



Birmingham-Jefferson County Transit Authority  
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## **BOARD MEETING MINUTES**

Wednesday, July 27, 2011

**Opening:** The meeting was called to order by Chairman Brian Hamilton, at 12:03 p.m. in the Public Meeting Room, located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

**Members Present:** Joyce Brooks, Jack Darnall, Brian Hamilton, Johnnye P. Lassiter, Ronald Lyas, Guin Robinson, and Rev. Patrick Sellers

**Members Absent:** None

**Others Present:** Kamau Afrika, Debra Anderson-Burse, Joe Ann Askew, Peter Behrman, Christopher Bolling, Anna Brown, Ernestine Cobb, Michael Crump, James Dean, Marva Douglas, Cynthia Dowdell, Bing Edwards, Martin Edwards-Clark, Butch Ferrell, Jacquese Gary, Richard Goldstein, Judy Gordon, Lee Jackson, Barbara Lawson, Chris Leffert, Dr. Jesse Lewis, Julie McMillan, Councilor Kim Rafferty, Charles Ridley, Linda Williams, Solomon Wilson, and John Wright, Jr.

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.

### **Chairman's Report –**

Chairman Brian Hamilton thanked all members and guests who attended the joint meeting of the Transit Advisory Committee (TAC), the Paratransit Advisory Committee (PAC), and the Board of Directors. He charged the Program Development Committee to recommend a number of TAC positions to the full board. He directed staff to work with Jefferson County and City of Birmingham so that the new policy could be effective with the new fiscal year.

### Legal Services

Mr. Hamilton appointed an ad hoc committee that consisted of Mrs. Brooks, Rev. Sellers, and Mr. Darnall to evaluate all responses to the Legal Services RFP. Mrs. Brooks will chair the committee and bring a recommendation to the full board at the next committee meeting. Mr. Hamilton asked Executive Director Peter Behrman to work with Procurement to be sure that the appropriate people were involved.

## **Committee Reports –**

- A. **Program Development Committee:** Rev. Sellers reported that the Program Development Committee met on July 20, 2011, and discussed the items mentioned in the packet. He highlighted the following two items: 1) Planning Manager Martin Edwards-Clark brought forth ridership information to the Committee that he would like shared with the full board at some time during this meeting; and 2) The Committee recommended the bus shelter located at 18<sup>th</sup> Street and 16<sup>th</sup> Court North in the Fountain Heights area to be named after the late Doris Powell.

Mr. Robinson commented that he had read an article in the paper regarding possible service cuts and questioned if the topic had come before Program Development Committee. Mr. Hamilton explained that almost year ago the BJCTA Staff was authorized to run the system based on the money on hand. Staff has been in continuous communication with the City of Birmingham and that Mr. Behrman has been invited to the Birmingham Committee of the Whole meeting at 4:00 p.m. on this day to discuss transit. He is not officially on the agenda. Mr. Hamilton asked that Mr. Edwards-Clark and the Director of Maintenance Lee Jackson also attend the meeting.

According to Mr. Behrman and in response to Mr. Robinson, the BJCTA can identify routes from the lowest to the highest numbers of ridership.

- B. **Finance Committee:** Ms. Lassiter reported that the Finance Committee met at 10:00 a.m. on Wednesday, July 20, 2011, with all members present to discuss the following: FY2012 Budget, Financial Write-Offs, Disaster Relief Funds for the Tornado Victims, In-House Legal Services, Safety, Automobile Insurance, Bus Shelters, and Overtime. Resolution Nos. 2011-45, 2011-46, and 2011-47 were considered and recommended favorably to the full board. Details of the discussions can be found on pages 13-16 in the packet.

- C. **Human Relations Committee:** The committee did not meet.

## **Executive Director's Report –**

Mr. Behrman reported on the following:

- Staff has been working on two FY2012 budgets: 1) one at full funding; and 2) one that shows the reduction in service, as previously discussed.
- There have been three meetings to discuss the labor agreement and more meetings are scheduled.
- Mr. Robert Ballard accepted the position of Director of Transportation and will join the BJCTA on August 15, 2011. He was introduced at the recent Committee meetings.
- The Sunday DART bus service was terminated July 23, 2011. Communications are continuing with the City regarding DART service and meeting their needs.

- The City has been working on a multi-modal transportation center. A final design is expected within two months. The design will be presented to the Mayor, City of Birmingham and then the BJCTA Board. It is anticipated that the BJCTA will manage the facility.
- Riggins School is closing; however, the 30-35 students who are bus riders will be transferred to Kennedy School this fall. The police department has promised additional support and a meeting will be scheduled with Principal Dr. Stuart.
- There were two safety meetings held during the month: 1) Reasonable Suspicion Refresher for managers and supervisors; and 2) Protective Poles for fixed route operators. The position of Safety Manager will be closed to new applicants on July 29, 2011.
- Staff met with Bessemer's Mayor Kenneth Gulley with Board Director Lassiter in attendance. The major issues are what will happen if the cities of Brighton and Lipscomb cannot pay for service; and learning what the cities can or cannot bring to the table in an alternate arrangement with Bessemer.

### Financial Report

Mrs. McMillan reported that as of June 30, 2011, assets were \$41,008,319.17 while total liabilities were \$10,169,333.62. The Income Statement details year to date revenues of \$31,462,566.56 and expenses of \$23,012,841.08 resulting in a difference of \$8,449,725.48. The total cash and cash equivalents were \$7,980,291.16 of which \$6,499,526.58 was the balance in the operating and money market accounts. Total overall variance with the budget is a positive \$3,163,870.56. The major factors for the positive variance in revenues are approximately \$426k in ad valorem taxes and \$549k in FTA reimbursements for preventative maintenance. On the Expenses, the major factors for the positive variance are reduced salary expense of \$416k, favorable health claims of \$330k, \$1,285k set aside for the bus rehab program and normal repairs. Other favorable factors include \$203k due to the lessening of our use of diesel and \$102k budgeted for the production of the new Transit Development Plan.

