



Birmingham-Jefferson County Transit Authority
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BOARD MEETING MINUTES

Wednesday, December 28, 2011

Opening: The meeting was called to order by Chairman Patrick Sellers, at 11:00 a.m. in the Public Meeting Room located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

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

Members Absent: Jack Darnall

Others Present: Debra Anderson-Burse, Robert Bairns, Robert Ballard, Peter Behrman, Anna Brown, Cornelius Cleveland, Ernestine Cobb, Marva Douglas, Cynthia Dowdell, Bing Edwards, Butch Ferrell, Jacquese Gary, Richard Goldstein, Judy Gordon, R. Lawton Higgs, Sr., James O. Hill, Lee Jackson, Chuck Jeffries, Chris Leffert, Dr. Jesse Lewis, Julie McMillan, Colette Petties, Councilor Kim Rafferty, Charles Ridley, Helen Rivas, Adam Snyder, Adrian Solomon, and Bryant Somerville.

A moment of silence was observed.

Ms. Sharpley led the assembly in the recitation of the **Pledge of Allegiance**.

Adoption of the Agenda: The agenda was adopted by general consent, with the correction of start time from 11:00 p.m. to 11:00 a.m.

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

Chairman's Report –

Rev. Sellers stated that 2011 had been a wonderful year and moved on to the committee reports.

Committee Reports –

A. Program Development Committee:

Ms. Sharpley reported that an agreement had been reached by Dr. Jesse Lewis and Peter Behrman regarding the Governmental Relations Function. The time would be split 75% to 25% between Jacquese Gary and Adrian Solomon, respectively.

Board Retreat - The dates were confirmed for January 6 and 7, 2012. Three options were presented regarding board and staff attendance at the BJCTA and/or The

Legends at Capitol Hill. Ms. Brooks moved Option 3 by which Mr. Will Scott would be facilitating and both board and executive staff would be staying overnight at The Legends at Capitol Hill, Prattville, Alabama, seconded and approved by general consent. Board support was instructed to ask about cancellation options with the Marriott.

In response to Mr. Petties regarding to bus wraps, Ms. Sharpley announced that Procurement Officer Jacquese Gary was going to have Mr. Greg Brogden present at the next committee meeting to give more information.

B. Finance Committee:

Ms. Lassiter reported that the Committee had met on Wednesday, December 14, 2011, at 1:30 p.m., with a quorum. The Committee had a short teleconference with auditor Jeff White regarding financial reports, as well as sharing communications with the Finance Committee. Upon the advice of legal counsel, the capital budget will need approval from both the city and the county. Resolution No. 2012-17 was recommended to the full board for its consideration. The full report to the board was found on pages 12- 15 in the packet.

C. Human Relations Committee: Mr. Lyas reported that the Committee met with all members present. Members went into executive session to discuss the legal ramifications of changing the employment status of the executive director. No determination was made. The Committee also discussed and recommended the temporary governmental relations function to the full board, as well as Resolution No. 2012-18.

Executive Director's Report –

Executive Director Peter Behrman announced that a preliminary agreement had been reached with the union and the agreement is ready to be voted on by membership. If passed, it will come before the board for approval. The Short Range Transit Plan (SRTP) is moving along as expected. The TV monitor in the Central Station lobby is working and providing information to passengers. In the next few weeks, the students from Auburn University will provide plans for a new, fresh look of the platform and lobby at Central Station. Community outreach has continued. Public hearings are scheduled for the new service of DART in late January or early February. The City of Center Point has asked to waive signing their transit agreement until the BJCTA has had a chance to rework a route for better efficiency. The net cost will be zero.

Financial Report:

Mrs. McMillan reported that as of November 30, 2011, assets were \$40,795,337.90, while total liabilities were \$10,226,213.72. The Income Statement detailed year-to-date revenues of \$5,581,451.19 and expenses of \$5,083,807.43 resulting in a difference of \$497,643.76. The total cash and cash equivalents were \$6,790,411.36, of which \$4,311,188.42 was the balance in the operating and money market accounts. Total overall variance with the budget was a positive \$694,630.01.

