses, for an amount not to exceed \$1,588,275, plus applicable sales tax; 2) three (3) K8M 35-foot battery-electric heavy-duty low floor transit buses, for an amount not to exceed \$2,529,097, plus applicable sales tax; and 3) two (2) K9M 40-foot battery-electric heavy-duty low floor transit buses, for an amount not to exceed \$1,758,987, plus applicable sales tax. Total purchase will not exceed \$5,876,359, plus applicable sales tax.

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(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)

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 September 27, 2022 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 August 19, 2022, 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.

JULY

FY 2023 MONTHLY OPERATIONS KEY PERFORMANCE INDICATORS

Presentation to the Board of Directors

August 23, 2022



SRP 6

RIDERSHIP DATA: TOTAL PASSENGERS



MT PICKUPS WITHIN SERVICE AREA ROUTES





REBOOKED TRANSPORTS



AVERAGE SHARED RIDE PERCENTAGE



PASSENGERS PER REVENUE HOUR



July Average Passengers per Revenue Hour

1.67



PASSENGER WAIT TIME



Wait Time

18:47

RANSPORTATION

ACCIDENTS



PASSENGER FEEDBACK: COMPLAINTS



PASSENGER FEEDBACK: RATINGS



4.86

JULY

FY 2022 MONTHLY OPERATIONS KEY PERFORMANCE INDICATORS

Thank You!

Questions?



Note: Data accurate as of August 1st

LEGISLATIVE UPDATE

Presentation to AVTA Board of Directors August 23, 2022













PENDING BILLS

SB 922 (Wiener) California Environmental Quality Act:

Would extend CEQA exemptions for certain clean transportation projects.

<u>SB 942 (Newman) Low</u> Carbon Transit Operations Program:

Would allow public transit agencies to use funds from the Program to subsidize an ongoing free or reduced fare transit program. AB 2622 (Mullin) Sales and Use Taxes: Exemptions: California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project: Transit Buses.

Would extend, from January 1, 2024 to January 1, 2026, the partial sales and use tax exemption for zero-emission buses.

AB 1919 (Holder) Fare Free:

Would create the Youth Transit Pass Pilot Program, an elective program offering free youth transit passes to students. Under the program, a transit agency with an existing fare free program that benefits individuals aged 18 and under would be eligible to receive new state funding for transit operations.





LEGISLATIVE SESSION

- August 31 marks the last day of the 2021-2022 Legislative Session and the first day of the Final Recess.
- All policy and fiscal committee hearings have concluded and only Floor Session remains.
- Legislators will hear and vote to determine which bills will move forward for the Governor's consideration.
- Bills sent to the Governor:
 - \checkmark before August 20 must be acted on within 12 days
 - ✓ after August 20 must be acted on before September 30.





APPOINTMENTS



Governor named former Los Angeles Mayor Antonio Villaraigosa to serve as an Infrastructure Advisor to the State of California, working with local, state and federal leaders to identify priority projects and maximize access to federal funding across all regions of the state.

California Air Resources Board Chair the Board is appointing Dr. Steven Cliff as CARB's new Executive Officer, replacing CARB's previous Executive Officer, Richard Corey, who retired at the end of June.







FEDERAL







INFLATION REDUCTION ACT

H.R. 5376

Passed by the US House of Representatives by a 220-207 vote.

Passed by the Senate by a vote of 51-50.

Signed into law August 16, 2022.

Includes alternative fuel tax credits and significant new investments in climate, zero-emission technology, equity and environmental streamlining.





INFLATION REDUCTION ACT

H.R. 5376

- Extends the excise tax credits for alternative fuels, biodiesel, and renewable diesel;
- Extends and substantially restructures the alternative fuel vehicle property credit;
- Establishes a new commercial clean vehicle tax credit;
- Provides significant new investments in climate, zero-emission technology, equity, and environmental review including:
 \$27 billion for a Greenhouse Gas Reduction Fund;
 \$3.2 billion for Neighborhood Access and Equity Grants; and
 \$2 billion for Low-Carbon Transportation Materials Grants.





FY23 THUD APPROPRIATIONS BILL

On July 28, the Senate Appropriations Committee released its draft Fiscal Year (FY) 2023 Transportation, Housing and Urban Development, and Related Agencies (THUD) Appropriations bill.

Provides an additional **\$527 million** for specific initiatives, including:

- \$220 million for Buses and Bus Facilities Competitive Grants;
- \$135 million for Low-No Emission Bus Grants.

Coupled with the Infrastructure Investment Act, a total of **\$21.1** billion dedicated for public transit in FY 2023.

An increase of \$565 million (3 percent) from the FY 2022 enacted level.





HAPPY BIRTHDAY FTA

Many remember LBJ for his domestic Great Society Program.

Landmark legislation - the foundation for federal financial support of public transportation.

July marked the 58th anniversary of federal government support for public transportation.

