



Birmingham-Jefferson County Transit Authority
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BOARD MEETING MINUTES

Wednesday, September 22, 2010

Opening: The meeting was called to order by Chairman Guin Robinson, at 12:05 p.m. in the Public Meeting Room, located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

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

Members Absent: Frank C. Galloway

Others Present: ABC/30, Debra Anderson-Burse, Peter Behrman, Mayor William Bell, Christopher Bolling, Anna Brown, Marty Buford, Marva Douglas, Chuck Faush, Butch Ferrell, Jacquese Gary, Judy Gordon, Barbara Lawson, Chris Leffert, Dr. Jesse Lewis, Chris Lunsford, Richard Nardecchia, Kevin Owens, Nicholas Porterfield, Richard Rhinehart, Rhonda Siserir, and Lou Willie.

A moment of silence was observed.

Walter Jones led the assembly in the recitation of the **Pledge of Allegiance**.

Adoption of the Agenda: The agenda was adopted by general consent, with the addition of Resolution No. 2010-42.

Adoption of the Minutes: The minutes were adopted by general consent, with comments of Director Lyas to be added under Strategic Planning Retreat.

Chairman's Report – Highlights of FY2010:

Guin Robinson called to the attention some highlights of the past year that included the following:

- Out of twenty-eight applicants, a permanent executive director was hired on May 17, 2010.
- The FY2009 financial audit was received with glowing reports. Mr. Robinson applauded the efforts of the past executive director and everyone that contributed to the report.
- Indebtedness of the BJCTA was eliminated at the concentrated effort of the Board.
- APTA Review was completed at the request of the mayor and the report is a roadmap that addresses every aspect of the organization.

- The Triennial Review was completed with eight areas needing attention.
- Purchased thirty Paratransit vehicles.
- Purchased twelve fixed route buses.
- Legal services contract was finalized with the Hudson Law Firm and Balch and Bingham, who joined forces to represent the BJCTA.
- The Mayor's Blue Ribbon Panel had participation by staff and board members.
- Pension Allowance Committee had greater attention placed on behalf of this organization and is still a work in progress.

Mr. Robinson commended this Board for their need and desire to improve transit and commended all the employees for their efforts during this past year.

Nominating Committee:

The slate of officers recommended by the Committee included Brian Hamilton as Chairman, Rev. Patrick Sellers as Vice-Chairman, and Frank Galloway, Jr., as Secretary/Treasurer. Ronald Lyas moved to accept the slate of officers, seconded by Joyce Brooks and approved by general consent. No nominations were moved from the floor. Mr. Lyas moved to adopt the nomination of officers as presented, seconded by Mrs. Brooks and approved by general consent. Congratulations were extended to the new officers.

Executive Director's Report -

Executive Director Peter Behrman reported that most of his time had been spent working on the FY2011 budget. Regarding the scheduled public hearings, price fare increases will be discussed in addition to the possible service cuts. He reported that the rented buses have helped tremendously. When the new buses arrive, everything will be running as scheduled and the rented buses will be returned. The contract for legal services has been signed and both firms are available to represent the BJCTA.

Financial Report

Chief Financial Officer Richard Nardecchia reported that as of August 31, 2010, assets were \$31,520,138.46 while total liabilities were \$8,440,701.05. The Income Statement details year-to-date revenues of \$32,530,525.65 and expenses of \$27,566,144.46, resulting in a difference of \$4,964,381.19. The total cash and cash equivalents were \$2,931,221.06 of which \$1,141,974.65 was the balance in our operating and money market accounts. Total overall variance with the budget is a positive \$7,432,561.46. The reasons for the positive variance are the capital monies received for vehicles, along with CNG fuel usage and depreciation being down due to the late arrival of the Paratransit vehicles.

Doris Powell requested monthly financial reports for grants, showing all draws and pending amounts.

Mr. Behrman confirmed that the newly purchased vehicles are on schedule for delivery. Johnnye P. Lassiter requested that information regarding the arrival of the buses be available when the public hearings take place in Bessemer.

Mr. Robinson reported that it is his impression that the City of Birmingham is looking at a resolution that will go before city council on Tuesday. The resolution will take care of payments in arrears and also the month of October 2010.

Resolutions for Consideration and Approval:

- A. **Resolution No. 2010-27:** Authorizing the Establishment of an Alternative Work Schedule Policy was moved by Walter Jones, seconded by Joyce Brooks and approved by general consent.

