



Birmingham-Jefferson County Transit Authority
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CORRECTED – DESTROY ALL COPIES PRIOR TO AUGUST 25, 2010
BOARD MEETING MINUTES
Wednesday, July 28, 2010

Opening: The meeting was called to order by the Chairman, Guin Robinson, at 12:15 p.m. in the Public Meeting Room, located in the Public Meeting Room, located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

Members Present: Joyce Brooks, Frank C. Galloway, Brian Hamilton, Walter Jones, Johnnye P. Lassiter, Ronald Lyas, Doris Powell, Guin Robinson, and Rev. Patrick Sellers

Members Absent: None

Others Present: Debra Anderson-Burse, Peter Behrman, Christopher Bolling, Anna Brown, Butch Ferrell, Jacquese Gary, Necole Gladney, Judy Gordon, Debra Johnson, Dan Kessler, Chris Leffert, Richard Nardecchia, Nicholas Porterfield, Joi Scott, Ken Simon, Makeda Smith, Lou Willie, and Mayor Alberto Zaragoza.

A moment of silence was observed.

Frank Galloway led the assembly in the recitation of the **Pledge of Allegiance**.

Guin Robinson recognized Vestavia Hills Mayor Alberto Zaragoza, Councilor Kim Rafferty's representative Lou Willie, and Executive Director Dan Kessler of the Independent Living Resources of Greater Birmingham. He thanked them for their presence and support.

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 by Frank Galloway:

- Under Moratorium on Travel, page 3, paragraph 3, line 3 – The word "such" should be changed to "this".

Chairman's Report –

APTA

Guin Robinson reported the invoice for the APTA peer review had been received. The invoice will be submitted to staff for payment since there were no objections presented.

Nominating Committee

Mr. Robinson asked Frank Galloway, Rev. Patrick Sellers and Joyce Brooks to serve on the committee, with Mr. Galloway chairing.

Participating Municipalities

The BJCTA is still negotiating and communicating with member cities regarding their level of service.

Executive Director's Report -

APTA Review

Executive Director Peter Behrman reported that he has presented the final report at various speaking engagements. The report has been well received, as well as the recommendations to be implemented.

Strategic Planning Retreat:

Mr. Behrman reported on the proposed joint venture for a retreat facilitator between The Clarus Group and Doug Eadie, Inc. He is waiting for a return call from Mr. Eadie. Darrell Howard of the Regional Planning Commission announced that the Transportation Improvement Program (TIP) modifications have been recommended for approval by the Transportation Citizens and Technical Committees, as well as the MPO Subcommittee. Final approval from the Federal Transportation Administration is waiting and expected to be favorable. The modifications will allow the Program to support a large portion of the Strategic Planning Retreat expenses.

Meetings with Elected Officials and Community-based Organizations:

Mr. Behrman met with State Representative John Rogers to discuss the BJCTA financial situation and possible ways of getting assistance from the State of Alabama. He also met with Birmingham School Superintendent Dr. Craig Witherspoon to discuss how bus service can help the school district, especially when the specialized academies are established.

Temporary Storage of Older Buses:

An agreement has been signed with Alagasco to store older buses at no charge to the BJCTA. The contract was reviewed by legal counsel. Mr. Robinson reminded staff to write an appropriate expression of appreciation.

FY2011 Budget:

The FY2011 budget is under preparation and meetings are taking place with a number of cities. The main issue will be with the City of Birmingham.

Information Technology:

With the arrival of new buses, there will be new computer driven technology. The BJCTA will need to figure a means of getting more technical support. Discussions have taken place for a firm to do this or else get the help of an IT professional from another transit system. Mr. Behrman will continue to investigate this matter and report to the

Board. Brian Hamilton commented how important it is for the BJCTA to not lag behind on the software/hardware curve and suggested that additional staffing may be required in this critical area. Mr. Robinson agreed and said that this is as important as making modifications to the station for the new buses. Nicholas Porterfield, Network Administrator, confirmed that the BJCTA has a list of needed items.

In response to Doris Powell, Mr. Behrman acknowledged that his plans for reorganization include mechanical training. Mr. Robinson announced that a partnership with Jefferson State Community College has been developed and will allow training at zero cost to the organization. The State of Alabama was awarded \$6 million in federal funds for clean energy and clean training. The BJCTA should reach out to all of the colleges.

Customer Service:

By transferring a person from the eliminated purchasing assistant position to the vacancy in the Ride Store at Central Station, the BJCTA was able to expand the customer service hours for three additional hours on Monday through Friday.

Paratransit Vehicles:

Mr. Behrman brought a critical situation to the Board's attention regarding Paratransit vehicles. Normally there should be fifteen to twenty vehicles in operation; however, there have only been three or four available with wheel chair lifts. He is checking into the cost of renting vehicles, which will hopefully be cheaper than repairing the vehicles that have exhausted their life span. The expected delivery for the bulk of new vehicles will be in September 2010.

Financial Report

Richard Nardecchia reported that as of June 30, 2010, assets were \$31,792,843.48 while total liabilities were \$8,421,380.62. The Income Statement details year to date revenues of \$26,015,489.89 and expenses of \$21,910,100.25 resulting in a difference of \$4,105,389.64. The total cash and cash equivalents were \$4,245,929.63 of which \$3,955,578.47 was the balance in our operating and money market accounts. Total overall variance with the budget is a positive \$6,076,914.46, which includes almost \$2 million from the City of Birmingham for paratransit vehicles.

Mr. Robinson requested that short explanations be included in future financial reports.

