



Birmingham-Jefferson County Transit Authority
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BOARD MEETING MINUTES

Wednesday, November 30, 2011

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

Members Present: Joyce Brooks, Jack Darnall, Keelon Hobbs, Johnnye P. Lassiter, Ronald Lyas, Andre Petties, Rev. Patrick Sellers, and Terri Sharpley.

Members Absent: None

Others Present: Robert Ballard, Peter Behrman, Christopher Bolling, Anna Brown, Joseph Bryant, Ernestine Cobb, Marva Douglas, Cynthia Dowdell, Bing Edwards, Butch Ferrell, Debra Files, Jacquese Gary, Richard Goldstein, Judy Gordon, James O. Hill, Lee Jackson, Kimberly Jeanty, Chuck Jeffries, Walter Jones, Chris Leffert, Dr. Jesse Lewis, Vicki Lewis, Julie McMillan, Kevin Owens, Jarvis Patton, Wytangy Peak, Councilor Kim Rafferty, David Ricker, Charles Ridley, Helen Rivas, Guin Robinson, Adrian Solomon, Stephanie Stowe, Jeff White, and Tari Williams.

A moment of silence was observed.

Mr. Hobbs led the assembly in the recitation of the **Pledge of Allegiance**.

Adoption of the Agenda: The agenda was adopted by general consent, with the stipulation of moving Resolutions 2012-10 and 2012-11 under the chairman's report.

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

Chairman's Report –

Resolution No. 2012-10: In Recognition and Appreciation of Walter Jones for His Service as a Member of the Board of Directors of the Birmingham-Jefferson County Transit Authority was duly made, seconded, and approved by general consent.

Resolution No. 2012-11: In Recognition and Appreciation of Guin Robinson for His Service as a Member of the Board of Directors of the Birmingham-Jefferson County Transit Authority was duly made, seconded, and approved by general consent.

Rev. Sellers asked Mr. Walter Jones and Mr. Guin Robinson to come forward. He read aloud the individual resolutions in appreciation of their service to the BJCTA and

presented each of them with a mounted copy of their respective resolution.

Rev. Sellers announced that the bus shelter dedication ceremony in honor of the late Ms. Doris Powell would be held at 11:00 a.m. on December 14, 2011, at 1616 17th Court North, Birmingham, AL. Ms. Powell was a great champion of the BJCTA, transit, and the riders.

Board Retreat

Ms. Sharpley reported that members had been in contact with William Scott who agreed to submit a proposal for facilitating the retreat. His proposal was expected soon and the details were to be forwarded to the full board as soon as possible.

Overtime Report

Mr. Petties moved to eliminate the Overtime Report by Employee in future board packets with the stipulation that overtime continue to be monitored by the Finance and Transportation Departments. The motion was seconded and approved by general consent.

Committee Reports –

A. Program Development Committee:

Ms. Sharpley reported that the RFP for a governmental relations position was delayed to allow Dr. Jesse Lewis of The Lewis Group to draft documentation on the position. Dr. Lewis announced that the details would be forwarded to the board via Barbara Lawson within the next few days.

The target dates for the board retreat currently under consideration were January 7 or January 14, 2012. A resolution for bus advertising was forwarded to the full board for its consideration.

B. Finance Committee:

Ms. Lassiter reported that the committee met on Wednesday, November 16, 2011, at 10:02 a.m., with all members present. During discussion of the financial report, there were many questions presented to the BJCTA chief financial officer. Ms. Lassiter referred the board to page 24 in the packet for the list of requested items that resulted from the discussion. The committee also recommended resolutions numbers 2012-10, 2012-11, 2012-12, 2012-13, 2012-14 and 2012-15 to the full board for its consideration.

C. Human Relations Committee:

The committee did not meet during the month of November 2011.

Executive Director's Report –

Executive Director Peter Behrman announced that he had spent much time during the month on community outreach. He continued to meet individually with board members.

In addition, he met with members of the Birmingham Business Alliance, Operation New Birmingham and Greater Birmingham Ministries. Mr. Behrman announced that he has become a member of the Alabama Transit Coalition (ATC) Steering Committee. The ATC has agreed to take over the agenda of the dormant Alabama Transit Association. He invited the board to be involved as the ATC helps create legislation to improve both the funding and operation of public transportation in Alabama.

The contract for the Short Range Transit Plan was signed and the first meeting was held. The next step would be a detailed work program that should be developed within the next few weeks. In the meantime, the planning staff and Mr. Behrman were working on route and schedule changes to make the system more efficient, specifically those identified by Mayor William Bell and Counselor Kim Rafferty of Birmingham.

Last January, the board approved the reorganization of the BJCTA. Currently, the Transportation Department has been reorganizing the smaller pieces of that department.

In response to Rev. Sellers, Mr. Behrman reported that the IT Consultant's work has not been completed and a large portion of the work is expected to be provided in the last phase. According to the contract, there are to be three progress payments associated with their respective tasks. There is a disagreement as to whether the consultant has completed Task 1 and Task 2. Ms. Lassiter asserted that the BJCTA should make sure that not only is Task 1 completed before going into Task 2 but also the payment for Task 1 should be made. Rev. Sellers asked for the BJCTA network administrator be called to the meeting and an IT report be made to the board as soon as possible.

Financial Report:

Mrs. McMillan reported that as of October 31, 2011, assets were \$41,900,600.33, while total liabilities were \$11,675,229.24. The Income Statement detailed year-to-date revenues of \$2,783,578.27 and expenses of \$2,629,687.60 resulting in a difference of \$153,890.67. The total cash and cash equivalents were \$8,521,427.57, of which \$6,843,366.75 was the balance in the operating and money market accounts. Total overall variance with the budget was a positive \$399,477.47.

