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**Regular Meeting of the Board of Directors**

**Tuesday, July 23, 2019**

**10:00 a.m.**

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

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 Angela Underwood–Jacobs, Director Michelle Flanagan, Director Richard Loa

**APPROVAL OF AGENDA**

**PUBLIC BUSINESS – AGENDIZED AND 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. Please complete a speaker card

(available as you enter the Community Room) and provide it to the Clerk of the Board. Speaking clearly, state and spell your name for the record. **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.** Each speaker is limited to three (3) minutes.

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

SRP 1 RECOGNITION OF AVTA EMPLOYEE OF THE FOURTH QUARTER (APRIL 1 – JUNE 30, 2019) FOR FISCAL YEAR 2018/2019 (FY 2019) – JUDY VACCARO-FRY

SRP 2 PRESENTATIONS TO OUR EVERYDAY HEROES FOR ASSISTING OPERATOR WILLIAMS DURING A TIME OF NEED – MACY NESHATI

DAVON MCDANIELS  
DELVONN DEVINE  
JACOB SMITH

SRP 3 RECOGNITION OF TRANSDEV OPERATOR AND EMPLOYEE OF THE MONTH FOR JUNE 2019 – MIKE SORENSEN

SRP 4 LEGISLATIVE REPORT FOR JULY 2019 – JUDY VACCARO-FRY

*Recommended Action: Receive and file.*

SRP 5 FAREBOX RECOVERY RATIO FORMULA CALCULATION – JUDY VACCARO-FRY

*Recommended Action: Receive and file.*

SRP 6 MAINTENANCE KEY PERFORMANCE INDICATORS REPORT – MARK PERRY

*Recommended Action: Receive and file.*

SRP 7 RIDERSHIP IMPROVEMENT EFFORTS – JAMES ROYAL

*Recommended Action: Receive and file.*

**CONSENT CALENDAR (CC):** Items 1 through 3 are consent items that 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 JUNE 25, 2019 – KAREN DARR

*Recommended Action: Approve the Board of Directors Regular Meeting Minutes of June 25, 2019.*

CC 2 FINANCIAL REPORT FOR JUNE 2019 – JUDY VACCARO-FRY

*Recommended Action: Receive and file the financial report for June 2019.*

CC 3 FY 2019 FOURTH QUARTER LOS ANGELES COUNTY SHERIFF'S DEPARTMENT (LASD) REPORT (APRIL 1 – JUNE 30, 2019) – KELLY MILLER

*Recommended Action: Receive and file the FY 2019 Fourth Quarter LASD report for the period covering April 1 through June 30, 2019.*

**NEW BUSINESS (NB):**

NB 1 RESOLUTION NO. 2019-005, AMENDMENT OF SECTION 4.50 (OFFICERS) OF THE BYLAWS – ALLISON BURNS

*Recommended Action: Adopt Resolution No. 2019-005, amending Section 4.50 (Officers) of AVTA's Bylaws to eliminate the term limit on the positions of Chair and Vice Chair.*

NB 2 SALARY RANGES AND CLASSIFICATIONS – MACY NESHATI

*Recommended Action: 1) Approve the revised salary range for the Executive Director/CEO; and 2) add the position of Disadvantaged Business Enterprise (DBE)/Equal Employment Opportunity (EEO) Compliance Officer effective July 1, 2019.*

NB 3 LEASE AGREEMENT WITH BYD COACH & BUS FOR FOUR 40-FOOT ELECTRIC BUSES – MARK PERRY

*Recommended Action: Authorize the Executive Director/CEO to negotiate a lease agreement with BYD Coach & Bus, for an amount not to exceed \$400,000, over a two-year period.*

**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(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
- 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)
- CS 5 Conference with Legal Counsel – Pursuant to Government Code Section 54956.9(c)  
Anticipated Litigation (two potential cases)

**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 August 27, 2019 at 10:00 a.m. in the Antelope Valley Transit Authority Community Room, 42210 6<sup>th</sup> Street West, Lancaster, CA.

**The agenda was posted by 5:00 p.m. on July 18, 2019 at the entrance to the Antelope Valley Transit Authority, 42210 6<sup>th</sup> 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 6<sup>th</sup> Street West, Lancaster or by contacting the Clerk of the Board at (661) 729-2206.

# Farebox Recovery Ratio

Presentation to AVTA Board of Directors  
July 23, 2019



# TRANSPORTATION DEVELOPMENT ACT

2018

## Transportation Development Act (TDA) Statutes and California Code of Regulations



Division of Rail and Mass Transportation  
July 2018



# BACKGROUND

## **PUC § 99268.19 – Fare Box Revenues Supplementation**

*(Amended by Stats. 2015, Ch. 716, Sec. 8. (SB 508) Effective January 1, 2016.)*

If fare revenues are insufficient to meet the applicable ratio of fare revenues to operating cost required by this article, an operator may satisfy that requirement by supplementing its fare revenues with local funds. As used in this section, “local funds” means any nonfederal or nonstate grant funds or other revenues generated by, earned by, or distributed to an operator.





# *What revenues are used in the calculation?*

## ALL LOCALLY GENERATED REVENUES:

- Farebox
- TAP Card Sales
- Advertising
- Investment Income
- Jury Duty Reimbursement
- Quarterly Bank Rebate
- Public Records Requests
- Vending Machine Commission
- Community Room Fees



# *What expenses are used in the calculation?*

## OPERATING EXPENSES

- Operations
- Maintenance
- Fuel
- Utilities
- Payroll & Benefits
- Insurance
- Travel
- Marketing
- Legal
- Memberships
- Banking Expenses
- Consulting
- Advocacy
- Printing
- Meetings
- Website
- IT Supplies
- Maintenance Agreements
- Special Events
- Tow Services
- Security
- Sponsorships

# May 2019

Locally Generated Revenues: \$ 441,492.01

Operating Expenses: \$2,188,480.48

MAY 2019  
FAREBOX RECOVERY RATIO

20.17%



RECOMMENDED ACTION: RECEIVE AND FILE



# June 2019 Maintenance Key Performance Indicators

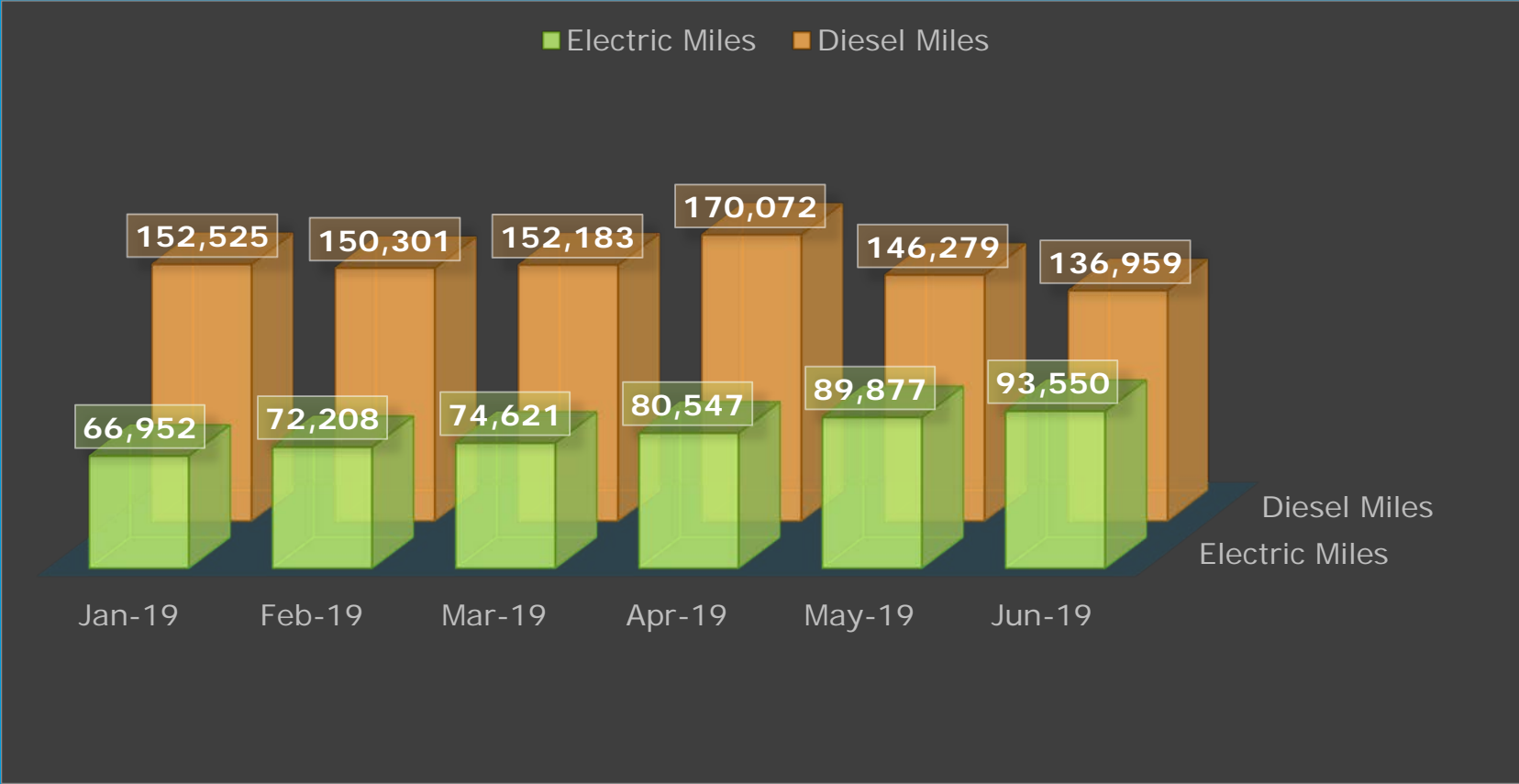
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Presentation to the Board of Directors