LBJ signed the "Urban Mass Transportation Act of 1964" into law.







Bus & Bus Facilities & Low or No Emission

Tuesday, August 16, 2022

Bipartisan Infrastructure Law increases funding for low- and no- emission bus grants six-fold and includes worker training on zero-emission buses

WASHINGTON – The U.S. Department of Transportation's Federal Transit Administration today announced \$1.66 billion in grants to transit agencies, territories, and states across the country to invest in 150 bus fleets and facilities. Funded by the President's Bipartisan Infrastructure Law, more than 1,100 of those vehicles will use zero-emissions technology, which reduces air pollution and helps meet the President's goal of net-zero emissions by 2050. This year's funding alone will nearly double the number of no-emission transit buses on America's roadways. For the first time, five percent of low- and no-emission bus funding will be used to train transit workers on how to maintain and operate new clean bus technology.

"With today's awards, we're helping communities across America – in cities, suburbs, and rural areas alike – purchase more than 1,800 new buses, and most of them are zero-emission," said **U.S. Transportation Secretary Pete Buttigieg**. "Funded through President Biden's Bipartisan Infrastructure Law, this announcement means more good jobs for people across the country, cleaner air in our communities, and more affordable and reliable options to help people get to where they need to go."





CALIFORNIA AWARDS

\$104,160,000 million for the *Los Angeles County Metropolitan Transportation Authority's* Zero-Emission Bus and Infrastructure Deployment Project.

>**\$17,367,042** million for the *City of Fresno's* Zero-Emission Transition Project.

\$3,325,647 million for the *City of Gardena's Gtrans* Zero-Emission Bus Replacement Project.

>**\$12,117,144** for the *Gold Coast Transit District's* Hydrogen Fuel Transition Project.

>**\$3,994,277** for the *San Joaquin's Buses* for their Disadvantaged Route Expansion Project.

\$7,146,793 for the *SunLine Transit Agency's Cleaner Transportation in the Coachella Valley* + **\$7,819,257** for Hydrogen Fuel Cell Expansion Project.

>**\$9,342,502** for *Omnitrans'* Zero-Emission Buses, Fueling, and Workforce Development Project.





Questions?







SRP 8

FY 2022 Monthly Maintenance Key Performance Indicators

Presentation to the Board of Directors August 23, 2022





ELECTRIC MILES TRAVELED



2

AVERAGE MILES BETWEEN SERVICE INTERRUPTIONS Peer Average: 11,206 Target: 15,500







MAINTENANCE COST PER MILE BY FLEET





FUEL/ENERGY COST PRIOR 12 MONTHS



Antelope Valley Transit Authority

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





AVERAGE FUEL CONSUMPTION PER MILE (KWPM)







TOTAL FUEL & MAINTENANCE COST ASSUMPTIONS

Electric Diesel




TOTAL FUEL & MAINTENANCE COST ASSUMPTIONS W/LCFS

Electric Diesel





Discussion/Questions?







MV AVTA Operations – JULY 2022

Michael Sherrill

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System-Wide Monthly Boarding Activity

	July 2022	June 2022
	FY 2022	FY 2022
System	91,351	68,348
Local	83,878	60,945
Commuter	7,473	7,403



2

On-Time Performance System-Wide Average 68% Target 85%





System-wide Service Performance

TRIPS JULY 2022





Vehicle Accidents

Total Preventable Accidents by Month				
Accident Type June July Total				
Fixed Object		2	2	
Turning	1		1	



System-Wide Customer Feedback

	June	July
Total Valid Complaints		38
Top 3 Complaints		
Bus Did Not Show	20	16
Discourteous Operator (1 Passenger Pass Up)	9	11
Operator Not Wearing a Mask	1	4

Commendations	0	4
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Operations Staffing

CURRENT OPERATOR SUMMARY		
Total Scheduled Bids111		
Standby Operators 30		
Total Active Operators14		
Operator Overage/Shortage +2		

Average Daily Call Offs

7



Maintenance Staffing

MAINTENANCE SUMMARY		
Maintenance Manager	1	
Asst Maintenance Manager	1	
Maintenance Supervisor	2	
Quality Assurance Manager	1	
Class A Tech	4	
Class B Tech	7	
Class C Tech	6	
Electronics Tech	1	
Bus Utility	11	
Lead Parts Coordinator	1	
Parts Coordinator	2	
Total	37	



Preventative Maintenance Inspections "PMIs"





Miles Between Service Interruptions Target 14,000







We provide freedom.

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Regular Meeting of the Board of Directors Tuesday, July 26, 2022 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

Vice Chair Knippel led the Pledge of Allegiance.

ROLL CALL:

<u>Present</u>

Chairman Marvin Crist Vice Chair Dianne Knippel Alternate Director Kathryn Mac Laren (Representative for Director Steve Hofbauer) Director Richard Loa Director Raj Malhi

<u>Absent</u> Director Michelle Flanagan

APPROVAL OF AGENDA

Motion: Approve the agenda as comprised.

