



Regular Meeting of the Board of Directors

10:00 a.m.

Tuesday, June 25, 2013

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

OFFICIAL MINUTES

CALL TO ORDER:

Called to order at 10:02 a.m.

PLEDGE OF ALLEGIANCE:

Director Lackey led the Pledge of Allegiance.

ROLL CALL:

Chairman Norm Hickling
Vice Chairman Marvin Crist
Director Tom Lackey
Director Steve Hofbauer
Director Dianne Knippel
Director Sandra Johnson

General Counsel D. Craig Fox requested that Resolution No. 2013-004 be added to the agenda and discussed during Closed Session Item #5: Conference with Legal Counsel- Existing Litigation (People v. Jorge: Case no. BA405021 and People v. Floyd: Case no. BA405021).

Whether the Resolution needs acted on is dependent upon the result of the Board's Closed Session discussion. Mr. Fox stated that the Resolution is being added to the agenda based on the following findings: 1) the issue came to his attention after the posting of the agenda; and 2) there is an immediate need to take action.

Motion: Add Resolution No. 2013-004 to Closed Session Item #5.

Moved by Vice Chairman Crist, seconded by Director Hofbauer

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

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson

Nays: None

Abstain: None

Absent: None

APPROVAL OF AGENDA:

Motion: Approve the agenda as comprised.

Moved by Vice Chairman Crist, seconded by Director Johnson

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

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson

Nays: None

Abstain: None

Absent: None

PUBLIC BUSINESS FROM THE FLOOR:

There was no public business presented.

MISCELLANEOUS BUSINESS – NON-AGENDA ITEMS:

Clerk of the Board Darr received an e-mail from Josh Gross on June 24, 2013 who requested that it be read aloud during the meeting.

Mr. Gross is an employer in Beverly Hills whose employees ride Commuter Bus 786 and find it very convenient since the Wilshire/Rodeo stop is only a block or so from their office. He requested that the Board: 1) consider adding one later departure and one later return trip for Commuter Bus 786 to accommodate employees who work in the area; and 2) that the Board consider adding an east San Fernando Valley bus line, similar to the 787 line, that would service points of interest east of the 405 freeway.

The Board directed Senior Transit Analyst Dietter Aragon to research Mr. Gross' request and respond in writing.

SPECIAL REPORTS and PRESENTATIONS:

SRP 1 Recognition of Outgoing Director Ken Mann

Executive Director Julie Austin presented a plaque from the AVTA and Chairman Hickling presented a Commendation from Los Angeles County Supervisor Michael Antonovich to Director Mann in recognition of his service to the AVTA as a member of the Board since 2011. Director Mann thanked staff and the Board members for their support during his time as a Director.

SRP 2 Presentation of Veolia Operator of the Month for May 2013

Veolia General Manager Hector Fuentes and Executive Director Julie Austin presented a plaque to Coach Operator Phillip Winston, Veolia Operator of the Month for May 2013.

SRP 3 June 2013 Legislative Update

Grants Administrator Judy Vaccaro-Fry detailed the Homeland Security Appropriations Act for Federal Fiscal Year (FFY) 2014, which provides approximately \$97.5 million for the Federal Emergency Management Administration's (FEMA) State and Local Grants account for rail and public transportation security grants; the same amount provided in FFY13. She also provided an update regarding the TIGER Grants, highway and transit funding, and earmarks.

Marketing Manager Wendy Williams provided updates regarding Assembly Bill 574 (Lowenthal), the Transportation Coalition for Livable Communities bill regarding investment of Cap and Trade funds, and Assembly Bill 160 (Alejo), which would effectively exempt transit labor from provisions of the Public Employee Pension Reform Act (PEPRA). There was no discussion regarding the state or federal legislative updates.

CONSENT CALENDAR:

Chairman Hickling noted that Directors Lackey and Hofbauer were absent from the May 28, 2013 Board meeting and will abstain from voting on CC 1. He requested to pull CC 1.

CC 1 Board of Directors Meeting Minutes for May 28, 2013 – Karen Darr

Motion: Approve CC item 1.

Moved by Vice Chairman Crist, seconded by Director Johnson

Vote: Motion carried (4-0-2-0)

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Knippel and Johnson

Nays: None

Abstain: Directors Lackey and Hofbauer

Absent: None

CC 2 Financial Reports for June 2013 – Colby Konisek

CC 3 FY13 Key Performance Indicators Report for April 2013 – Dietter Aragon

CC 4 Amendment #4 to Contract #2012-010 with Moore and Associates for Mobility Management Services – Wendy Williams

CC 5 Hybrid Bus Fuel Savings – Len Engel

CC 6 FY14 Investment Policy and Local Agency Investment Fund (LAIF) Update – Colby Konisek

CC 7 Transit Mutual Assistance Compact (TRANSmac) – Len Engel

Motion: Approve CC items 2-7.

Moved by Vice Chairman Crist, seconded by Director Johnson

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

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson

Nays: None

Abstain: None

Absent: None

NEW BUSINESS:

NB 1 Election of FY14 Board Officers

General Counsel presented the staff report. There was no discussion regarding this item.