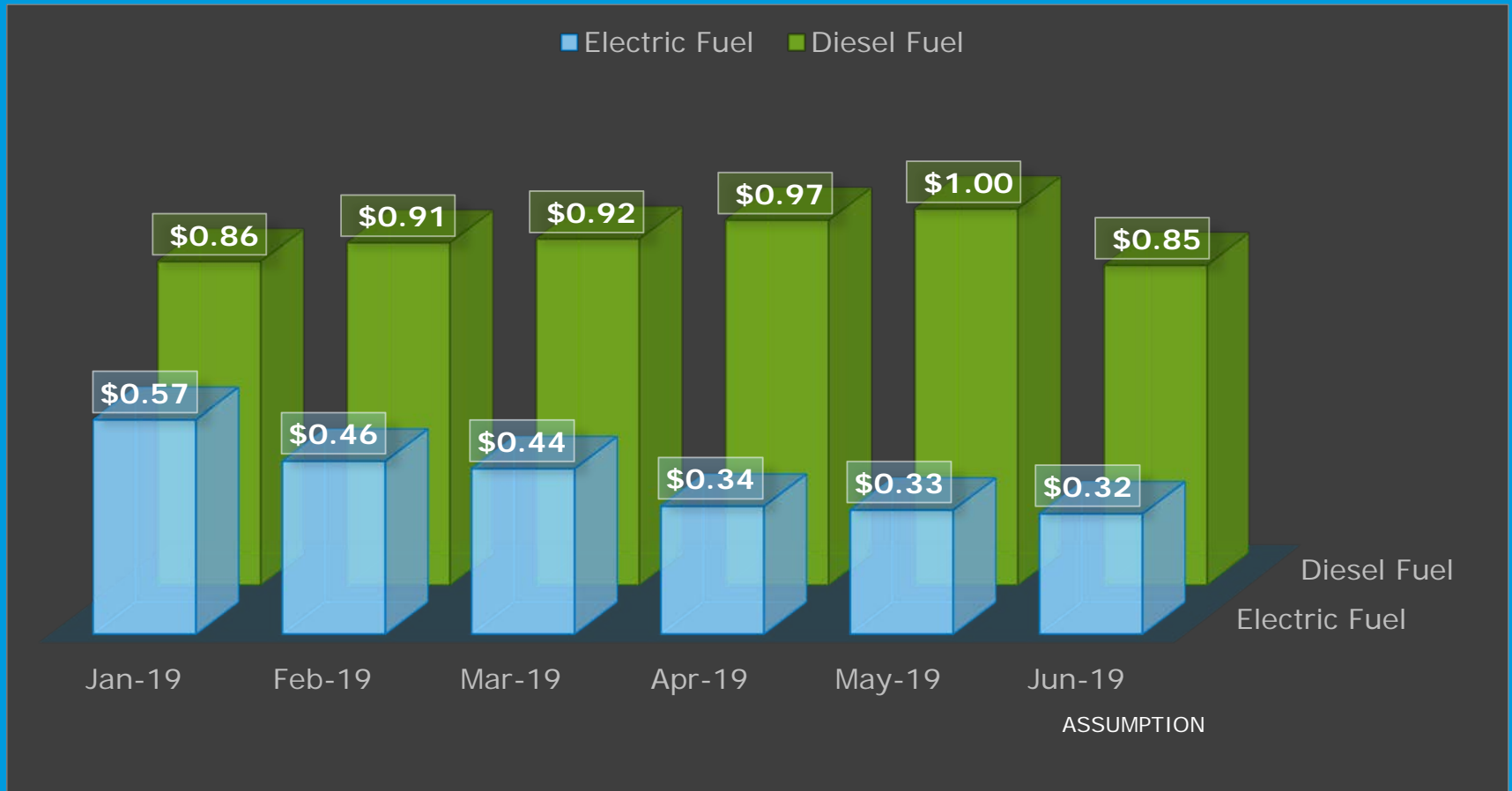
July 23, 2019



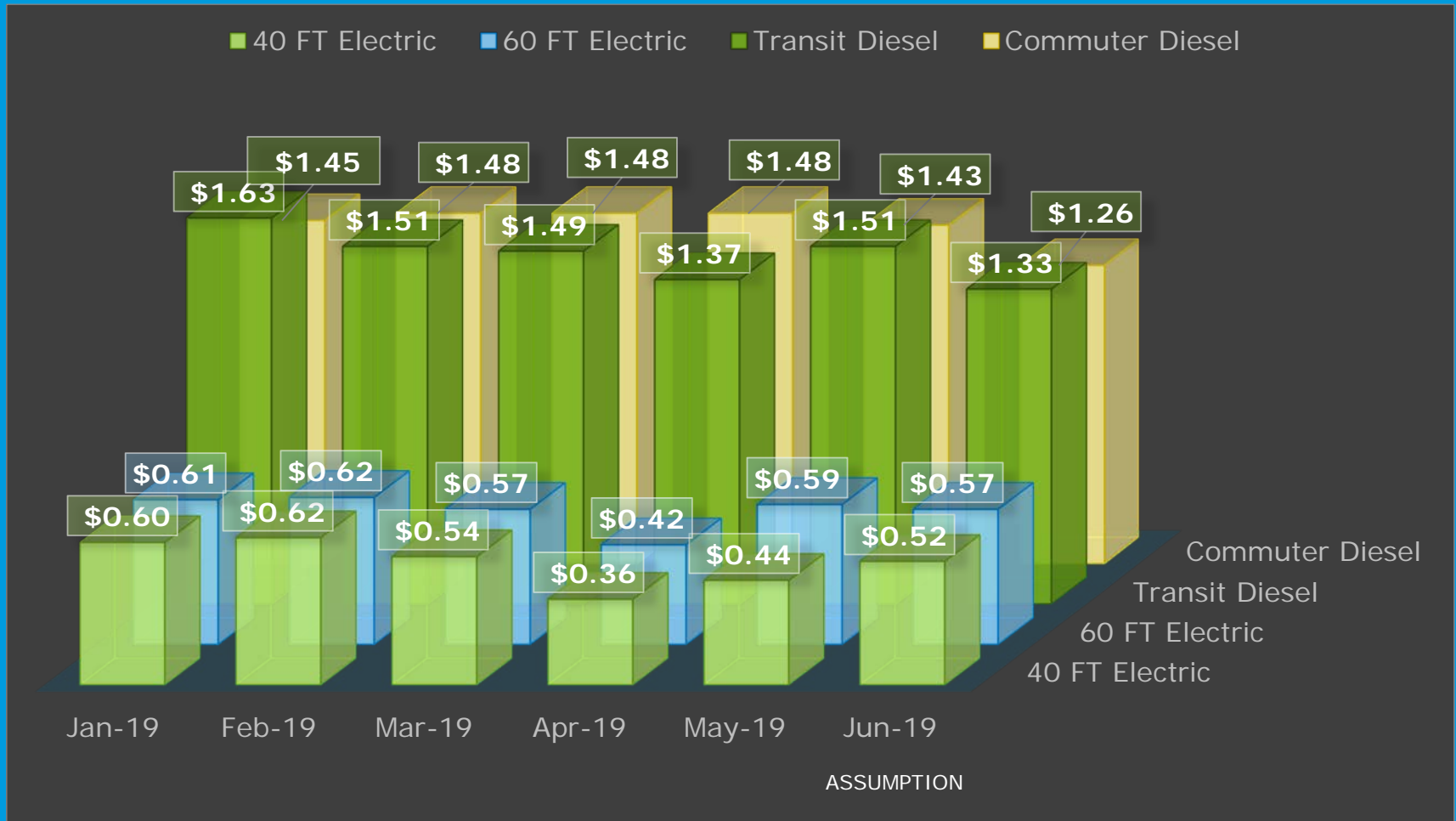
# TRANSIT MILES: DIESEL vs ELECTRIC



# PROPULSION FUEL COST PER MILE

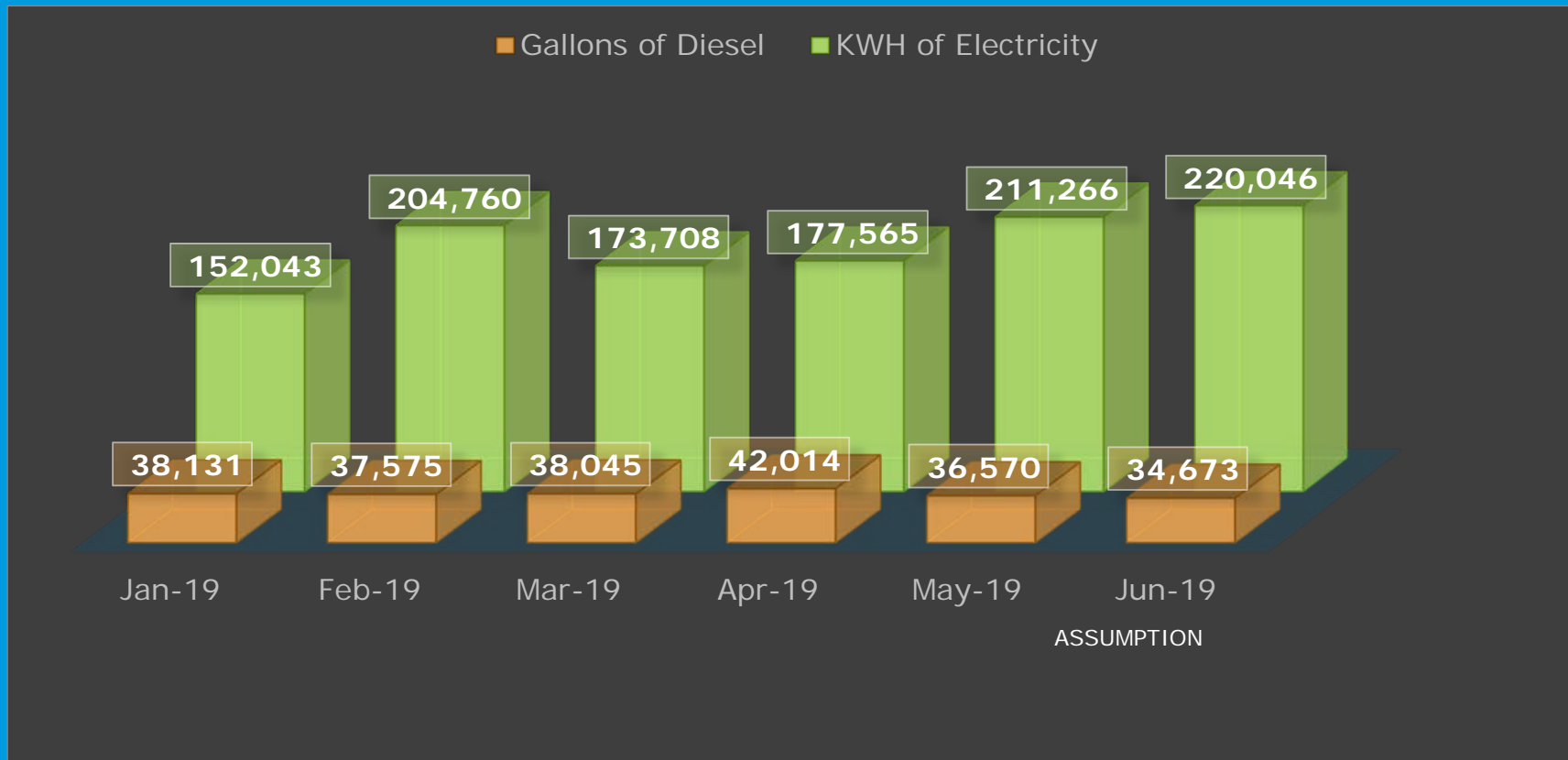


