



Birmingham-Jefferson County Transit Authority
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BOARD MEETING MINUTES

Wednesday, February 23, 2011

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, Frank C. Galloway, Jr., Brian Hamilton, Johnnye P. Lassiter, Doris Powell, Guin Robinson, and Rev. Patrick Sellers

Members Absent: Walter Jones and Ronald Lyas

Others Present: Debra Anderson-Burse, Leon Barkan, Peter Behrman, Christopher Bolling, Anna Brown, Marva Douglas, Martin Edwards-Clark, Butch Ferrell, Judy Gordon, James O. Hill, Laura Land, Barbara Lawson, Chris Leffert, Dr. Jesse Lewis, Richard Nardecchia, Kevin Owens, Wytangy Peak, Charles Ridley, Helen Rivas, David Russell, Traci Williams, and Solomon Wilson.

A moment of silence was observed.

Mr. Robinson 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 with the following correction to the Board minutes, under the Chairman's Report. It should read Transit Summit meeting.

Chairman's Report:

Mr. Hamilton announced that he had received correspondence from Mr. Jones and Mr. Lyas about their attendance for today's meeting.

Mr. Hamilton recognized Ms. Tameeka Ephraim, city clerk for the City of Midfield. Mr. Hamilton had received a telephone call regarding concern about a story that ran on Fox6 that was not favorable to the City because the City had already come to an agreement with staff regarding their payment for service. Mr. Hamilton extended a public apology and said that the BJCTA was happy to serve their area and thanked the city clerk for her presence. Per BJCTA records, there were no disparaging remarks from any board members about the City of Midfield in the January meeting. Dr. Jesse Lewis, The Lewis Group, reported that he had contacted Fox6 and requested that their statements be corrected.

Committee Reports –

- A. **Human Relations Committee:** Mr. Robinson referred to strategic planning and drew attention to the APTA report and commented that the APTA recommendations could not be done in one year and that the responsibilities are not all those alone of the executive director. The review should become a living document to guide the needs of the BJCTA. He requested that the roles, responsibilities and dates of accountability be charted so that the board could review progress made each month.

Mr. Robinson reported that Committee Chairman Ron Lyas had asked him to lead efforts in the evaluation process of the executive director position. He moved that the board move forward and adopt the following tools for the evaluation process: 1) job description; 2) APTA report; and 3) employee contract. The motion was seconded by Mrs. Brooks and approved by general consent, with all the comments made by Mr. Robinson regarding the APTA report.

Mrs. Brooks reported that overtime is lower than in the past but is still considered high. A request was made to research the status of positions, exempt vs. non-exempt.

Two new employees were recognized and welcomed to the BJCTA - - Maintenance Director Lee Jackson and Planning Manager Martin Edwards-Clark.

- B. **Finance Committee:** Mr. Galloway had no additional comments to report further than what had been said during the resolution discussions.
- C. **Program Development Committee:** Rev. Sellers reported that the committee is looking at the Montgomery Advocacy Strategy, and the level of performance of janitorial services at the BJCTA.

Executive Director's Report -

Executive Director Peter Behrman reported that several positive things have happened in the Maintenance Department since the first two weeks of Mr. Jackson's employment. There may be an opportunity to receive free, used buses from Gwinnet County Transit, Georgia. Staff will check into this further and report to the board.

Mr. Leon Barkan of Volkert was recognized and reported that work was delayed at the 8th Avenue Facility due to an official protest from another bidder. Equipment will begin arriving in 4-6 weeks and the bus washer is expected to be in operation within ninety (90) days. There is some concern about the delivery of the vacuum system, which will be addressed. Mr. Barkan agreed to communicate any future delays to the board.

Mr. Behrman reported that he met with Alabama State Representative Rod Scott regarding the Montgomery Advocacy Strategy and that he would make a full report at the next Program Development Committee.

The Transit Summit to be hosted by Birmingham City Councilor Kim Rafferty is scheduled for February 24, 2011, at 10:00 a.m., at Vulcan Park and Museum.

Mr. Behrman thanked Director Lassiter for her graciousness at the February 8, 2011, meeting with the City of Bessemer.

The City of Birmingham now has the money for the pad needed at the Eastern Health Clinic and materials are being ordered.

Municipalities with Delinquent Accounts

At the request of Mr. Behrman, Legal Counsel Nyya Hudson reported that there are still two cities that remain delinquent in payments -- the City of Lipscomb and the City of Brighton.

The City of Lipscomb has responded and requested that the board grant an extension of time to make payments of \$1,000 per month. The payment plan was not viewed as realistic as the \$1,000 per month does not cover current costs of approximately \$3,000 per month. Rev. Sellers requested that the BJCTA not be quick to terminate service to the City of Lipscomb who is trying to be responsive. Mr. Hamilton directed staff to continue following policy and to simultaneously counter the offer with a variation of the proposed payment plan and also contact Commissioner Brown to give an opportunity to intervene on behalf of the City.

