



Birmingham-Jefferson County Transit Authority  
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**Report to the Board  
Finance Committee**  
Wednesday, July 15, 2009

**Opening:** The meeting was called to order by the Committee Chairman Walter Jones, at 8:30 a.m. in the Executive Briefing Room, located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

**Members Present:** Walter Jones and Guin Robinson

**Members Absent:** Chris Lewis

**Others Present:** Debra Anderson-Burse, Pascal Caputo, Daphine Jackson, Barbara Lawson, Chris Leffert, Richard Nardecchia, David Russell, and Joi Scott. William Copling participated via the telephone.

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

**Items for Information and/or Discussion**

Financial Report

Richard Nardecchia, Chief Financial Officer, reported that as of June 30, 2009, assets were \$30,434,082.14 while total liabilities were \$10,186,461.56. The Income Statement details year to date revenues of \$22,115,481.36 and expenses of \$20,620,549.30 resulting in a difference of \$1,494,932.06. The total cash and cash equivalents were \$4,739,505.17 of which \$4,461,429.98 was the balance in the operating and money market accounts. Total overall variance with the budget is a positive \$3,583,010.27.

Guin Robinson recognized the substantial progress made by finance personnel in regards to budgets, reports, and audits. He suggested that the BJCTA work with Dr. Jesse Lewis, The Lewis Group, to provide finance information to the public.

Cost Estimate for Electronic Time Card System

Mr. Copling recommended that the Board not purchase a stand-alone unit for just timekeeping but proposed the Paratransit software and hardware that will be purchased with the contracted Paratransit vehicles. The Trapeze software has a component that would allow the BJCTA to expand the system with terminals for data collection, timekeeping, accounting and payroll records. No cost estimates were available because it would have to be processed as a request for proposal (RFP). He suggested

waiting until the software is at hand and then bidding out the peripherals. The system would be in place in approximately 12-18 months, at a cost over \$100,000.

Mr. Jones stated that there were other systems that could be implemented while waiting on Trapeze. He asked Mr. Copling to please investigate various systems that would track time and identify employees approaching overtime so that managers would be able to make appropriate decisions. Mr. Jones instructed that the BJCTA send out the RFP, with the possibility of leasing, so that estimates could be received.

#### Update on City of Birmingham Receiving Capital Improvement Funds and General Funds Separately

Mr. Nardecchia reported that a meeting took place last week with Birmingham City Councilor Carol Duncan and BJCTA concerns were expressed. She requested that the BJCTA let her handle the issue with the Mayor of Birmingham.

#### Presentation by Pascal Caputo, Esquire

Mr. Caputo announced that he is no longer working at the Birmingham Chamber of Commerce but will be working as a federal lobbyist. He described the benefits of hiring a federal lobbyist and also the services that he could provide for the BJCTA. He requested consideration of contracting his professional services in representing the BJCTA for federal appropriation opportunities.

Mr. Robinson moved the motion to table the consideration until legal counsel could provide clarification on what the BJCTA can do in regards to lobbying; it was seconded by Mr. Jones, and approved by general consent. Joi Scott, Legal Counsel, agreed to provide the requested information in a written memo to the Board.

#### Presentation by David Russell

Mr. Russell reported that he has been working with state legislators in regards to the occupational tax issue and an amount of \$6 million being allocated directly to the BJCTA. He requested to come before the full Board to discuss a relationship with the BJCTA in order to help secure dedicated funds. Mr. Russell also requested that the full Board receive a copy of the letter from State Representative John Rogers that was addressed to Board Chairman Chris Lewis and copied to Interim Executive Director William Copling.

Mr. Robinson moved the motion to table the consideration of coming before the full Board until the letter is received and legal counsel has an opportunity to provide clarification; it was seconded by Mr. Jones, and approved by general consent.

Ms. Scott requested that Barbara Lawson, Board Support, obtain a copy of the letter from Representative John Rogers and distribute it to the Committee and herself.

**Resolutions for Consideration & Recommendation - None**

**Old Business –**

### Overtime

Mr. Robinson inquired about the review of job classifications. Joi Scott replied that the position titles of supervisor and manager have seemed to create confusion. The exemption status is based on meeting the criteria of salary, supervision, and decision making authority. Thus far in the review, legal counsel is satisfied that the BJCTA is in compliance with federal guidelines in its determination of exemption status. Mr. Copling confirmed that no employees with the exempt status have received overtime pay.

### Update on Financial Payments Received from Participating Municipalities

- Tarrant: A letter has been sent to the mayor requesting a meeting to discuss financial payment but no response has been received thus far.
- Fairfield: A letter has been sent to the mayor but no response has been received thus far.
- Center Point: A service modification has been received from the city to reduce the operational cost by 55%-60%. A public hearing will be scheduled.
- Midfield: An additional amount of \$5,000 has been received.
- Lipscomb: An additional amount of \$2,000 has been received.
- Hoover: The mayor plans to submit \$50,000 in the FY 2009 and FY 2010 city budgets. The BJCTA is waiting for the FY 2009 budget to be approved so that a payment can be made. The amount of services provided as of June 2009 has exceeded the amount that the mayor is proposing in the budget. The BJCTA FY 2010 budget will require an amendment if the \$50,000 amount is budgeted for FY 2010.
- Homewood: The BJCTA has met with the mayor and quoted the amount due for services.
- Vestavia: Payment in the full amount has been received for FY 2009; discussions are ongoing for FY 2010.

For the next scheduled meeting, Mr. Nardecchia was requested to provide recommendations for discussion in regards to a policy that would outline BJCTA guidelines of stopping service after notice of non-payment. He was also asked to provide up-to-date figures for each participating municipality.

An opinion was requested from legal counsel on how and if the BJCTA can legally stop services for the City of Hoover for the remaining fiscal year. A request was made for staff to develop and provide the plan of a \$50,000 service level for FY 2010.

Mr. Copling is working with legal counsel to develop a memorandum of understanding that will acknowledge the services, the costs incurred, and the commitment of the city to pay amounts due.

**New Business** – None

**Adjournment** – The meeting was adjourned.

Minutes submitted by: Barbara Lawson, Administrative Assistant

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

Approved by: \_\_\_\_\_  
Walter Jones, Committee Chairman