# TOTAL MAINTENANCE AND FUEL COST PER MILE BY FLEET



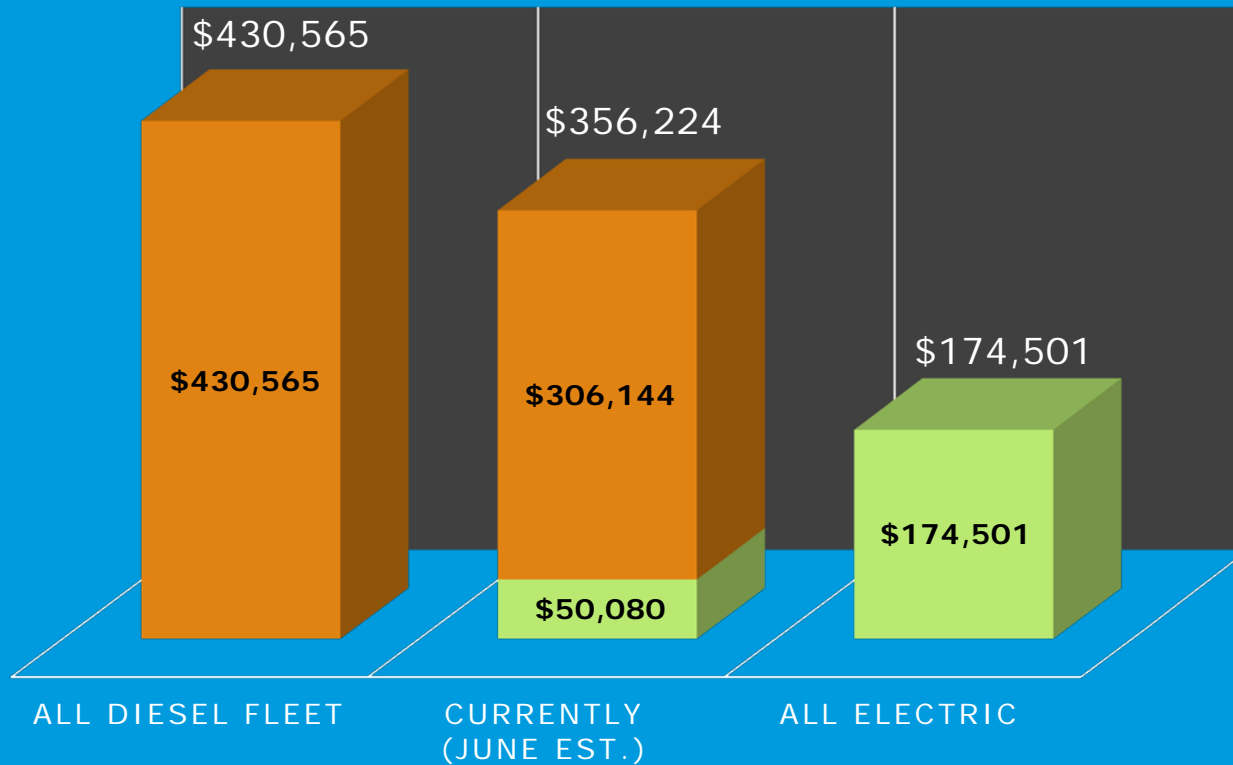


# ELECTRIC CONSUMPTION & DIESEL FUEL REDUCTION (LOCAL ONLY)

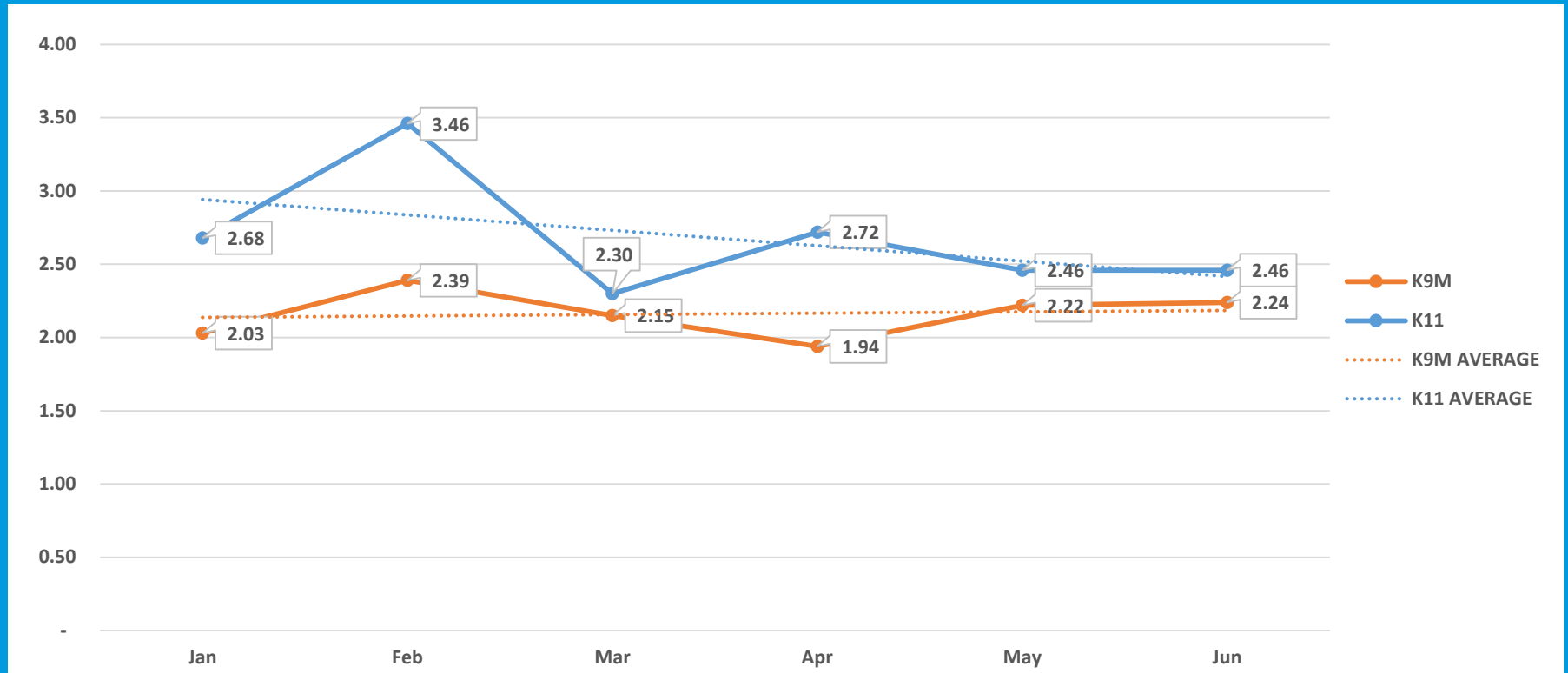


