



Birmingham-Jefferson County Transit Authority  
1735 Morris Avenue · Post Office Box 10212 · Birmingham, Alabama 35202-0212  
Phone (205) 521-0161 · Fax (205) 252-7633 · www.bjcta.org

**CORRECTED – PLEASE DESTROY ALL VERSIONS PRIOR TO 12/17/2010**  
**BOARD MEETING MINUTES**  
Monday, November 22, 2010

**Opening:** The meeting was called to order by Chairman Brian Hamilton, at 12:00 p.m. in the Public Meeting Room, located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

**Members Present:** Joyce Brooks, Brian Hamilton, Frank C. Galloway, Walter Jones, Johnnye P. Lassiter, Ronald Lyas, Doris Powell, Guin Robinson, and Rev. Patrick Sellers

**Members Absent:** None

**Others Present:** Debra Anderson-Burse, Tom Barnett, Peter Behrman, Christopher Bolling, Anna Brown, Jennifer Clarke, Paige Coker, Kevin Collins, William Copling, Bing Edwards, Butch Ferrell, Jacquese Gary, Richard Goldstein, Earl Hilliard, Richard Irvin, Jr., Anthony Johnson, Barbara Lawson, Chris Leffert, Dr. Jesse Lewis, Frank Matthews, Chris Mosley, Maralyn Mosley, Richard Nardecchia, Rep. Demetrius C. Newton, Donald Palmer, Jarvis Parron, Wytangy Peak, Canaryl Provitt, Councilor Kim Rafferty, David Ricker, Charles Ridley, Helen Rivas, David Russell, Rep. Patricia Todd, Rev. Ray Wade, John Wright, Jr., and Henry Young, III.

A moment of silence was observed.

Rev. Patrick Sellers led the assembly in the recitation of the **Pledge of Allegiance**.

**Adoption of the Agenda:** The agenda was adopted by general consent.

**Adoption of the Minutes:** The minutes were adopted by general consent.

Brian Hamilton recognized and welcomed members of the mayor's office, state delegation, Jefferson County delegation, and Councilor Kim Rafferty. He also invited them to speak during the public comments portion of the agenda, if they would like to do so.

**Committee Reports:**

Program Development: The Committee did not meet and no report was given.

Finance: Frank Galloway reported that the Committee met and brought forward recommendations of three resolutions to the full Board for its consideration, which will be discussed later on the agenda.

Human Relations: The Committee brought forward two recommendations for the full Board's consideration: 1) consolidating the positions of board support and executive administrative assistant; and 2) Resolution No. 2010-42-A. The Committee tabled discussions on the executive director's reorganization plan until more information is known regarding the BJCTA finances. The item will reappear on future agendas for consideration. The Committee also discussed state-wide dedicated funding.

For the record, the reason the Board discussed a staffing position at the Board level is because one of the positions being considered in the consolidation is board support and it has a direct implication on how the Board functions. The motion to amend the staffing plan for FY2011 to consolidate the positions of board support and executive administrative assistant was moved by Ronald Lyas, seconded by Joyce Brook, and approved by general consent. Doris Powell voted no.

### **Executive Director's Report -**

Executive Director Peter Behrman reported the following:

- *FY2011 Budget:* The BJCTA is proposing service cuts for the six month period of January 1, 2011 to June 30, 2011, within the City of Birmingham, based on the assumption that the BJCTA will not receive funds from the City of Birmingham after December 2010. The Board will be asked to amend the BJCTA FY2011 budget when the detailed plan is finalized and submitted for Board approval.
- *Regional Transit Service Coordination:* The directors of the BJCTA, Clas Tran and Kid One have been meeting to discuss the coordination of services in the Birmingham area.
- *RPCGB Transit Planning Meeting:* The BJCTA is working with the Regional Planning Commission to re-design the efficiency of bus service. The process will be accelerated as possible. Preliminary recommendations should be available in three to six months.
- *NTI/FTA Project Management Course:* The BJCTA hosted 15 participants in an FTA sponsored course on project management given by the National Transit Institute. Both Debra Burse and Delana Spencer did a terrific job in managing the details of the course.
- *Weekday Averages of Revenue Vehicle Availability:* The BJCTA is now making its full service complement.

In response to Ms. Powell, Mr. Behrman reported that the BJCTA has begun procedures in following policy with regards to terminating service with the three cities that are behind on payments. However, one municipality is expected to make payment by the end of the calendar year. He confirmed the issue is revenue.

### Financial Report

Chief Financial Officer Richard Nardecchia reported that as of October 31, 2010, assets were \$36,360,937.39 while total liabilities were \$8,759,462.31. The Income Statement details year-to-date revenues of \$7,502,707.68 and expenses of \$2,290,492.67,

resulting in a difference of \$5,212,215.01. The total cash and cash equivalents were \$4,226,251.46 of which \$2,436,605.65 was the balance in our operating and money market accounts. Total overall variance with the budget is a positive \$375,544.02.