Moved by Vice Chair Knippel, seconded by Director Malhi

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

PUBLIC BUSINESS – AGENDIZED <u>AND</u> NON-AGENDIZED ITEMS:

Fran Sereseres asked about commuter routes to the downtown Los Angeles area and the location of the Los Angeles Employment Center.

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

SRP 1 PRESENTATION TO THE AVTA EMPLOYEE OF THE FOURTH QUARTER FOR FISCAL YEAR 2021/2022 (APRIL 1 – JUNE 30, 2022)

Safety and Facilities Manager Sean Elmore presented the award to Johnny Landaverde, Facilities Maintenance Technician II.

SRP 2 PRESENTATION TO ANTELOPE VALLEY TRANSPORTATION SERVICES EMPLOYEE OF THE MONTH

AV Transit Management President Art Minasyan presented the award to Randy Duckett.

SRP 3 MICROTRANSIT AND DIAL-A-RIDE KEY PERFORMANCE INDICATORS (KPI) REPORT

Mr. Minasyan presented the report.

SRP 4 LEGISLATIVE FINANCE REPORT FOR JULY 2022

Chief Financial Officer Judy Vaccaro-Fry announced that AVTA was awarded Transit and Intercity Rail Capital Program grant funds for the fifth time. The grant titled "*Sweet Home Antelope Valley; Where the Skies are so Blue*" was submitted in partnership with the Antelope Valley Schools Transportation Agency (AVSTA). She introduced Morris Fuselier III, AVSTA CEO, who detailed AVSTA's plans for using the funds.

Ms. Vaccaro-Fry also reported on the state's FY 2022/2023 budget, pending legislation, gas tax suspension, new grant opportunity - Strengthening Mobility and Revolutionizing Transportation, Los Angeles County Metropolitan Transportation Authority's (LACMTA) new transit ambassador program, and provided an update regarding the Authority's grants.

SRP 5 OPERATIONS KPI REPORT

Senior Director of Operations and Planning Esteban Rodriguez presented the report. The Board discussed on-time performance for June. Board of Directors – Regular Meeting Unofficial Minutes July 26, 2022 Page 3

SRP 6 MAINTENANCE KPI REPORT

Operations Analyst Joseph Sanchez presented the report.

CONSENT CALENDAR (CC):

- **CC 1 BOARD OF DIRECTORS MEETING MINUTES OF JUNE 28, 2022** Approve the Board of Directors' Regular Meeting Minutes of June 28, 2022.
- **CC 2 FINANCIAL REPORT FOR JUNE 2022** Receive and file the Financial Report for June 2022.
- CC 3 FISCAL YEAR 2021/2022 (FY 2022) FOURTH-QUARTER LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) REPORT (APRIL 1 – JUNE 30, 2022) Receive and file the FY 2022 Fourth Quarter LASD report for the period

Receive and file the FY 2022 Fourth Quarter LASD report for the period covering April 1 through June 30, 2022.

CC 4 ANNUAL REVIEW AND UPDATE OF THE PUBLIC TRANSPORTATION AGENCY SAFETY PLAN

Adopt the updated Public Transportation Agency Safety Plan (PTASP) to comply with the Federal Transit Administration (FTA) transit safety plan requirements; and adopt Resolution 2022-010, adopting the updated PTASP.

CC 5 RESOLUTION NO. 2022-012, AUTHORIZING THE EXECUTIVE DIRECTOR/CEO AND/OR CHIEF FINANCIAL OFFICER TO EXECUTE AGREEMENTS NECESSARY FOR THE BUS REPLACEMENT PROJECT WITH FUNDS FROM THE CALIFORNIA STATE OF GOOD REPAIR PROGRAM FOR FISCAL YEAR 2022/2023 (FY 2023)

Adopt Resolution No. 2022-012, authorizing the Executive Director/CEO and/or Chief Financial Officer to execute agreements necessary for the Bus Replacement project with funds from the California State of Good Repair Program for FY 2023.

Motion: Approve the Consent Calendar.

Made by Vice Chair Knippel, seconded by Director Loa

- Vote: Motion carried (5-0-0-1)
- Ayes: Chairman Crist, Vice Chair Knippel, Directors Loa, Malhi, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: Director Flanagan

Board of Directors – Regular Meeting Unofficial Minutes July 26, 2022 Page 4

NEW BUSINESS (NB):

NB 1 CHANGE ORDER NO. 3 TO CONTRACT #2022-06 WITH TONEMAN DEVELOPMENT CORP. FOR BATTERY-ELECTRIC SUPPORT VEHICLE CHARGING INFRASTRUCTURE

Maintenance Compliance Manager Cecil Foust presented the staff report and confirmed funding availability.