# TOTAL FUEL & MAINTENANCE COST ASSUMPTIONS AT FULL BUILDOUT

■ Electric ■ Diesel



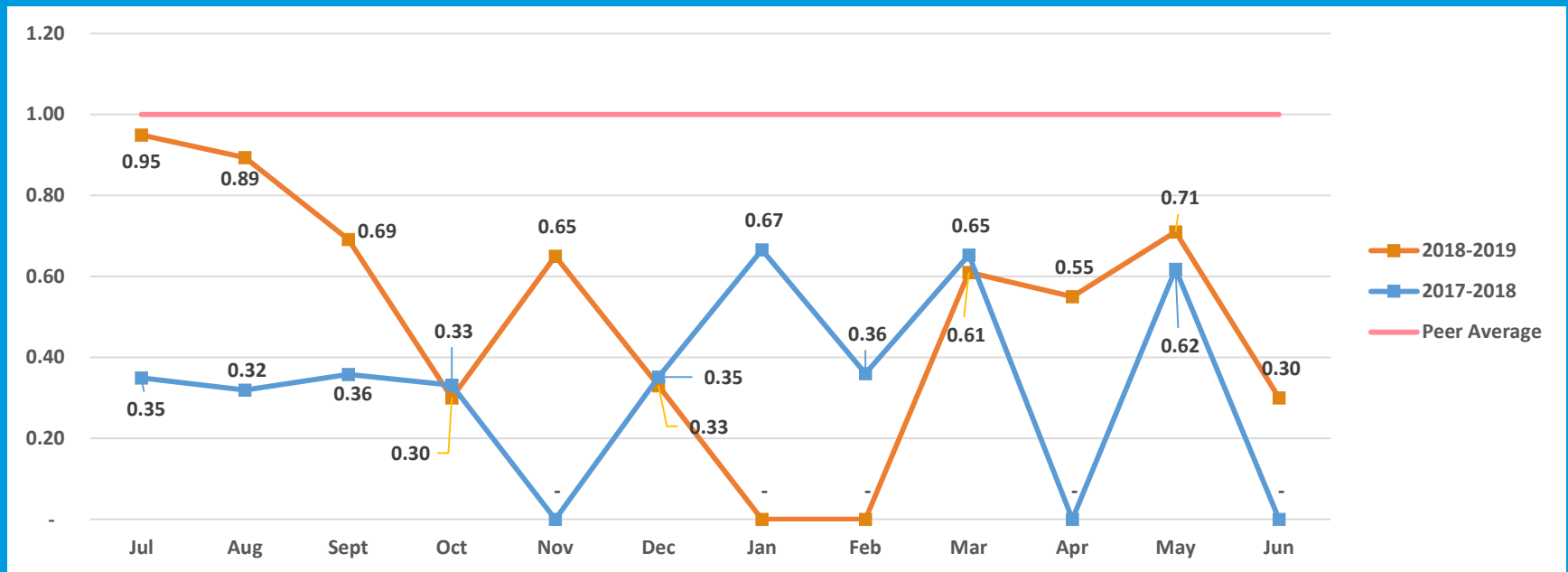
# AVERAGE FUEL CONSUMPTION PER MILE (KWpM)