Motion: Re-elect Norm Hickling as Chairman and Marvin Crist as Vice Chairman

Moved by Director Johnson, seconded by Director Knippel

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

NB 2 Renew Memorandum of Understanding with City of Palmdale for Bus Stop Maintenance

There was no discussion regarding this item.

Motion: Renew the Memorandum of Understanding with the City of Palmdale for Bus Stop Maintenance

Moved by Vice Chairman Crist, seconded by Director Hofbauer

Vote: Motion carried (6-0-0-0)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, Knippel, and Johnson
Nays: None
Abstain: None
Absent: None

NB 3 Award Contract #2013-001 to Avail Technologies for an Intelligent Transportation System (ITS)

Director of Operations and Maintenance Len Engel presented the staff report and played a short video that highlighted Avail's products and services. The Board discussed the implementation timeframe, system integration capabilities, and the purpose of the 8% contingency. Ms. Austin confirmed that staff would obtain Board approval if or when a contingency expense is required.

Rick Spangler, Vice President of Customer Relations for Avail Technologies, was introduced to the Board members. He provided information regarding how the AVTA's fleet/route ITS compares to other transit agencies that are clients of Avail Technologies. The Board directed Ms. Williams to issue a press release announcing the ITS contract award.

Director Johnson excused herself from the meeting at 10:38 a.m. due to an emergency.

Motion: Award Contract #2013-001 to Avail Technologies for an Intelligent Transportation System (ITS)

Moved by Vice Chairman Crist, seconded by Director Hofbauer

Vote: Motion carried (5-0-0-1)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, and Knippel
Nays: None
Abstain: None
Absent: Director Johnson

NB 4 Award Contract #2013-022 to Vinsa, Inc. for Insurance Broker of Record and FY14 Insurance Policies

There was no discussion regarding this item.

Motion: Award Contract #2013-022 to Vinsa, Inc. for Insurance Broker of Record and FY14 Insurance Policies

Moved by Vice Chairman Crist, seconded by Director Lackey

Vote: Motion carried (5-0-0-1)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, and Knippel
Nays: None
Abstain: None
Absent: Director Johnson

OLD BUSINESS:

OB 1 Approval of Final FY14 Business Plan and Short Range Transit Plan

Director of Finance Colby Konisek presented the Final FY14 Business Plan and Short Range Transit Plan. The Board discussed the data for the proposed Key Performance Indicators, true data that will be provided once the Intelligent Transportation System is implemented, and projected funding sources.

Motion: Approval of Final FY14 Business Plan and Short Range Transit Plan

Moved by Vice Chairman Crist, seconded by Director Hofbauer

Vote: Motion carried (5-0-0-1)
Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, and Knippel
Nays: None
Abstain: None
Absent: Director Johnson

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

General Counsel D. Craig Fox presented the five items to be discussed in Closed Session.

- CS 1 Public Employment (G.C. section 54957)
Title: General Counsel to AVTA
- CS 2 Conference with Labor Negotiator (G.C. section 54957.6)
Authority Negotiator: Norman L. Hickling, Board Chairman
Unrepresented (potential) employee: General Counsel to AVTA
- CS 3 Public Employee Performance Evaluation (G.C. section 54957(b))
Title: Executive Director.
- CS 4 Conference with Labor Negotiator (G.C. section 54957.6)
Authority Negotiator: Norman L. Hickling, Board Chairman
Unrepresented Employee: Executive Director
- CS 5 Conference with Legal Counsel- Existing Litigation
G.C. section 54956.9(d)(1) and (4)
People v. Jorge: Case no. BA405021
People v. Floyd: Case no. BA405021

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 12:25 p.m.

REPORT BY LEGAL COUNSEL OF ACTION TAKEN IN CLOSED SESSION:

Chairman Hickling stated that there was no reportable action on CS 1 through CS 4. Concerning the two existing litigation cases listed under CS 5, General Counsel requested that the Board consider adopting Resolution No. 2013-004, a Resolution authorizing a limited waiver of the attorney/client privilege in connection with a criminal prosecution.

Motion: Adopt Resolution No. 2013-004

Moved by Vice Chairman Crist, seconded by Director Knippel

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

Yeas: Chairman Hickling, Vice Chairman Crist, and Directors Lackey, Hofbauer, and Knippel

Nays: None

Abstain: None

Absent: Director Johnson

REPORTS AND ANNOUNCEMENTS:

RA 1 Executive Director's Report

- Ms. Austin congratulated Mr. Konisek and the Finance staff on a job well done finalizing the FY14 Business Plan and Short Range Transit Plan, and all staff involved in finalizing the ITS procurement.
- The Strategic Planning Workshop is confirmed for July 17, 2013 at 9:00 a.m. in the Board Room.

MISCELLANEOUS BUSINESS – NON-AGENDA BOARD OF DIRECTORS ITEMS:

On behalf of the Board, Chairman Hickling thanked staff for their concise and informative presentations.

ADJOURNMENT:

Adjourned the meeting at 12:29 p.m. to the Special Meeting of the Board of Directors on July 17, 2013 at 9:00 a.m. in the Antelope Valley Transit Authority Board Room, 42210 6th Street West, Lancaster, California.

PASSED, APPROVED, and ADOPTED this 23rd day of July, 2013.


Norman L. Hickling, Chairman


Julie M. Austin, Secretary

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