Motion: Authorize the Executive Director/CEO to execute an AVTA initiated, no mark-up, Change Order No. 3 to Contract #2022-06 with Toneman Development Corp. for an amount not to exceed \$106,000 to provide batteryelectric support vehicle charging infrastructure. The infrastructure will include twelve (12) 50A receptacles, a 112.5 KVA transformer, and an exterior mounted panel board, with other associated improvements.

Moved by Vice Chair Knippel, seconded by Director Malhi

Vote:	Motion carried	(5-0-0-1)
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Ayes: Chairman Crist, Vice Chair Knippel, Directors Loa, Malhi, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: Director Flanagan

NB 2 CONTRACT #2022-49 TO AZ BUS SALES, INC. FOR 19 BATTERY-ELECTRIC ADA-COMPLIANT VANS

Procurement and Contracts Officer Lyle Block presented the staff report. The Board discussed the submitted bids.

Motion: Authorize the Executive Director/CEO to execute Contract #2022-49 with AZ Bus Sales, Inc., Colton, CA, to purchase 19 battery-electric ADA-compliant vans for an amount not to exceed \$3,992,000, including applicable sales tax.

Moved by Vice Chair Knippel, seconded by Director Malhi

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

NB 3 RENTAL AGREEMENT FOR SIX (6) DAR/MICROTRANSIT VEHICLES

Ms. Vaccaro-Fry presented the staff report adding the delivery of the nineteen battery-electric ADA-compliant vans will take approximately 12 - 18 months.

Motion: Authorize the Executive Director/CEO to execute a passthrough rental agreement with AVTS for up to one year, for a quantity of six (6) vehicles, at an amount not to exceed \$16,740 per month or \$200,880 for a one-year term.

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

- Vote: Motion carried (5-0-0-1)
- Ayes: Chairman Crist, Vice Chair Knippel, Directors Loa, Malhi, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: Director Flanagan

NB 4 RESOLUTION NO. 2022-013, AMENDMENT TO SECTION 3.30 OF THE ANTELOPE VALLEY TRANSIT AUTHORITY BYLAWS

General Counsel Allison Burns presented the staff report noting the Amendment as presented inadvertently omits the reference to "Special" meetings in the first bullet point and recommended including that wording in the motion.

Motion: Adopt Resolution No. 2022-013, amending the Bylaws to add language regarding the compensation for Board members under Section 3.30 entitled "Compensation and Benefits" adding the words "<u>or Special"</u> to the first bullet point.

Moved by Vice Chair Knippel, seconded by Director Loa

- Vote: Motion carried (5-0-0-1)
- Ayes: Chairman Crist, Vice Chair Knippel, Directors Loa, Malhi, Alternate Director Mac Laren

Nays: None

Abstain: None

Absent: Director Flanagan

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NB 5 AMENDED AND RESTATED EXECUTIVE DIRECTOR/CEO EMPLOYMENT AGREEMENT

General Counsel Burns presented the staff report.

Motion: Approve Executive Director/CEO Martin Tompkins' Amended and Restated Employment Agreement.

Moved by Director Loa, seconded by Vice Chair Knippel

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

REPORTS AND ANNOUNCEMENTS (RA):

RA 1 REPORT BY THE EXECUTIVE DIRECTOR/CEO

Executive Director/CEO Martin Tompkins had no reports or announcements.

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

There were no miscellaneous business items presented.

ADJOURNMENT:

Chairman Crist adjourned the meeting at 11:51 a.m. to the Regular Meeting of the Board of Directors on August 23, 2022, at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6th Street West, Lancaster, CA.

PASSED, APPROVED, and ADOPTED this 23rd day, of AUGUST 2022.

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: August 23, 2022

TO: BOARD OF DIRECTORS

SUBJECT: Financial Report for July 2022 and Q4

RECOMMENDATION

That the Board of Directors receive and file the Financial Report, including Quarterly Treasurer, Capital Reserve, and Farebox Recovery information, for July 2022.

FISCAL IMPACT

	July 2022
PAYROLL	\$345,404
CASH DISBURSEMENTS	\$6,464,143

FY 2022 Farebox Recover Ratio

	Q1	Q1 + Q2	Q1 + Q2 +Q3	Q1+Q2+Q3+ Q4
Directly Generated Revenue	\$900,874	\$1,900,231	\$2,745,510	\$3,672,537
Operating Expenses	\$7,055,149	\$14,954,894	\$22,803,029	\$31,629,975
Farebox Recovery Ratio	12.7%	12.7%	12.4%	11.6%

Notes: Revenue includes Farebox, Advertisements, Gain on Sale, LCFS Credits and Investment Income.

Financial Reports for July 2022 August 23, 2022 Page 2

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.

On a quarterly basis, farebox recovery ratio data and a Treasurer's Report, including capital reserve information (Attachment A), will be included as part of the financial report. The Executive Director/CEO and Treasurer certify the availability of funds.

I, Martin Tompkins, Executive Director/CEO of AVTA, declare that the above information is accurate.