# PREVENTABLE ACCIDENTS/100,000 MILES

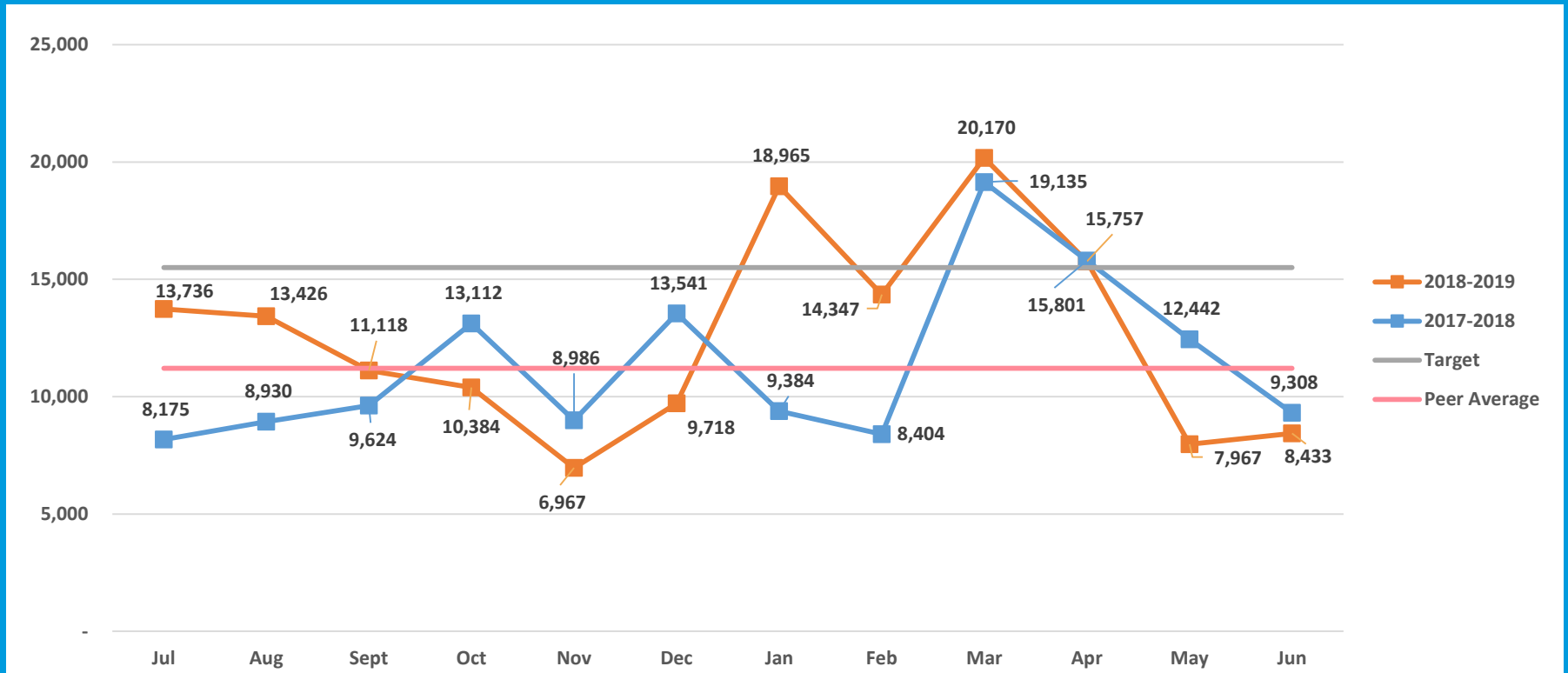
Peer Standard: 1.00 Target 1.00

June Total accidents: 3/ June Preventable Total: 1



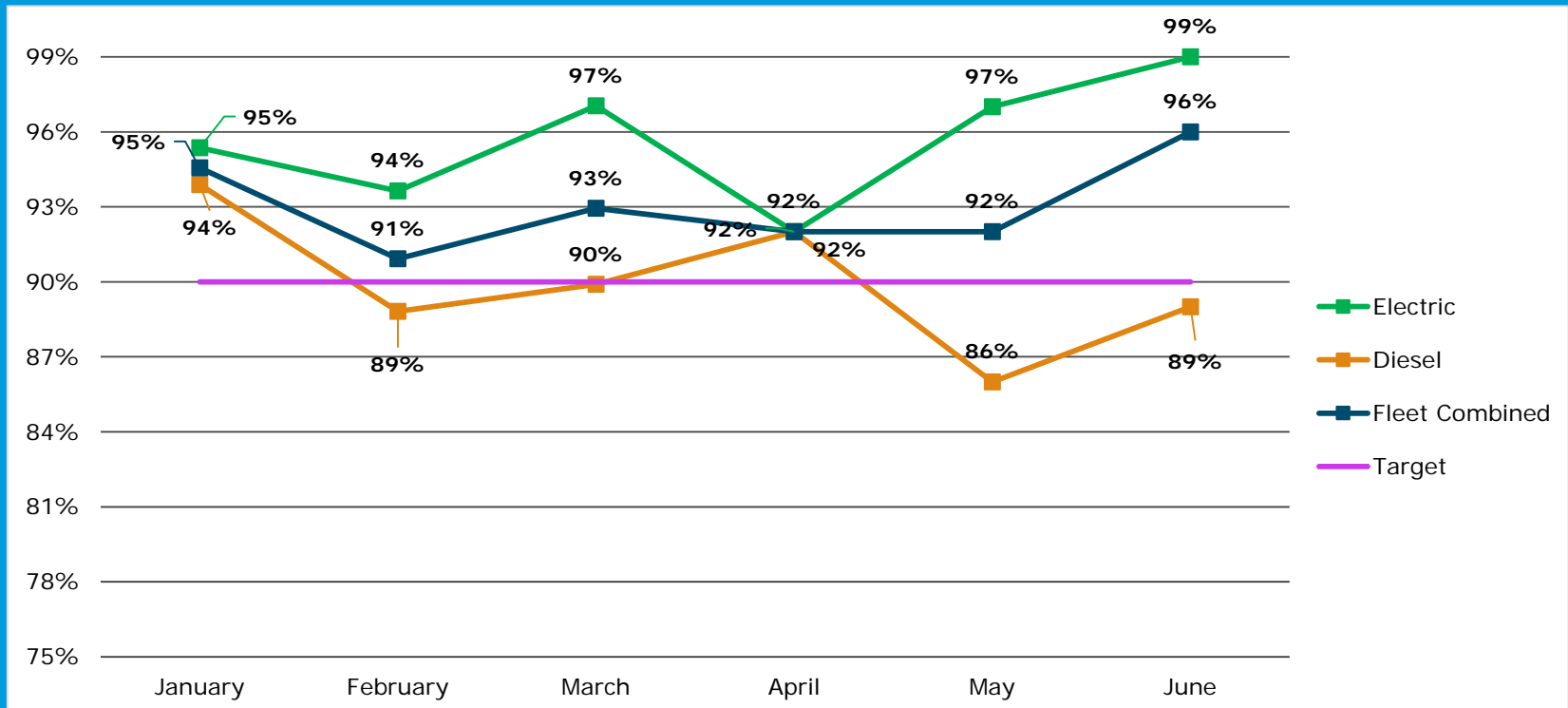
# AVERAGE MILES BETWEEN SERVICE INTERRUPTIONS

Peer Average: 11,206 / Target: 15,500



# AVAILABILITY

Peer Average: 77% / Target 90%



# Summary

Electric bus availability for May is at an all time high of 99% and diesel buses have risen to 89%.

As of today, we have 14 buses with functioning WAVE systems.

Farebox upgrade was set to begin in July. Cubic and TAP are working out some software bugs and the project has been pushed back to September.

The first series of in-house electric bus training has begun with very positive feedback.

The AVAIL 4G router and hosting upgrade is complete with just a few minor issues to resolve.

The pilot commuter coach has reached final assembly at BYD and looks really good.

AVTA has 41 electric buses on site.



Discussion/Questions?