Item for Information and/or Recommendation:

Invoice from Precision Sales & Services – Trolley #2278:

Mr. Behrman reported that this trolley had been taken to Precision Sales and Services. Authorized repairs in the amount of \$3,105.77 were completed to get the trolley running. Unauthorized repairs in the amount of \$8,208.06 were completed to return the trolley to service. The unauthorized work could have been performed internally. Legal counsel and staff recommended payment in the amount of \$3,105.77 for the authorized repairs.

During discussion, there was confusion between the two trolleys repaired by Precision Sales and Services and the matter was tabled.

Resolutions for Consideration and Approval:

- A. **Resolution No. 2010-12:** Authorization for the Executive Director to Remit Payment to Precision Sales & Services, Inc., for the Repair of Trolley #2177 was tabled.
- B. **Resolution No. 2010-22:** Authorization to Establish Blanket Purchase Orders for the Purchase of Various Maintenance Parts was tabled.
- C. **Resolution No. 2010-23:** Authorization to Award a Contract to EF Enterprises to Provide Inspection Services for BJCTA's Paratransit Vehicles was moved by Brian Hamilton, seconded by Rev. Patrick Sellers, and approved by general consent.

Discussion: Mr. Behrman reported that a resident inspector would be available during the bus build and the BJCTA will be reimbursed 100% for his related expenses, per the ARRA grant. Walter Jones commented that the BJCTA will have web access to track the progress of the bus build and to view photos.

Brian Hamilton requested that Mr. Behrman check to see if Maintenance is using Fleetnet technology to generate reports on ordering and consumption of parts.

- D. **Resolution No. 2010-24:** Authorization to Award Contract to Transit Resource Center to Provide Inspection Services for BJCTA's Fixed Route was moved by Brian Hamilton, seconded by Johnnye P. Lassiter and approved by general consent.

Discussion: As in the Resolution No. 2010-23, the inspector is required to be onsite during the bus build. Because the manufacturer is nearby, BJCTA employees make frequent trips to the manufacturer, especially for training purposes.

- E. **Resolution No. 2010-26:** Policy Governing Replacement of BJCTA-owned Property was moved by Johnnye P. Lassiter, seconded by Rev. Patrick Sellers, and approved with word changes by general consent.

Discussion: Mr. Galloway requested that one sentence be added to the policy at the end of 1.7: If the BJCTA is not reimbursed, the money will be deducted from the employee's paycheck.

Old Business –

Legal Services:

Mr. Galloway reported that he and Mr. Behrman met with Bingham Edwards of Balch and Bingham and Nyya Hudson of The Hudson Law Firm to discuss their rates, which are approximately three times higher than those currently being paid. Suggestions were made to lower the costs by having the attorneys attend board meetings but not committee meetings and putting restraints on who can contact the attorneys. A suggestion to be made is that there should be an understanding that the BJCTA would not be paying for the education or learning curve of BJCTA projects by the new attorneys. Mr. Galloway suggested that the Board might consider the term of the contract to be one year, rather than three years. In the meantime, the BJCTA is waiting to hear if the new firm will reduce their rates dramatically.

Rev. Patrick Sellers moved to extend the current legal contract until August 31, 2010; seconded by Johnnye P. Lassiter and approved by general consent.

New Business –

Ron Lyas requested that the records reflect that he presented a written complaint to the Board to be addressed at the Board's convenience. Secondly, he is completing his travel report regarding his trip to Eugene, Oregon, and will give the report to the proper financial personnel.

Ms. Powell requested if Board Support had been provided a credit card to arrange travel for the Board and also requested how many cards have been issued. Mr. Nardecchia replied that Finance is in the process of having a card provided to Board Support and there are two other cards that have been issued.

Mr. Robinson charged that whoever arranges travel should be fully versed on the policies of this organization. Any questions should be directed to the attorneys, Mr. Behrman, or himself. Rev. Sellers suggested that the Board take another look at the travel policy to see if there may be a breakdown of communication among Board policy, staff arranging travel, and Finance.

Public Comments –

- A. Anna Brown, transit dependent rider, distributed the attached flyer and explained that the Baptist Medical Center-Princeton wants the City of Birmingham to close Tuscaloosa Avenue Southwest from 7th Street SW to 10th Street SW. She and other riders feel that there are other roads that should be considered. On behalf of the riders, she asked for Board support in asking the City to not close Tuscaloosa Avenue.
- B. Debra Johnson, Director of W. Clyde Williams Terrace Apartments, expressed concern of Paratransit service, especially for the dialysis patients at her residence. An example was given of patients with a scheduled pick up time of 6:30 a.m. They are normally picked up between 10:30 and 11:30 a.m., and

sometimes not at all. She requested a courtesy call when the service is not going to be provided. Ms. Johnson feels that part of the problem of lost VIP applications is that the applications are sent to Central Stations rather than directly to the clerk at the 8th Avenue Facility. Last fall, she was asked to serve on the Paratransit Advisory Committee. She was contacted in December 2009 regarding meetings but has not been contacted since.

The **Meeting Adjourned** at 1:29 p.m. The next **Regular Meeting of the Board of Directors** will be held **Wednesday, August 25, 2010 at 12:00 PM** at Central Station, 1735 Morris Avenue, Birmingham, AL.

Minutes submitted by: Barbara Lawson, Administrative Assistant

Date: _____

Approved by: _____
Guin Robinson, Chairman

Attest: _____
Frank C. Galloway, Jr., Secretary/Treasurer