Prepared by:

Submitted by:

Vianney Mclaughlin Senior Finance Manager Martin J. Tompkins Executive Director/CEO

Attachment: A – Fourth Quarter Treasurer's Report for FY 2022

ANTELOPE VALLEY TRANSIT AUTHORITY Treasurer's Report For the quarter ended 6/30/2022

Investment Type	Description	Beginning Balance 4/1/22	Deposits & Transfers	Disbursements & Transfers	Interest	Ending Balance 6/30/22
	Cash and Inves	stments Under th	e Direction of th	e Treasurer		
Local Agency Investment Fund	l (LAIF) - Cap & Op Reserve	5,488,214			10,275	5,498,489
Mission Bank- Reserve Investr	nents	12,052,396			13,976	12,066,372
Total Capital & Op. Reserv	es and Restricted Funds	17,540,609	-	-	24,251	17,564,861
General Account- Mission Ban	k	4,441,773	14,061,738	(14,939,057)	762	3,565,216
Stuff-a-Bus *		100				100
Petty Cash Balance		750				750
Operating Accounts Total		4,442,623	14,061,738	(14,939,057)	762	3,566,066
TOTAL CASH AND INVEST	MENTS	\$ 21,983,232	\$ 14,061,738	\$ (14,939,057)	\$ 25,013	\$ 21,130,927

I hereby certify that the investment portfolio of AVTA complies with its investment policy and the California Government Code Sections pertaining to the investment of local agency funds, Mission Bank. Pending any future actions by the AVTA Board or any and unforeseen occurrences, AVTA has cash flow adequate to meet its expenditure requirements for the next three months.

Prepared by: Johndfle

Vunney Mclaughlin Finance Manager

Submitted by:

Judy Vaccaro-Fry Chief Finance Officer



DATE: August 23, 2022

TO: BOARD OF DIRECTORS

SUBJECT: Contract #2023-15 to BYD Motors Inc. through the State of Georgia Contract #99999-001-SPD0000138-0008, for Purchase of 30-foot, 35-foot, and 40-foot Battery-Electric Transit Buses

RECOMMENDATION

That the Board of Directors authorize the Executive Director/CEO to execute Contract #2023-15 to BYD Motors Inc. through the State of Georgia Contract #99999-001-SPD0000138-0008, as follows: 1) two (2) K7M-ER 30-foot battery-electric heavy-duty low floor transit buses, for an amount not to exceed \$1,588,275, plus applicable sales tax; 2) three (3) K8M 35-foot battery-electric heavy-duty low floor transit buses, for an amount not to exceed \$2,529,097, plus applicable sales tax; and 3) two (2) K9M 40-foot battery-electric heavy-duty low floor transit buses, for an amount not to exceed \$1,758,987, plus applicable sales tax. Total purchase will not exceed \$5,876,359, plus applicable sales tax.

FISCAL IMPACT

Funds from various grants will be re-allocated from previously awarded contracts to pay for this purchase. The savings is approximately \$1.7 million, including HVIP vouchers.

BACKGROUND

In January 2016, the Board of Directors adopted a goal to procure and operate a 100% battery-electric fleet. On February 11, 2016, the Board of Directors awarded Contract #2016-31 to BYD Motors, Inc. for the purchase of 85 buses for the Battery-Electric Bus Project. Subsequently, on April 27, 2021, the Board of Directors authorized Contract Amendment No. 3 under Contract #2016-31, for the purchase of six (6) 60-foot battery-electric articulated buses.

Since that time, staff has been committed to the process of aligning the vehicles to match ridership and routes, and fine-tuning the performance of the fleet. After a thorough review, staff found that the 60-foot battery-electric articulated buses were not suitable for our service needs, and on May 26, 2022, AVTA canceled the production of five (5) 60-foot battery-electric articulated buses. Prior to that action, AVTA discovered that two (2) 40-foot buses were never entered into production. Therefore, staff is requesting the re-allocation of the funds previously awarded for

Contract #2023-15 to BYD Motors Inc. through the State of Georgia Contract #99999-001-SPD0000138-0008, for Purchase of 30-foot, 35-foot, and 40-foot Battery-Electric Transit Buses August 23, 2022 Page 2

those seven (7) buses be applied to this purchase. This combined purchase will now allow for the capture of HVIP vouchers for a combined savings amount of \$840,000.

The two (2) 30-foot buses to be purchased are listed under Category 3 Electric Bus Master / Item #: E- 17 / Line #: 15 / Line Item Description: 3-9: 30 ft.: 30 ft. to 34 ft., 11 in Electric Heavy Duty Low Floor Transit Bus / Vehicle Description: BYD K7M-ER / FTA: Yes / Supplier BYD, Cost: \$710,377.

The three (3) 35-foot buses to be purchased are listed under Category 3 Electric Bus Master / Item #: E- 14 / Line #: 12 / Line Item Description: 3-8: 35 ft.: 35 ft. to 39 ft., 11 in Electric Heavy Duty Low Floor Transit Bus / Vehicle Description: BYD K8M-ER / FTA: Yes / Supplier BYD, Cost: \$759,892.