SRP 7

# RIDERSHIP OUTREACH EFFORTS



## ❖ OUTREACH GOALS

- ❖ Increase ridership
- ❖ Raise awareness of routes and schedules
- ❖ Create goodwill with local businesses and community partners
- ❖ Team with local medical service providers to address patient transportation needs

## ❖ PARTICIPANTS IN THE A.V.

- Antelope Valley YMCA – Lancaster
  - Palmdale Library - Palmdale
  - Rockin' Jump – Palmdale
  - Mulligan Family Fun – Palmdale
  - My Gym Palmdale – Palmdale
  - Dry Town, City of Palmdale
  - Imagine City – Palmdale
  - LA County Library - Lancaster
  - LA County Library - Quartz Hill
  - MOAH (also w/ Cedar Street) – Lancaster
  - Brunswick – Lancaster
- 
- Oakridge Terrace Apartments - Lancaster
  - Cordova Park Apartments - Lancaster
  - Townsquare Apartments - Lancaster
- 
- Dr. Sue Frixione, Psy. D. - Palmdale
  - Kaiser Permanente - Lancaster
  - High Desert Medical Group – Lancaster
  - Bartz-Altadonna - Lancaster

# ❖ AVTA JETHAWKS EXPRESS – 7/12



## ❖ SUMMARY

- ❖ 1,500 Tap cards distributed since last board meeting
- ❖ 11 community partners are using the AVTA system to encourage summer youth program participation and return visits to their business
- ❖ Local medical service providers teaming with AVTA to meet patient transportation needs

**RECOMMENDED ACTION: RECEIVE AND FILE**



**Regular Meeting of the Board of Directors**

**Tuesday, June 25, 2019**

**10:00 a.m.**

Antelope Valley Transit Authority Community Room  
42210 6<sup>th</sup> 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:**

Director Hofbauer led the Pledge of Allegiance.

**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)

Ayes: 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 – Wished everyone a happy 4<sup>th</sup> of July and added she is pleased with the new bus stop bench and bicycle rack at the Lancaster Senior Center.

David Abber – Complimented Operator Robert Taylor regarding his actions during an altercation between passengers; spoke about a rude comment made by an operator; and stated a couple of the female operators he spoke with are fearful during their routes. Senior Director of Operations and Planning Martin Tompkins will address the issues.

Paul Andrews – Requested a bike-sharing program in the Antelope Valley. Chairman Crist responded there would first need to be a network of bike lanes created and added that Metro has grant funds available for this purpose.

Jerel Arbaugh – Spoke about detour signage along the routes and the decrease in ridership on the Route 52 due to the relocation of a bus stop.

Executive Director/CEO Macy Neshati introduced Transdev's new General Manager Corey Gagnon.

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

**SRP 1 RECOGNITION OF TRANSDEV OPERATOR AND EMPLOYEE OF THE MONTH FOR MAY 2019**

Transdev Operations Manager Mike Sorensen presented plaques to the Operator of the Month Jose Villalobos and Employee of the Month Luz Perkins.

**SRP 2 LEGISLATIVE REPORT FOR JUNE 2019**

Director of Finance and Administration Judy Vaccaro-Fry presented information regarding the potential reduction of federal appropriations of Fiscal Year (FY) 2020 mass transit formula funding to transit agencies, and proposed state and federal legislation. Director Hofbauer offered his assistance regarding the mass transit formula funding. Ms. Vaccaro-Fry stated she will continue to update the Board regarding the FY 2020 federal apportionments adding that it would be beneficial if Director Hofbauer recommended to legislators they not support the Perry Amendment.

**SRP 3 LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY (LACMTA) TRIENNIAL PERFORMANCE REVIEW FINAL REPORT FISCAL YEAR 2016 – FISCAL YEAR (FY) 2018**

Ms. Vaccaro-Fry presented the results of the LACMTA Triennial Performance Review Report. The Board discussed the formula used to calculate the 20% farebox ratio requirement. She will provide details regarding the farebox ratio formula calculation at the July Board meeting.



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

Senior Director of Operations and Planning Martin Tompkins presented the Operations KPI report and outreach efforts performed by the Regional Transit Plan consultant Stantec Consulting Services. The Board discussed monthly boarding activity and on-time performance. Mr. Tompkins will include Transdev's contractual on-time performance requirement in future KPI reports. Executive Director/CEO Macy Neshati added that staff is routinely riding the buses and reporting their findings. Mr. Gagnon briefly discussed his plan to improve Transdev's performance.

#### **SRP 5 MAINTENANCE KPI REPORT**

Director of Fleet and Facilities Mark Perry presented the Maintenance KPI report. The Board discussed transit miles, fuel cost per mile by fleet, maintenance costs, and the estimated timeline for placing additional electric buses into service.

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

##### **CC 1 BOARD OF DIRECTORS MEETING MINUTES OF MAY 28, 2019**

Approve the Board of Directors Regular Meeting Minutes of May 28, 2019.

##### **CC 2 FINANCIAL REPORT FOR MAY 2019**

Receive and file the financial report for May 2019.

##### **CC 3 BOARD OFFICERS FOR FY 2020**

Suspend the provisions of Section 4.50 (Officers) of the Bylaws for one year and approve Marvin Crist and Dianne Knippel, Chair and Vice Chair respectively, to remain in their elected positions for FY 2020.

**Motion: Approve the Consent Calendar as comprised.**

Moved by Director Flanagan, seconded by Vice Chair Knippel

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

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

Nays: None

Abstain: None

Absent: None

**NEW BUSINESS (NB):**

**NB 1 REVISED PERSONNEL RULES AND REGULATIONS MANUAL**

Mr. Neshati presented the staff report.

**Motion: Adopt Resolution No. 2019-003, adopting the Revised Personnel Rules and Regulations Manual.**

Moved by Director Hofbauer, seconded by Director Flanagan

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

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

Nays: None

Abstain: None

Absent: None

**NB 2 AMENDMENT NO. 1 TO CONTRACT #2016-41 WITH WIRELESS ADVANCED VEHICLE ELECTRIFICATION (WAVE), INC. FOR FOUR SECONDARY RECEIVER SYSTEMS**

The Board waived the presentation of the staff report. Mr. Neshati acknowledged Procurement and Contracts Officer Lyle Block for negotiating a significant price reduction.

**Motion: Authorize the Executive Director/CEO to execute Amendment No. 1 to Contract #2016-41 with WAVE for four secondary receiver systems with an option to purchase 10 additional units for a combined amount of \$1,113,000 and five-year time extension.**

Moved by Vice Chair Knippel, seconded by Director Flanagan

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

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

Nays: None

Abstain: None

Absent: None

**REPORTS AND ANNOUNCEMENTS (RA):**

RA 1 Report by the Executive Director/CEO Macy Neshati

- Reported at full build out, the agency should save \$5.1 million per year, \$61 million over the 12-year life of the electric buses.

- Stated violence on the buses continues to be a deep concern and nationwide problem. The operators will be trained on de-escalation techniques and a barrier that protects the operator will be installed on five buses to test this security option.
- Played a voicemail and showed a video of passengers complimenting the service.
- Reported ridership increased on the Route 1 due to the 15-minute frequency change that went into effect June 3, 2019.
- Thanked the Board for their support and guidance.

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

There were no miscellaneous business non-agenda items presented.

**ADJOURNMENT:**

Chairman Crist adjourned the meeting at 11:14 a.m. to the Regular Meeting of the Board of Directors on July 23, 2019 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 23<sup>rd</sup> day of July, 2019

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Marvin Crist, Chairman of the Board

ATTEST:

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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:** July 23, 2019  
**TO:** BOARD OF DIRECTORS  
**SUBJECT:** Financial Report for June 2019

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#### **RECOMMENDATION**

That the Board of Directors receive and file the financial report for June 2019.

#### **FISCAL IMPACT**

	<b>JUNE</b>
PAYROLL	\$277,363
CASH DISBURSEMENTS	\$4,404,873

#### **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. The Executive Director/CEO and Treasurer certify the availability of funds.

