



Birmingham-Jefferson County Transit Authority
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Report to the Board
Human Relations Committee
Tuesday, May 19, 2009

Opening: The meeting was called to order by the Committee Chairman, Frank Galloway, at 10:04 a.m. in the Executive Briefing Room, located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

Members Present: Frank Galloway, Brian Hamilton, Johnnye P. Lassiter

Members Absent: None

Others Present: William Copling, Debra Anderson-Burse, Jacquese Gary, Barbara Lawson, Jesse Lewis, Kevin Palmer, Joi Scott, Ken Simon, and Collina Washington

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

Items for Information and/or Discussion:

Update on Search for Executive Director

Frank Galloway recommended that Ms. Debra Anderson-Burse close the position to new candidates at the end of month and send the resumes to the Committee for their review. The Committee members would rank the candidates, selecting their top five to be discussed in the next Committee meeting. Three candidate names will be submitted to the Board for their consideration.

Ms. Burse said the BJCTA could either invite the selected candidates to Birmingham to be interviewed or else the BJCTA could do a video conference. If the candidates are from out-of-town, the BJCTA would be responsible for the travel expenses. Mr. Galloway offered his office for video conferences, if this method was decided, and suggested that the interview process be opened to all Board members.

Mr. Galloway asked William Copling, Interim Executive Director, to submit his resume via the U.S. Postal Service to avoid any technicality that would disqualify his application.

Johnnye P. Lassiter asked if the job description was clearly defined. Mr. Galloway replied yes and that it was in the advertisement. Ms. Burse will provide Ms. Lassiter with a copy.

Amendment to the Birmingham-Jefferson Country Transit Authority's Travel Policy

Mr. Galloway recommended separating the travel policy for the Board of the Directors from that of the staff because there were items that might apply to one but not the other, such as reporting to department heads that is not appropriate for the Board. He asked

Ms. Burse to research books that would offer a benchmark or guide for costs incurred for high, medium, and low cost cities. The Committee will not submit a recommendation to the Board until more information is received.

Mr. Galloway said that the Committee would also need to address the travel reports that have not yet been reconciled.

Resolutions for Information & Discussion:

A. Resolution No. 2009-24 – Authorizing Adoption of the BJCTA Drug and Alcohol Program Policy

Discussion: Discussions were made as to whether or not the policy should apply to all personnel in the same manner or differently to personnel in safety-sensitive positions that are also under regulations from the Federal Transit Administration. Ms. Burse said that it has been the BJCTA policy to cover all personnel equally, and Ms. Lassiter felt that the policy should continue to apply to all personnel. Ken Simon, Legal Counsel, suggested that the BJCTA make distinctions and consider the practice of progressive discipline rather than automatic dismissal in certain instances. He said that Counsel has not had enough feedback from the Board or enough time to give as much input as he would like. Mr. Hamilton asked the process of how this resolution came to be on the agenda. Ms. Burse answered that the BJCTA had a policy review in January 2009 and the FTA auditor required compliant changes be made to the policy. She made the policy changes, waited on the FTA response, prepared the resolution and sent it to Legal for review. Ms. Lassiter said that any time the FTA is involved, the Board should be notified.

Mr. Galloway asked Ms. Burse to correspond with the FTA and let them know that the attorneys are working on the policy and a response will be forthcoming as soon as possible.

Old Business –

Presentation from Administration and Risk Management on Safety

Kevin Palmer, Safety and Security Manager, was present at the meeting to give a presentation on safety in response to Mr. Hamilton's previous concerns of safety issues spiking. Mr. Palmer reported on bus fires and accidents that occurred over a 15-month period, in which the accidents were preventable and non-preventable. He mentioned several preventable accidents at Central Station that involved light poles that are approximately waist-high. Mr. Hamilton requested that Mr. Copling take a look at the light poles and see if the fixtures could be made taller for better visibility by the drivers.

Procurement

Mr. Hamilton asked for clarification on a couple of email exchanges regarding procurement and Minnesota. Mr. Copling replied that he had received a couple of emails that caused him to determine that the BJCTA would not be going forward with

the Mn/DOT contract purchase, then he received additional information to consider. He deferred the reporting to Collina Washington, Manager of Procurement.

Ms. Washington reported that when she began to review the contract, she needed to be certain whether or not the FTA would view the contract as a piggy-back with an assignability clause or as an inter-governmental agreement. The FTA practice is that the BJCTA would just have to provide the documentation that the original agency has gone through the complete procurement process. However, Mr. Simon is going to review the agreement to determine if the BJCTA has to do the bidding. Ms. Washington said that she and Mr. Simon have been in conversation to reword the resolution so that at such time when everything is clarified, the Interim Executive Director would be able to issue a purchase order and keep the BJCTA on the production schedule. Mr. Copling said that he would be putting together a plan detailing how the monies would be used.

New Business -

Mr. Copling reported that Dr. Jesse Lewis, The Lewis Group, has the signed contract with the City of Birmingham for the \$1.77 million for Paratransit vehicles. He further reported that the Mayor, City of Birmingham, presented the FY 2010 budget to the City Council on this day. One line item for transportation is in the amount of \$5.296 million dollars; and another for transit in the amount of \$9 million, for a total of \$14.2 million.

The Committee agreed to meet on the third Monday of next month, June 15, 2009.

Adjournment – The meeting was adjourned.

Minutes submitted by: Barbara Lawson, Administrative Assistant

Date: _____

Approved by: _____
Frank Galloway, Committee Chairman