The two (2) 40-foot buses to be purchased are listed under Category 3 Electric Bus Master / Item #: E-10 / Line #: 10 / Line Item Description: 3-6: 40 ft.: 40 ft. to 44 ft., 11 in Electric Heavy Duty Low Floor Transit Bus / Vehicle Description: BYD K9M / FTA: Yes / Supplier BYD, Cost: \$796,353.

In addition to the fair and reasonable pricing of the State of Georgia contract, adding these vehicles to the Authority's battery-electric fleet provides the best overall cost savings and solution for AVTA.

Prepared by:

Submitted by:

Lyle A. Block, CPPB Procurement and Contracts Officer Martin J. Tompkins Executive Director/CEO

Attachments: A – Permission to Purchase from Georgia Statewide Contract No.: 99999-001-SPD0000138-0008.

B – BYD Motors, Inc. Quote for 30-foot BYD K7M-ER buses in accordance with Georgia Statewide Contract No.: 99999-001-SPD0000138-0008.

C – BYD Motors, Inc. Quote for 35-foot BYD K8M buses in accordance with Georgia Statewide Contract No.: 99999-001-SPD0000138-0008.

D – BYD Motors, Inc. Quote for 40-foot BYD K9MD buses in accordance with Georgia Statewide Contract No.: 99999-001-SPD0000138-0008.



J. Alexander Atwood Commissioner

Brian P. Kemp Governor

October 4, 2021

Lyle A. Block Antelope Valley Transit Authority (AVTA) 44210 6th St. West Lancaster, CA 93534

Subject: Permission to purchase from Georgia Statewide Contract 99999-001-SPD0000138-0008 – BYD Motor Inc.

Dear Mr. Block:

Please be advised the that the above referenced Statewide Contract was solicited internally by the Department of Administrative Services. The contract was award with a 2-year base term and 3 one-year renewal options. The following suppliers were awarded under this contract:

The Bus Center of Atlanta	99999-001-SPD0000138-0001
Alliance Bus Group	99999-001-SPD0000138-0002
Creative Bus Sales	99999-001-SPD0000138-0003
Tesco	99999-001-SPD0000138-0004
Prevost	99999-001-SPD0000138-0005
Motor Coach Industries	99999-001-SPD0000138-0006
Proterra	99999-001-SPD0000138-0007
BYD Motor Inc.	99999-001-SPD0000138-0008

This is an open schedule with no minimums or maximums. This statewide contract is in full compliance with the Fast Act. Per the Fast Act Section 3019, FTA permits transit providers to purchase from a state schedule outside of their state.

FTA policies allow grantees to use contracts awarded by State or local governments for the benefit of subordinate government entities. The FTA requirement for minimum and maximum quantities applies to grantees acting alone or jointly with other known grantees for a particular acquisition. In this case the contract must reflect the reasonably expected needs of the parties, and excess quantities may not be added for the purpose of allowing other agencies that are not part of the original buying group to "piggyback" the contract after award. When grantees use State Purchasing Schedules, FTA does not classify the action as "piggybacking," and rules established for "piggybacking" do not apply to State Purchasing Schedules. "Piggybacking" as used by FTA refers to the assignment of unanticipated excess contract rights by one agency to a grantee that was not known at the time of the original contract award.

The administrative fee amount for this statewide contract is one percent (1%) which is a pass-through.

Further, there is a 12-month schedule for bus production and delivery. Attached, please find the Statewide Information Sheet for BYD which includes ordering instructions.

We look forward to AVTA utilizing our Statewide Contract. Please let me know if you have any questions.

Page 2 of 2 Sincerely,

Eric Mercier Contract Management Specialist

Copy: Dr. Carl A. Hall Contract Management Manager

NB1-ATTACHMENTB



46147 7th Street W Lancaster, CA 93534 Phone: (661)940-3250 Fax: (661)942-0587

Quotation For:

AVTA 42210 6th Street West Lancaster, CA 93534 Quotation

DATE 8/10/2022 Quotation # JH08102022AVTA-K7MER

Valid For: 90 days Quotation valid until: 11/8/2022

Prepared by:

JJ Zhang

Comments or Special Instructions:

None

SALES PERSON	SHIP DATE	SHIP VIA	F.O.B. POINT	TERMS
James Holtz	14-18 Months After Spec Finalization	TBD	Lancaster, CA	NET 30

ITEM #	QTY	DESCRIPTION	UNIT PRICE (USD)	TOTAL AMOUNT (USD)
1	2	30' BYD K7M-ER Bus (Nameplate 296 kWh/ Usable 266 kWh) - Georgia Contract No. 99999-001-SPD0000138-0008	\$ 710,377.00	\$ 1,420,754.00
2	2	Add-on (See add-on list)	\$ 83,690.31	\$ 167,380.63
3	2	Delivery Fee	\$ 70.00	\$ 140.00
4	2	ADA Non Taxable Amount (Included in ITEM #1) - \$25,479	\$ 25,479.00	\$ 50,958.00
	·		Subtotal	\$ 1,588,274.63