**I, Macy Neshati, Executive Director/CEO of AVTA, declare that the above information is accurate.**

Prepared by:

Submitted by:

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Judy Vaccaro-Fry  
 Director of Finance and Administration

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Macy Neshati  
 Executive Director/CEO



**DATE:** July 23, 2019

**TO:** BOARD OF DIRECTORS

**SUBJECT:** FY19 Fourth Quarter Los Angeles County Sheriff's Department  
(LASD) Report (April 1 – June 30, 2019)

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**RECOMMENDATION**

That the Board of Directors receive and file the FY19 Fourth Quarter Los Angeles County Sheriff's Department Report for the period covering April 1 through June 30, 2019.

**FISCAL IMPACT**

No fiscal impact at this time.

**DISCUSSION**

Deputy Maselli and his K-9 partner Doc worked a total of 444 hours during the fourth quarter of FY19.

At the beginning of each shift, Deputy Maselli contacted bus operators to ascertain if there were any concerns or problems to report, as well as anything that was reported from the previous day. On average, Deputy Maselli made contact with an estimated 25-30 buses/bus operators per day.

Deputy Maselli monitored various locations that had reported problems. These locations included: Sgt. Steven Owen Memorial Park (SSOMP), Lancaster Senior Center, 6th Street East & Palmdale Boulevard, Palmdale Transportation Center (PTC) and Lancaster Metrolink Station.

Deputy Maselli and Doc conducted high visibility K-9 terrorism and explosives deterrence sweeps at the AVTA office, AVTA transfer centers, on AVTA buses and at random bus stop locations throughout the Antelope Valley.

On April 24, Deputy Maselli assisted Lancaster Sheriff regarding a 422.6(a) PC (Hate Crime – Racial) at BYD. He responded to the scene with Doc, who is trained to detect explosives and guns. They conducted a sweep of the building, which met with negative results. K-9 Doc did not show any changes in behavior that would indicate the presence of explosives.

On April 27 and 28, Deputy Maselli assisted with the California Poppy Festival at SSOMP. He conducted high profile terrorism deterrence foot patrol with Doc.

On June 7, Deputy Maselli conducted high profile terrorism deterrence foot patrol with Doc at the Celebrate America with Thunder event.

The following is a list of misdemeanors, infractions and arrest warrants included on citations issued from April 1 through June 30. All citations were issued at transit centers or at bus stops in the AVTA service area.

Citations	Apr 19	May 19	Jun 19
Suspended or Unlicensed Driver	6	5	1
Expired Registration	3	6	-
Registration Not in Vehicle	2	-	-
No Proof of Insurance	4	7	1
Drinking in Public ( Bus Stops)	8	8	6
Failure to Have Both License Plates on Vehicle	4	3	-
Failure to Obey Posted Signs at Transit Centers	4	-	-
Impounded Vehicle	2	4	1
Outstanding Warrant Arrest	1	2	-
Fare Evasion	1	-	-
Interlock Ignition Device Required	-	1	1
Defective Front Windshield	-	1	-
Failure to Stop For Emergency Vehicle	-	1	-
Unsafe Towing	-	1	-
Parking Unlawfully	-	-	1

During the month of April, Deputy Maselli issued fifteen (15) citations and made five (5) arrests and three (3) warrant arrests. All citations were transit-related and issued at transfer centers and bus stop locations. He donated 28 hours to AVTA. He warned and advised approximately 12+ persons regarding disobeying posted signs, smoking in prohibited areas, and traffic-related incidents at SSOMP.

During the month of May, Deputy Maselli issued fifteen (15) citations, made six (6) arrests and two (2) warrant arrests, and impounded five (5) vehicles. All citations were transit-related and issued at transfer centers and bus stop locations. He donated 44 hours to AVTA. He warned and advised approximately six (6) persons regarding disobeying posted signs, smoking in prohibited areas, and traffic-related incidents at SSOMP and PTC.

During the month of June, Deputy Maselli issued seven (7) citations, made two (2) arrests and impounded one (1) vehicle. All citations were transit-related and issued at transfer centers and bus stop locations. He donated 16 hours to AVTA. He warned and advised several persons regarding disobeying posted signs, smoking in prohibited areas, and traffic-related incidents at SSOMP and PTC.

Prepared by:

Submitted by:

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Kelly Miller  
Community Outreach Specialist

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Macy Neshati  
Executive Director/CEO



**DATE:** July 23, 2019

**TO:** BOARD OF DIRECTORS

**SUBJECT:** Resolution No. 2019-005, Amendment of Section 4.50 (Officers) of the Bylaws

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**RECOMMENDATION**

That the Board of Directors adopt Resolution No. 2019-005 (Attachment A), amending Section 4.50 of AVTA's Bylaws to eliminate the term limit on the positions of Chair and Vice Chair.

**FISCAL IMPACT**

There is no fiscal impact.

**BACKGROUND**

Pursuant to Bylaws Section 4.50, Board officer elections are conducted annually. The election process specifically allows the Board to nominate and elect any Board member for Chair and Vice Chair, provided that members from the same jurisdiction do not occupy both offices at the same time. The proposed amendment would eliminate the prohibition stating that no member may serve in either position for more than four (4) consecutive, one (1) year terms without a minimum one (1) year break in service.

The proposed revised Section 4.50 would read:

4.50 Officers

The BOARD shall at its April meeting, nominate and elect from its membership a Chair and Vice Chair, each from a different member agency, to take office as of July 1. The term of the Chair and Vice Chair shall be one (1) year. ~~provided, however, that no member may serve~~



~~in either position more than four (4) consecutive one (1) year terms without a minimum one (1) year break in service.~~

If the Chair position is vacated for any reason before the full term is served, the Vice Chair becomes Chair and a new Vice Chair shall be nominated and elected. If the Vice Chair position is vacated for any reason before the full term is served, a new Vice Chair shall be selected from the jurisdiction of the departing Vice Chair to fill the remainder of the term.

Prepared by:

Submitted by:

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Karen Darr  
Clerk of the Board

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Allison Burns  
General Counsel

Attachment: A – Resolution No. 2019-005

**BOARD OF DIRECTORS  
ANTELOPE VALLEY TRANSIT AUTHORITY**

**RESOLUTION NO. 2019-005**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY  
TRANSIT AUTHORITY AMENDING THE AUTHORITY'S BYLAWS TO  
ELIMINATE THE TERM LIMIT FOR THE CHAIR AND VICE CHAIR**

WHEREAS, the Board of Directors of the Antelope Valley Transit Authority desires to amend its Bylaws to eliminate the term limit on the positions of Chair and Vice Chair; and

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE ANTELOPE VALLEY TRANSIT AUTHORITY DOES HEREBY RESOLVE AS FOLLOWS:

- 1. Section 4.50 (Officers) of the Authority's Bylaws is amended to read as follows:

4.50 Officers

The BOARD shall at its April meeting, nominate and elect from its membership a Chair and Vice Chair, each from a different member agency, to take office as of July 1. The term of the Chair and Vice Chair shall be one (1) year.

If the Chair position is vacated for any reason before the full term is served, the Vice Chair becomes Chair and a new Vice Chair shall be nominated and elected. If the Vice Chair position is vacated for any reason before the full term is served, a new Vice Chair shall be selected from the jurisdiction of the departing Vice Chair to fill the remainder of the term.

PASSED, APPROVED and ADOPTED this 23<sup>rd</sup> day of July, 2019 by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

ABSTAIN: \_\_\_\_\_ ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Marvin Crist, Chairman

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Karen S. Darr, Clerk of the Board

\_\_\_\_\_  
Allison E. Burns, General Counsel



**DATE:** July 23, 2019  
**TO:** BOARD OF DIRECTORS  
**SUBJECT:** Salary Ranges and Classifications

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#### **RECOMMENDATION**

That the Board of Directors 1) approve the revised salary range for the Executive Director/CEO; and 2) add the position of Disadvantaged Business Enterprise (DBE)/Equal Employment Opportunity (EEO) Compliance Officer effective July 1, 2019.