**Resolutions for Consideration and Approval:**

- A. **Resolution No. 2010-42-A:** Resolution Amending Resolutions 2010-42, 2006-22, 2006-37, and 2007-09, Changing the Composition of the Transit Advisory Committee and Authorizing the Executive Director and the Secretary to Apply to the City of Birmingham and Jefferson County to Adopt Resolutions Approving the Proposed Amendment to BJCTA's Certificate of Incorporation was moved by Guin Robinson, seconded by Joyce Brooks and approved by general consent.
- B. **Resolution No. 2011-03:** Authorization to Renew Commercial Property, Inland Marine, and Employee Dishonesty Insurance Coverage with Alabama Municipal Insurance Corporation was moved by Johnnye P. Lassiter, seconded by Rev. Patrick Sellers, and approved by general consent. Frank Galloway abstained.
- C. **Resolution No. 2011-04:** Authorization for the Executive Director to Renew Fiduciary Insurance Coverage from AXIS Insurance Company Johnnye P. Lassiter, seconded by Rev. Patrick Sellers, and approved by general consent. Frank Galloway abstained.
- D. **Resolution No. 2011-06:** Authorization for the Executive Director to Execute a Contract with Whiting Systems for the Purchase and Installation of a Bus Wash and Vacuum System was moved by Guin Robinson, seconded by Johnnye P. Lassiter and approved by general consent.

Discussion: In response to Mr. Galloway, Grants and Revenue Officer Chris Leffert confirmed that the water is cleaned and recycled. In regards as to how often the buses should be washed, Ms. Lassiter recommended "as needed."

**Old Business:**

Ms. Powell requested a copy of the written BJCTA response to the Triennial Review that took place in June 2010.

Budget Realignment:

Legal counsel Bing Edwards referred to the letter of engagement with the BJCTA and asked for the waiver of conflict to be waived in regards to the City of Birmingham and the BJCTA. Mr. Galloway said that it was conflict but one that could be properly waived. The alternative would be to use The Hudson Law Firm, who does not have a conflict to his knowledge. Mr. Hamilton instructed that Mr. Behrman get the proper legal advice for the staff reductions from The Hudson Law Firm to avoid any appearance of conflict, per the suggestion of Mr. Lyas.

### Team Building Retreat

The team building retreat will be held on Monday, November 29, 2010, from 8:30 a.m. to 12:30 p.m., in the Public Meeting Room at Central Station.

**New Business:** None

### **Public Comments:**

Councilor Kim Rafferty, City of Birmingham, announced that she is dedicated to working with the BJCTA chairman, the executive director, and Guin Robinson in finding a solution for transit. A permanent funding source is needed. The citizens deserve a regional transit system that will move people where they need to be. A meeting with the governor will be arranged as soon as possible to discuss funding.

State Representative Patricia Todd distributed the attached bill that she drafted. The bill would mandate that a minimum of ten percent of the road fee to be allocated to public transit. All of the delegations should come on board in making transit a priority issue.

State Representative Demetrius Newton was in total agreement with Representative Todd. He would like to have some specificity for Jefferson County. He is planning to revisit a bill of years ago that requires vehicle inspections. The money can be set aside in Jefferson County.

Mr. Hamilton instructed board support to revise the agenda for Monday's meeting to include an item for advocacy strategy. Mr. Lyas extended an invitation to members from all political parties to rally behind public transportation and get dedicated funding.

David Russell suggested that when the BJCTA experiences employment reductions, the City of Birmingham should pick up the employees. He inquired if the revenue from the license and sales tax in Birmingham was transferred to the BJCTA. He feels that the Alabama constitution should be amended to fund transit.

Rev. Anthony Johnson commented that transit is a staple resource. The time is now for results. Money is found for most anything the City wants. The public cannot afford to let down the riders who need to get to work.

Ms. Powell, as a sitting Board member, respectfully requested and received a point of personal privilege. She stated, as an advocate for transit and a rider, that she supports transit and the City of Birmingham for doing its share. Other municipalities should not be given a pass, and transit should not just fall on the backs of the citizens of Birmingham.

Frank Matthews stated that he concurred with Ms. Powell. He expressed concerns of the alternative funding sources proposed by the Mayor, City of Birmingham. Mr. Matthews suggested that there are two sources of funds that could be used for transit: 1) Birmingham funds; or 2) the emergency funds. He asked the delegation to return to the mayor's office with the message that a protest would be formed.

Richard Irvin, Jr., expressed concerns of the routes being cut. Decisions regarding the bus system should be made by riders.

Mr. Hamilton thanked the public in attendance and acknowledged they were present because they care about transit.

The **Meeting Adjourned** at 1:10 p.m. The next **Regular Meeting of the Board of Directors** will be held **Friday, December 17, 2010 at 9:00 AM** at Central Station, 1735 Morris Avenue, Birmingham, AL.

Minutes submitted by: Barbara Lawson, Administrative Assistant

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_  
Brian Hamilton, Chairman

Attest: \_\_\_\_\_  
Frank C. Galloway, Jr., Secretary/Treasurer