Discussion: Mr. Robinson stated for the record that he was concerned about supervision being available during all hours.

- B. **Resolution No. 2010-36:** Authorization of the FY2011 Procurement Schedule was moved by Rev. Patrick Sellers, seconded, and approved by general consent.

- C. **Resolution No. 2010-37:** Authorizing the Executive Director to Upgrade the Current Paratransit Scheduling Software was moved by Brian Hamilton and seconded by Rev. Sellers. Mr. Jones moved to amend the motion to include \$7,000 for the annual maintenance cost. Mr. Hamilton accepted the amendment, seconded by Rev. Sellers, and approved by general consent, with the request to change the total amount to \$37,000.00. Ms. Powell abstained.

- D. **Resolution No. 2010-38:** Authorization to Remit Payment to McPherson Companies, Inc., for the Purchase of Bulk Oil was moved by Walter Jones, seconded by Rev. Patrick Sellers, and approved by general consent.

Discussion: In response to Mr. Hamilton, Mr. Behrman confirmed that a flaw had occurred in the procurement process. Director of Operations William Copling reported that the materials control clerk placed the order directly with the company before a purchase order was issued. The employee was disciplined.

- E. **Resolution No. 2010-39:** Authorization to Contract with Volkert, Inc., to Provide Program Management Services to the BJCTA was moved by Joyce Brooks to authorize staff to call the consultant and negotiate a "not to exceed" amount. After discussion, Mrs. Brooks withdrew her motion. Walter Jones moved to authorize up to one hundred (100) hours to Volkert, Inc., as to be negotiated by the executive director, seconded by Doris Powell, and approved by general consent. Brian Hamilton abstained.

- F. **Resolution No. 2010-40:** Declaration of Continued Emergency and Waiver of the Competitive Bid Process in Connection with the Procurement of Temporary Janitorial Services was moved by Doris Powell, seconded by Johnnye P. Lassiter and approved by general consent.

- G. **Resolution No. 2010-41:** Authorization for the Executive Director to Bring Janitorial Services In-House was tabled.

Discussion: Mr. Jones referred to the list of respondents and their respective price proposals on page 101 of the Board packet. He questioned why the Board would spend approximately \$60,000 more than the ESC Fine bid to bring the services in-house. Mrs. Brooks responded that during the Program Development Committee, it was brought to the attention that some of the individuals in the new contract were those that resigned earlier. This resolution is an opportunity to create jobs and better manage the services in-house.

Mr. Robinson questioned whether or not the new positions were included in the FY2011 budget. Mr. Nardecchia replied that dollars were inserted in the budget for \$206,572.00 to bring the services in-house. Mr. Lyas also referred to page 101 and expressed similar concerns of the in-house services costing more than another bid.

- H. **Resolution No. 2010-42:** Resolution Amending Resolutions 2006-22, 2006-37, and 2007-09, Changing the Composition of the Transit Advisory Committee and Authorizing the Executive Director and the Secretary to Apply to the City of Birmingham and Jefferson County to Adopt Resolutions Approving the Proposed Amendment to BJCTA's Certificate of Incorporation was moved by Joyce Brooks, seconded by Johnnye P. Lassiter, and approved by general consent.

Old Business –

Strategic Planning Retreat:

Mrs. Brooks reported that during the Program Development Committee, she had suggested that she was willing to facilitate the Retreat, if it was the Board's pleasure. She has since met with Ephraim Stockdale of Alabama Power who facilitates similar services across the state. There would be no associated cost from Alabama Power for his services but the BJCTA would be responsible for minor costs such as refreshments. Mr. Stockdale has suggested that the board and staff hold half-day team building retreats to set the tone going into the Retreat session.

Mr. Lyas moved to accept Mrs. Brooks' recommendation; seconded by Johnnye P. Lassiter, and approved by general consent. Mr. Lyas commented that he appreciated the offer and applauded this idea, rather than spending \$3400 as previously proposed.

FY2011 Budget:

In response to Ms. Powell, Mr. Jones commented that at the Committee of the Whole meeting, the Board had suggested the BJCTA to continue working on the revised budget and operating on the current budget until the FY2011 budget is adopted. Mr. Robinson suggested that it be made in the form of a motion at this meeting. Rev. Patrick Sellers moved that the agenda be amended to include the discussion of the FY2011 Budget, seconded by Doris Powell and approved by general consent.