#### **FISCAL IMPACT**

The fiscal impact of these changes has been accommodated in the annual Fiscal Year 2019/2020 Budget approved by the Board of Directors. The DBE/EEO Compliance Officer will be established at Range 39 (Min. \$64,735 – Max. \$84,156).

#### **BACKGROUND**

To satisfy the CalPERS' requirement, the Executive Director/CEO's position must be included on the Authority's pay schedule and approved by the Board. In May 2018, the Board of Directors approved the revised salary ranges for the Executive Director/CEO's position (Range 75 – Min. \$149,444 – Max. \$194,277). The current Executive Director/CEO was hired at an annual salary that exceeded the approved pay schedule. Additionally, at the June 2019 Board meeting, the Board approved a 3% annual salary increase. To accommodate potential future salary increases, staff is recommending the Executive Director/CEO's salary range be adjusted to reflect the current minimum of \$149,444 and an adjusted maximum of \$220,000.

The DBE/EEO compliance responsibilities were included in the position of Director of Strategic Planning and Development. With the departure of Norm Hickling, the

position and duties need to be reassigned. Based on AVTA's continued growth and the requirements of the Federal Transit Administration (FTA) (Attachment A), it has become necessary to have a dedicated DBE Liaison Officer who can also oversee the Authority's Title 6, Americans with Disabilities Act (ADA) and EEO compliance.

Prepared and Submitted by:

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Macy Neshati  
Executive Director/CEO

Attachment: A – FY 2019 Comprehensive Review Guide – DBE

## 10. DISADVANTAGED BUSINESS ENTERPRISE (DBE)

### PURPOSE OF THIS REVIEW AREA

Recipients must comply with 49 CFR Part 26 to ensure nondiscrimination in the award and administration of US Department of Transportation (US DOT)-assisted contracts. Recipients also must create a level playing field on which DBEs can compete fairly for US DOT-assisted contracts.

### QUESTIONS TO BE EXAMINED

1. Did the recipient submit a DBE program for approval?
- \* 2. Has the DBE Liaison Officer (DBELO) been appropriately designated? \*
3. Did the recipient submit its latest goal in FTA's Transit Award Management System (TrAMS) by August 1 prior to the beginning of the applicable Federal fiscal year?
4. Has the recipient submitted the Uniform Report of DBE Awards or Commitments and Payments semi-annually by the required due dates?
5. Are the Uniform Reports of DBE Awards or Commitments and Payments completed accurately?
6. For each of the past three completed Federal fiscal years, if the recipient's DBE achievements (based on contract awards) were below the overall goal for the applicable year, did the recipient complete the required shortfall analysis and corrective action plan?
7. If the recipient exceeded its overall goal using contract goals in fiscal years 2017 and 2018, did it make appropriate procurement adjustments?
8. Has the recipient implemented steps to meet the maximum feasible portion of its overall goal race-neutrally?
9. When including a DBE goal in a solicitation, is the recipient ensuring that the contract is only awarded to a bidder that meets the goal or makes good faith efforts to meet the goal?
10. If the recipient or a subrecipient set a project-specific DBE goal on a transit vehicle procurement, did it receive prior Federal Transit Administration (FTA) approval?
11. Did the recipient notify FTA's Office of Civil Rights of any FTA-funded transit vehicle awards?
12. Does the recipient monitor and enforce contractual requirements consistent with its approved DBE Program?
13. Does the recipient implement DBE certification standards and procedures in accordance with the DBE regulation?

### INFORMATION NEEDED FROM RECIPIENT

#### Recipient Information Request

- Most recent DBE program, if not uploaded to TrAMS
- Current organizational chart which includes the DBELO
- DBELO job description
- Shortfall analysis and corrective action plan, if not required to be submitted to FTA
- List of any DBEs terminated/substituted on a project

Transit vehicle purchases do not count towards the threshold. *Transit vehicle manufacturer* means any manufacturer whose primary business purpose is to manufacture vehicles specifically built for public mass transportation. Such vehicles include, but are not limited to: buses, rail cars, trolleys, ferries, and vehicles manufactured specifically for paratransit purposes. Producers of vehicles that receive post-production alterations or retrofitting to be used for public transportation purposes (e.g., so-called cutaway vehicles, vans customized for service to people with disabilities) are also considered transit vehicle manufacturers.

Businesses that manufacture, mass-produce, or distribute vehicles solely for personal use and for sale "off the lot" are not considered transit vehicle manufacturers.

Request and review any correspondence from FTA to the recipient on its submission. If FTA provided the recipient with comments on the submission, review the recipient's current program to verify that noted revisions or additions were made. This includes revision requests and concurrence letters. Even if the program's status in TrAMS is "Concur", the concurrence letter could indicate issues within the plan that require revision and that reviewers will follow up on during the Comprehensive Review.

#### **POTENTIAL DEFICIENCY DETERMINATIONS**

The recipient is deficient if it had \$250,000 of FTA funds in contracting opportunities in a given Federal fiscal year and a DBE program was not submitted by the time of the site visit.

DEFICIENCY CODE DBE1-1: No approved DBE program

SUGGESTED CORRECTIVE ACTION: The recipient must develop and submit its DBE program to TrAMS and notify the FTA regional civil rights officer (RCRO) once completed.

The recipient is deficient if it received comments from FTA on its DBE program submission but has not made revisions. If the recipient made revisions to its program, but it does not appear that those revisions met the intent of FTA's comments, do not make a deficiency, but make the RCRO aware of this for their follow up.

DEFICIENCY CODE DBE1-2: Revisions to DBE program not made

SUGGESTED CORRECTIVE ACTION: The recipient must revise and submit its DBE program to TrAMS and notify the FTA RCRO once completed.

#### **GOVERNING DIRECTIVE**

49 CFR 26.21(a)

If you are in one of these categories and let DOT-assisted contracts, you must have a DBE program meeting the requirements of this part: (2) FTA recipients receiving planning, capital and/or operating assistance who will award prime contracts (excluding transit vehicle purchases) the cumulative total value of which exceeds \$250,000 in FTA funds in a Federal fiscal year;

(b)(1) You must submit a DBE program conforming to this part by August 31, 1999 to the concerned operating administration (OA). Once the OA has approved your program, the approval counts for all of your DOT-assisted programs (except that goals are reviewed by the particular operating administration that provides funding for your DOT-assisted contracts).

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#### **DBE2. Has the DBELO been appropriately designated?**

##### **BASIC REQUIREMENT**

For recipients that meet the threshold requiring that they have a DBE program, the recipient's chief executive officer (CEO) must designate a DBE Liaison Officer (DBELO), with direct and independent access to the CEO concerning DBE matters, and adequate staff to administer the DBE program.



**DATE:** July 23, 2019

**TO:** BOARD OF DIRECTORS

**SUBJECT:** Lease Agreement with BYD Coach & Bus for Four 40-Foot Electric Buses

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## **RECOMMENDATION**

That the Board of Directors authorize the Executive Director/CEO to negotiate a lease agreement with BYD Coach & Bus, for an amount not to exceed \$400,000, over a two-year period.

## **FISCAL IMPACT**

Sufficient grant funds are available from the California Cap & Trade Program's Transit and Intercity Rail Capital Program (TIRCP).

## **BACKGROUND**

In June of 2015, the California Cap & Trade Program's TIRCP notified AVTA of a grant award of \$24.3 million for the Authority's Battery Electric Bus Project. Part of the grant, in the amount of \$400,000, was to be used to start a vanpool program.

Subsequently, AVTA submitted a request to the California State Transportation Agency (CalSTA), who administers the Cap & Trade Program's TIRCP program, to revise the vanpool funds to lease expansion buses until funds are identified to procure new buses. AVTA's revision was approved to lease four 40-foot buses for two new routes; Edwards Air Force Base and Mojave Air & Space Port.

Approval of this request will increase ridership and reduce emissions of greenhouse gases by reducing congestion and vehicle miles traveled throughout California.

Prepared by:

Submitted by:

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Mark Perry  
Director of Fleet and Facilities

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Macy Neshati  
Executive Director/CEO