The major factors for the positive variance in revenues were approximately \$23,000 in passenger revenues and \$71,000 in FTA reimbursements for preventative maintenance.

As to Expenses, the major factors for the positive variance were vacant budgeted positions, \$61,000; low health claims, \$85,000; external vehicle maintenance, \$63,000; general contingency, \$94,000; low fuel purchases, \$97,000; equipment repair parts and material, \$55,000; insurance, -\$26,000; and settlements of \$46,000.

The non budgeted items are federal pass-throughs and depreciation. These items have no variance because an equal amount is put into the budget each month.

Ms. Lassiter requested summary sheets be provided in the future for the various financial reports included in the board packet. Mr. Darnall suggested that the board be consistent and in agreement with its requests to the chief financial officer regarding required reports. Auditor Jeff White spoke to the board and said that he had been in conversation with Mr. Behrman in regards to producing pocket reports with condensed information that would aid the board in making its decisions. Even while the Finance Committee might need to see more detailed reports than those presented to the full board, the condensed information should be sufficient for the full board. He agreed to work with management, the finance committee, the full board, and Mrs. McMillan regarding reports.

The need to approve a capital budget was stressed, especially as to not hold up capital purchases for maintenance.

Resolutions for Consideration and Approval:

A. **Resolution No. 2012-12:** Authorization for the Executive Director to Exercise a One-Year Option to the Contract with Petroleum Traders for the Purchase of Low Sulfur #2 Diesel and Unleaded Fuels was duly made, seconded, and approved by general consent.

B. **Resolution No. 2012-13:** Authorization for the Executive Director to Approve Ordering Repair Parts for DART Trolleys and Authorization of Payment of Invoices was duly made, seconded, and approved by general consent.

C. **Resolution No. 2012-14:** Authorization to Release Solicitations was duly made, seconded, and approved by general consent.

Discussion: A motion to remove the forensic audit services from the resolution was duly made, seconded, and approved by general consent.

D. **Resolution No. 2012-15:** Authorization to Create a Two-Hour Pass for BJCTA Patrons was duly made, seconded, and approved by general consent.

E. **Resolution No. 2012-16:** Authorizing Adoption of A Revision to Resolution No. 1996-009, Resolution Authorizing a Policy Statement Regarding the Sale of Advertising Space on the BJCTA Vehicles was duly made, seconded, and approved by general consent.

Old Business:

IT Contract:

Nicholas Porterfield arrived at the meeting and reported to the board that the hold up on the IT consultant's work is payment. Reports have been received on tasks completed. Mr. Behrman said that he had been given tables and charts after the invoices were received and by request. He believes the reports should be descriptive and something

that he and the board could understand. Mr. Behrman is comparing the work requested in the contract against work completed. Mrs. Brooks suggested that Project Manager Nicholas and Mr. Behrman work together to review the tasks and work completed. Mr. Hobbs asked for a report back to the board.

New Business:

At 12:52 p.m., Rev. Sellers requested a motion for the board to go into executive session for a period of approximately 20 minutes to discuss the legal ramifications of changing the employment status of the executive director, which also could involve good name and character. Mr. Petties made the motion, seconded by Mr. Lyas, and approved by a roll call vote. There were eight (8) ayes from Mrs. Brooks, Mr. Darnall, Mr. Hobbs, Ms. Lassiter, Mr. Lyas, Mr. Petties, Ms. Sharpley, and Rev. Patrick Sellers.

The board reconvened at 1:48 p.m. with all members present. Chairman Sellers reported that the Human Relations Committee had been instructed to take up the issues and report back to the board.

New Business:

Public Comments:

A. Councilor Kim Rafferty reported that the Transportation Reauthorization Bill is in Senator Richard Shelby's office. She and Mayor William Bell signed a letter in support of the bill. Per telephone calls made, areas interested in transit are: the Jefferson County Mayors Association, Hoover, Vestavia, Irondale, Trussville, Brookside, Graysville, Lipscomb, Midfield, Mountain Brook, Adamsville, Argo, Hueytown, Kimberly and Homewood. She is still waiting on responses from Bessemer, Fairfield, and Clay. The bill will be a great move toward supplementing operational costs of the BJCTA. Councilor Rafferty sent Rev. Sellers and Mr. Petties a copy of the letter and requested a letter of support from the BJCTA. She agreed to send a copy of the form letter to Mr. Behrman's office. Ms. Lassiter, board representative for the City of Bessemer, requested a copy of the information that was sent to the City of Bessemer.

Councilor Rafferty reported that the city is anxious to receive information regarding the capital budget and how many other municipalities have signed their transit service agreements. She also received an invitation to attend the SRTP Steering Committee; however, it was scheduled at the same time and date as her Transportation and Communication Meeting. Councilor Rafferty would like consideration given as to when meetings are arranged. In response to Rev. Sellers' question of board involvement, Mr. Behrman explained that two committees are being formed: (1) the Steering Committee; and (2) the Policy Committee, which would require involvement of the board.

B. Richard Goldstein, who is the Transit Advisory Committee (TAC) representative from the City of Mountain Brook, commented on how the ridership is of paramount importance. The representatives from the various areas need to come together for

transit. He cannot understand why there are so many problems in filling the seats on TAC.

The **Meeting Adjourned** at 1:54 p.m. The next **Regular Meeting of the Board of Directors** will be held **Wednesday, December 28, 2011 at 12:00 PM** Central Station, 1735 Morris Avenue, Birmingham, AL.

Minutes submitted by: Barbara Lawson, Administrative Assistant

Date: _____

Approved by: _____
Rev. Patrick Sellers, Chairman

Attest: _____
Joyce E. Brooks, Secretary/Treasurer