Mrs. Hudson reported that the City of Brighton has been sent all the proper notices that cited policy and set deadlines. There has been no response. She has had conversation with Dr. Lewis and Mr. Edwards-Clark regarding the planning phase of the public hearings and requested an opportunity to bring forth a plan for the public hearings at the next committee meetings.

Ms. Lassiter requested that the impact to the City of Bessemer be considered when coordinating the public hearings. There are riders who reside in Lipscomb but work in Bessemer.

Safety

Safety is a priority and under the reorganization plan will begin reporting to the Human Resources Department once again. Safety Manager Kevin Palmer and the Director of Administration and Risk Management Debra Burse were requested to attend all committee meetings.

Ms. Powell reported on Bay #5 at Central Station and its safety issue because of how dark it is in the corner. Mr. Behrman agreed to check into this matter.

Bus Routes

In response to Mr. Robinson, Mr. Behrman reported that the study began in August and the sufficiency of the routes is a top priority of the new planning manager. Laura Land of the Regional Planning Commission reported that she did the analysis of the routes. There are two portions of the study—the part completed last summer and also the U.S.

Highway 11 West Corridor. Professionals will be used to fill the gaps of the U.S. Highway 11 study. Mr. Hamilton instructed Mr. Behrman to present a report at the next committee meeting with the data in hand.

Ms. Powell reported that Brandon Wilson would like to present the Southwest Corridor Study at the next Program Development Committee. She will get with the committee chairman on the item.

Financial Report

Chief Financial Officer Richard Nardecchia reiterated about the comments spoken regarding the City of Midfield and stated that the City has always kept their commitment. Their account has been paid in full to September 30, 2011. He further reported that as of January 31, 2011, assets were \$42,037,885.52 while total liabilities were \$12,723,354.17. The Income Statement details year to date revenues of \$16,498,966.57 and expenses of \$9,573,695.29 resulting in a difference of \$6,925,271.28. The total cash and cash equivalents were \$13,523,066.15 of which \$11,732,718.12 was the balance in the operating and money market accounts. Total overall variance with the budget is a positive \$1,302,824.64. The majority of the variance is favorable health claims for the first 3 months and also the bus rehab program.

Resolutions for Consideration and Approval:

- A. **Resolution No. 2011-14:** Authorization to Obtain Aggregate and Specific Excess Loss Coverage with Lloyds Related to the Collective Bargaining Unit Health Program was moved by Rev. Sellers, seconded by Mrs. Brooks and approved by general consent. Ms. Powell was absent at the time of voting.
- B. **Resolution No. 2011-16:** Authorization to Negotiate an Extension to the Agreement Between Bridgestone Firestone North American Tire, LLC and the Birmingham-Jefferson County Transit Authority Regarding Tire Leases and Services was moved by Ms. Lassiter, seconded by Rev. Sellers, and approved by general consent. Ms. Powell was absent at the time of voting.
- C. **Resolution No. 2011-17:** Authorization to Exercise a One (1) Year Renewal Option to the Contract with St. Vincent's Occupational Health Clinic to Provide Drug and Alcohol Selection and Services was moved by Mrs. Brooks, seconded by Ms. Lassiter, and approved by general consent. Ms. Powell was absent at the time of voting.
- D. **Resolution No. 2011-18:** Authorization to Amend Resolution Nos. 2005-17 and 2005-40 and Modify the BJCTA's Current Staff Organizational Structure was moved by Mrs. Brooks, seconded by Mr. Robinson, and approved by general consent. Ms. Powell was absent at the time of voting.

Discussion: At the request of the board chairman, Mrs. Brooks reported that during committee meetings there had been much dialogue and the committee was satisfied with the justification of the executive director. Mr. Robinson reported that the changes are to be revenue neutral and that the board will be

notified if that should change, that all the employees would have opportunities to bid on jobs, that legal counsel would be involved, and that policies and procedures would be followed.

Old/New Business:

Ms. Powell referred to the Program Development Report on page 13 and clarified that she was not suggesting that performance evaluations be shared but was merely in support of the process being fair to all employees, just as mentioned on page 9 of the packet about the reorganization process being for the total fairness to all employees.

Ms. Lassiter referred to the shelter at UAB West and reported that it is located in the back because it was considered too close to the highway in the front. She then referred to an inquiry from a city councilor regarding an installation of a shelter at 9th Street and Clarendon and requested to know what needs to happen before a shelter can be installed. Mr. Behrman responded that a city can request a shelter in a particular location and if they have the 20% match, the BJCTA will start the process and also submit a request to the FTA for reimbursement of 80%. The shelters must conform to issues on the books such as rights-of-way.

Ms. Lassiter requested an update on the status of the performance portfolio. Mr. Behrman will provide this at the next committee meeting.

Public Comments: None

The **Meeting Adjourned** at 1:08 p.m. The next **Regular Meeting of the Board of Directors** will be held **Wednesday, March 23, 2011 at 12:00 PM** 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