Estimated Sales Tax (10.25%)* \$

Total (USD)

1,745,849.58

\$

157,574.95

*NOTE:

1. Applicable sales tax is subject to be adjusted according to date of invoice.

2. ADA Non Taxable Amount of \$25,479 is not taxed.



Quotation For:

AVTA 42210 6th Street West Lancaster, CA 93534 Date 8/10/2022
Quotation # JH08102022AVTA

Quotation Valid Until: 11/8/2022

Add on List

Add on #	Description		Pricing Source		Unit Price (USD)	Exte	ended Price per Bus (USD)
1	Apollo Roadrunner HDR DVR 2TB 8 Camera System & Audio	1	GA Contract	\$	10,402.37	\$	10,402.37
2	I/O Controls Dinex LED Interior Lighting Kit	1	GA Contract	\$	6,810.37	\$	6,810.37
3	Recaro Ergo M -Drivers Seat	1	GA Contract	\$	268.68	\$	268.68
4	Fire Suppression System Amerex V-25lb ABC	1	GA Contract	\$	-	\$	-
5	Custom Paint/Decal Design (Per Purchasers' Spec) - White	1	GA Contract	\$	-	\$	-
6	Sutrak HVAC	1	GA Contract	\$	19,344.60	\$	19,344.60
7	Trilogy 3 position Bike-Rack	1	GA Contract	\$	2,441.16	\$	2,441.16
8	Q'Straint Q' Pod	1	GA Contract	\$	3,315.18	\$	3,315.18
9	I/O Controls Destination Sign Amber (Front, Side and Rear)	1	Quote	\$	-	\$	-
10	Passenger Fabric Info	1	Quote	\$	2,790.00	\$	2,790.00
11	ELMS	1	Quote	\$	1,540.00	\$	1,540.00
12	Dash Fan	1	Quote	\$	110.00	\$	110.00
13	Pre-Wire for Kenwood Radio	1	Quote	\$	230.00	\$	230.00
14	Pre-Heating Function	1	Quote	\$	560.00	\$	560.00
15	Brochure Rack	1	Quote	\$	370.00	\$	370.00
16	Bentech Driver Barrier - Standard Glass	1	Quote	\$	8,320.00	\$	8,320.00
17	WAVE system Pre-Wire	1	Quote	\$	9,550.00	\$	9,550.00
18	Avail system - Pre-wire	1	Quote	\$	3,224.10	\$	3,224.10
19	Graffiti film	1	Quote	\$	586.46	\$	586.46
20	Thermo Guard Windows	1	Quote	\$	13,827.40	\$	13,827.40
21	Ricon hidden frames (Flooring)	1	Quote	\$	-	\$	-
				тот	AL (USD)	\$	83,690.31

NB1-ATTACHMENTC



46147 7th Street W Lancaster, CA 93534 Phone: (661)940-3250 Fax: (661)942-0587

Quotation For:

AVTA 42210 6th Street West Lancaster, CA 93534

Quotation

DATE 8/10/2022 Quotation # JH08102022AVTA-K8M

Valid For:90 daysQuotation valid until:11/8/2022

Prepared by:

JJ Zhang

Comments or Special Instructions:

None

SALES PERSON	SHIP DATE	SHIP VIA	F.O.B. POINT	TERMS
James Holtz	14-18 Months After Spec Finalization	TBD	Lancaster, CA	NET 30

\$ 759,892.00 \$ 2,279,676.
\$ 83,070.31 \$ 249,210.
\$ 70.00 \$ 210.
\$ 25,479.00 \$ 76,437. Subtotal \$ 2,529,096.

Estimated Sales Tax (10.25%)* \$

Total (USD)

2,780,494.58

\$

251,397.64

*NOTE:

Applicable sales tax is subject to be adjusted according to date of invoice.
 ADA Non Taxable Amount of \$25,479 is not taxed.



Quotation For:

AVTA 42210 6th Street West Lancaster, CA 93534

Quotation Valid Until: 11/8/2022

Add on List

Add on #	Description	Qty per bus	Qty Pricing per bus Source		Unit Price (USD)		Extended Price per Bus (USD)	
1	Apollo Roadrunner HDR DVR 2TB 8 Camera System & Audio	1	GA Contract	\$	10,402.37	\$	10,402.37	
2	I/O Controls Dinex LED Interior Lighting Kit	1	GA Contract	\$	6,810.37	\$	6,810.37	
3	Recaro Ergo M -Drivers Seat	1	GA Contract	\$	268.68	\$	268.68	
4	Fire Suppression System Amerex V-25lb ABC	1	GA Contract	\$	-	\$	-	
5	Custom Paint/Decal Design (Per Purchasers' Spec) - White	1	GA Contract	\$	-	\$	-	
6	Sutrak HVAC	1	GA Contract	\$	19,344.60	\$	19,344.60	
7	Trilogy 3 position Bike-Rack	1	GA Contract	\$	2,441.16	\$	2,441.16	
8	Q'Straint Q' Pod	1	GA Contract	\$	3,315.18	\$	3,315.18	
9	I/O Controls Destination Sign Amber (Front, Side and Rear)	1	Quote	\$	-	\$	-	
10	Passenger Fabric Info	1	Quote	\$	2,790.00	\$	2,790.00	
11	ELMS	1	Quote	\$	1,540.00	\$	1,540.00	
12	Dash Fan	1	Quote	\$	110.00	\$	110.00	
13	Pre-Wire for Kenwood Radio	1	Quote	\$	230.00	\$	230.00	
14	Pre-Heating Function	1	Quote	\$	560.00	\$	560.00	
15	Brochure Rack	1	Quote	\$	370.00	\$	370.00	
16	ArrowGlobal Driver Barrier - Standard Glass	1	Quote	\$	7,700.00	\$	7,700.00	
17	WAVE system Pre-Wire	1	Quote	\$	9,550.00	\$	9,550.00	
18	Avail system - Pre-wire	1	Quote	\$	3,224.10	\$	3,224.10	
19	Graffiti film	1	Quote	\$	586.46	\$	586.46	
20	Thermo Guard Windows	1	Quote	\$	13,827.40	\$	13,827.40	
21	Ricon hidden frames (Flooring)	1	Quote	\$	-	\$	-	
				то	TAL (USD)	\$	83,070.31	

NB 1 - ATTACHMENT D



46147 7th Street W Lancaster, CA 93534 Phone: (661)940-3250 Fax: (661)942-0587

Quotation For:

AVTA 42210 6th Street West Lancaster, CA 93534

Quotation

DATE 8/10/2022 Quotation # JH08102022AVTA-K9MD

Valid For:90 daysQuotation valid until:11/8/2022

Prepared by:

JJ Zhang

Comments or Special Instructions:

None

SALES PERSON	SHIP DATE	SHIP VIA	F.O.B. POINT	TERMS
James Holtz	14-18 Months After Spec Finalization	TBD	Lancaster, CA	NET 30

ITEM #	QTY	DESCRIPTION	UNIT PRICE (USD)	тс	TAL AMOUNT (USD)
1	2	40' BYD K9MD Bus (Nameplate 348 kWh/ Usable 313 kWh) - Georgia Contract No. 99999-001-SPD0000138-0008	\$ 796,352.70	\$	1,592,705.40
2	2	Add-on (See add-on list)	\$ 83,070.31	\$	166,140.63
2	2	Delivery Fee	\$ 70.00	\$	140.00
4	2	ADA Non Taxable Amount (Included in ITEM #1) - \$25,479	\$ 25,479.00	\$	50,958.00
			Subtotal	\$	1,758,986.03

Estimated Sales Tax (10.25%)* \$ 175,072.87

Total (USD)

1,934,058.90

\$

*NOTE:

Applicable sales tax is subject to be adjusted according to date of invoice.
 ADA Non Taxable Amount of \$25,479 is not taxed.



Quotation For:

AVTA 42210 6th Street West Lancaster, CA 93534

Quotation Valid Until: 11/8/2022

Add on List

Add on #	Description	Qty per bus	Pricing Source		Unit Price (USD)		Extended Price per Bus (USD)	
1	Apollo Roadrunner HDR DVR 2TB 8 Camera System & Audio	1	GA Contract	\$	10,402.37	\$	10,402.37	
2	I/O Controls Dinex LED Interior Lighting Kit	1	GA Contract	\$	6,810.37	\$	6,810.37	
3	Recaro Ergo M -Drivers Seat	1	GA Contract	\$	268.68	\$	268.68	
4	Fire Suppression System Amerex V-25lb ABC	1	GA Contract	\$	-	\$	-	
5	Custom Paint/Decal Design (Per Purchasers' Spec) - White	1	GA Contract	\$	-	\$	-	
6	Sutrak HVAC	1	GA Contract	\$	19,344.60	\$	19,344.60	
7	Trilogy 3 position Bike-Rack	1	GA Contract	\$	2,441.16	\$	2,441.16	
8	Q'Straint Q' Pod	1	GA Contract	\$	3,315.18	\$	3,315.18	
9	I/O Controls Destination Sign Amber (Front, Side and Rear)	1	Quote	\$	-	\$	-	
10	Passenger Fabric Info	1	Quote	\$	2,790.00	\$	2,790.00	
11	ELMS	1	Quote	\$	1,540.00	\$	1,540.00	
12	Dash Fan	1	Quote	\$	110.00	\$	110.00	
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				то	TAL (USD)	\$	83,070.31	