Mr. Hamilton instructed Acting Chief Financial Officer Julie McMillan to have paper copies of the two prepared FY2012 budgets to be hand-delivered to the board by Wednesday, August 4, 2011.

Five employees who were affected by the April storms will be receiving funds for a total of \$5,462 from the Hardship Fund.

In response to Mr. Robinson's budgetary question, Mr. Jackson reported that he is trying to detail requests that he could bring before the Board that would use the \$1.2 million line item in the next two months.

### **Resolutions for Consideration and Approval:**

- A. Resolution No. 2011-45:** Authorization for the Executive Director to Continue the Authority's Membership in the American Public Transportation Association (APTA) for Fiscal Year was moved by Mr. Robinson, seconded by Ms. Lassiter and approved by general consent.

- B. **Resolution No. 2011-46:** Authorization to Release Solicitations was moved by Mrs. Brooks, seconded by Ms. Lassiter, and approved by general consent.
- C. **Resolution No. 2011-47:** Authorization to Extend the Existing Legal Services Contract with Balch & Bingham LLP For a Period Not To Exceed Sixty (60) Days was moved by Mrs. Brooks, seconded by Ms. Lassiter, and approved by general consent.

### **Old/New Business:**

#### City of Birmingham

Councilor Kim Rafferty extended an invitation to the full board to attend Birmingham's Committee of the Whole meeting on this day to have a first hand discussion of transit. She also suggested that the BJCTA get all positive news out to the public, such as the finances, repairs, and the cleaning and painting of buses.

Councilor Rafferty will be meeting with transit officials from Montgomery, Huntsville, and Mobile for an all day session on August 5, 2011, for the purpose of looking into statewide funding. Councilor Rafferty will extend an invitation to Governor Bentley to drop by for part of the discussion. Mr. Behrman will be in attendance.

In June, the Jefferson County Mayors' Association appointed Councilor Rafferty their advocate for transportation. She is honored by this appointment.

Councilor Rafferty explained events leading to recent articles in *The Birmingham News* regarding miscommunications and funds from the City of Birmingham.

Councilor Rafferty also reported that the Transportation and Communications Committee passed a resolution recommending payment of BJCTA services provided for the month of June. In response to Mr. Robinson, Mr. Behrman reported that the BJCTA did not have a contract with the City of Birmingham for a complete year. The BJCTA has been receiving amendments that cover periods of one and two months at a time.

#### Legislative Agenda

Mrs. Brooks reported that she had researched information regarding legislative agenda but it all varied. Because of the different opinions, she was not sure how to proceed with a recommendation. Mr. Hamilton instructed that board support arrange a Committee of the Whole meeting for the month of August so the entire board could discuss the varying opinions and work toward an official policy by October.

#### Design of Bus

Mr. Robinson moved to adopt the new bus design; seconded by Mrs. Brooks, and approved by general consent.

In response to Mrs. Brooks, Mr. Behrman said that the BJCTA is not allowing advertising on the new buses during the first year. The contract with Response expires

in October and the board will have to decide if it would be best to prohibit future advertising on the buses.

#### Travel

Rev. Sellers asked for an explanation of his travel expenses from FY2007, FY2008, and FY2009 that were once approved but then disallowed according to a memorandum received in January 2010. Ms. Lassiter asked that everyone have a copy of his concerns for what might be a lengthy discussion. Mr. Hamilton asked that the item be included on the agenda for the committee meeting.

#### Evaluation of the Executive Director

Ms. Lassiter referred to page 5 of the board packet and read from the minutes under the heading of "Evaluation of the Executive Director". She has not seen a copy of the results because they were not presented to the full board as procedures required. Ms. Lassiter requested a copy of the evaluation as presented to the executive director. Mr. Hamilton instructed that a copy of the results be given to Ms. Lassiter and that the matter be placed on the agenda for the Committee of the Whole so that it can be recommended and then adopted by the full board.

#### Ridership Count

Mr. Edwards-Clark referred to graphs provided to the board, which were three samples of ridership counts of the thirty-eight routes. The graphs showed the average time between each stop, inbound and outbound, and how many passengers got on and off at each stop for each route. When the report is finalized, an official of any participating municipality should be able to read the report and know the routes in their area and the number of riders on an average day.

#### **Public Comments:**

- A. John Wright, Jr., an advocate for transit, referred to an editorial in *The Birmingham News* and went on to say that everything wrong with MAX is a funding problem. In his opinion, there will never be a good transit system in Birmingham until there is a transit tax for permanent funding. He then suggested that the Board meet one-on-one with council members regarding transit.
- B. Marva Douglas, a bus rider and advocate for transit, commented that another problem is getting people interested in transit. She quoted an annual savings of \$5,195 per year by riding the bus, rather than using her personal vehicle. Ms. Douglas suggested advertising these types of savings to the public to attract new riders.

The **Meeting Adjourned** at 1:37 p.m. The next **Regular Meeting of the Board of Directors** will be held **Wednesday, August 24, 2011 at 12:00 PM** Central Station, 1735 Morris Avenue, Birmingham, AL.

Minutes submitted by: Barbara Lawson, Administrative Assistant

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

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

Attest: \_\_\_\_\_  
Johnnye P. Lassiter Secretary/Treasurer