The major factors for the positive variance in revenues were:

- Passenger revenues \$ 47,000
- Advertising revenues for Homeland Security \$ 25,000
- FTA reimbursements for preventative maintenance \$ 28,000
- FTA reimbursements for bus washer \$ 95,000

As to expenses, the major factors for the positive variance were:

- Labor (vacant budgeted positions) \$106,000
- Health insurance for low health claims \$184,000
- General contingency \$188,000
- Other fringes \$ 70,000
- Legal services in law suit settlement (\$106,000)
- Vehicle maintenance, external \$112,000
- Equipment repair parts and material (\$115,000)

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.

Resolutions for Consideration and Approval:

- A. **Resolution No. 2012-17:** Authorization to Adopt and Approve the Fiscal Year 2012 Capital Budget and Usage of Carryover Capital and Operating Funds, with word additions, was duly made, seconded and approved by general consent.

Discussion: Mr. Behrman stated that the budget had changed, per the advice of legal counsel, from the one in the board packet, and asked that the board refer to the handout. Mrs. McMillan detailed each line item for the board. Based on decisions made in the Finance Committee, the recommendation was to use \$1.8 million for the match for the purchase of 22 buses; \$2.3 million for minor rehab of buses and trolleys; \$1,981,725 for capital needs, and \$1,981,725 for reserve.

Legal Counsel Bing Edwards recommended adding "as shown on the attachment" to the last whereas clause of the resolution and let the attachment be the document on page 124.

- B. **Resolution No. 2012-18:** Governmental Relations Consultant Scope of Services was duly moved, seconded and approved by general consent.

Discussion: In response to Mrs. Brooks, Procurement Officer Jacquese Gary replied that the scope of work would be included in the RFP.

- C. **Resolution No. 2012-19:** Creating and Supporting a Temporary Governmental Relations Function at the BJCTA was duly made, seconded and approved by general consent.

Discussion: In response to Ms. Lassiter, Mr. Behrman replied that the \$20,000 salary increase was on an annual basis. The increase was based on the recommendation of Dr. Jesse Lewis and shall be rescinded when the permanent position is filled.

Old Business:

Mrs. Brooks moved to go into executive session to discuss the employment status of the executive director for a period of 45 minutes. The chairman called for a roll call vote that resulted in seven (7) ayes from Mrs. Brooks, Mr. Hobbs, Ms. Lassiter, Mr. Lyas, Mr. Petties, Rev. Sellers, and Ms. Sharpley. The board went into executive session at 11:48 a.m., and reconvened at 12:57 p.m. with same members present.

New Business:

Rev. Sellers referred to the complaint section of the board packet and stated there was no excuse for lack of customer service at the Authority. He instructed staff to make sure that treatment of its clients is right.

Mr. Petties complimented maintenance director Lee Jackson and his staff for the work done in the Central Station lobby. According to Procurement, smaller companies did not want the liability of pressure washing Central Station; larger companies will be contacted.

Mr. Petties instructed the following:

- that the National Transit Database report be explained at the upcoming board retreat
- that the reports in the Performance Indicators be itemized in future Table of Contents
- that legal counsel address any Transit Advisory Committee issues.

He also challenged fellow board members to ride the bus in 2012.

Mrs. Brooks thanked everyone for their commitment to transit and asked that all continue their personal commitment in making the BJCTA the best that it can be during the upcoming, new year.

Rev. Sellers acknowledged City Councilor Kim Rafferty in the audience and offered her the opportunity to speak to the board. She thanked him but did not speak.

Public Comments: None

The **Meeting Adjourned** at 1:05 p.m. The next **Regular Meeting of the Board of Directors** will be held **Wednesday, January 25, 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