



Birmingham-Jefferson County Transit Authority
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BOARD MEETING MINUTES

Wednesday, January 27, 2010

Opening: The meeting was called to order by the Chairman, Guin Robinson, at 12:00 p.m. in the Public Meeting Room, located at Central Station, 1735 Morris Avenue, Birmingham, Alabama 35203.

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

Members Absent: Rev. Patrick Sellers

Others Present: Debra Anderson-Burse, Chris Bolling, Anna Brown, Vincent Chancellor, William Copling, Butch Ferrell, Jacquese Gary, Judy Gordon, Darrell Howard, Barbara Lawson, Dr. Jesse Lewis, Tracy Lewis, L.A. Moss, Richard Nardecchia, Ashley Nix, Kevin L. Owens, Nicholas Porterfield, Elizabeth Richardson, David J. Ricker, Charles Ridley, Joi Scott, Ken Simon, and Rhonda Siserir

A moment of silence was observed.

Johnnye P. Lassiter 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 with the following correction: Program Development Committee Report, add Ronald Lyas name under "Others Present".

Chairman's Report –

Guin Robinson welcomed special guest David Ricker, representing Birmingham City Councilor Kim Rafferty's office. He then reported on the following:

- Retirement Plan: William Copling, Interim Executive Director, has been asked to arrange a meeting of the Retirement Allowance Program Committee. BJCTA representatives on the Committee are Mr. Robinson, Mr. Copling and Richard Nardecchia, Chief Financial Officer. A request will be made in the first meeting for a full audit.
- Executive Director Search: Brian Hamilton reported that:

1. core questions were mailed to all candidates from the BJCTA attorney's office on January 21, 2010;
2. candidates' responses should be post marked by Friday, January 29, 2010, and addressed to the Human Relations Committee in care of Brian Hamilton;
3. the Committee will send the responses to all Board members, along with an evaluation form and instructions;
4. Board members should submit their evaluations to the Committee by February 5, 2010;
5. the Committee will provide a detailed report in the form of a memorandum by February 12, 2010, to all Board members with the expectation that there will be a set number of candidates to be interviewed; and
6. interviews will be scheduled to begin Friday, February 21, 2010.

Mr. Hamilton moved that the Board close the process on the Executive Director Search to include all names previously submitted up until the moment of Wednesday, January 27, 2010 at 12:13 p.m.; seconded by Ronald Lyas and approved by general consent.

- Legal Services Contract: The Request for Proposals (RFP) has been released and responses received. The Board has asked for a review of the RFP to make sure that everything is in order. Mr. Robinson will report to the Board so that a decision can be made soon, possibly at the next Board meeting.
- Board Meeting: The February 2010 Board meeting will be held at the City of Tarrant in their council chambers located at 1604 Pinson Valley Parkway in Tarrant.

Interim Executive Director's Report –

- Financial Report for Period Ending December 31, 2009: Richard Nardecchia, Chief Financial Officer, reported that as of December 31, 2009, assets were \$31,536,202.97 while total liabilities were \$10,842,505.86. The Income Statement details year to date revenues of \$7,522,729.65 and expenses of \$7,261,160.71 resulting in a difference of \$261,568.94. The total cash and cash equivalents were \$7,661,417.51 of which \$7,634,823.99 was the balance in the operating and money market accounts. The debt owed to Compass Bank was \$315,566.15. Total overall variance with the budget is a positive \$742,441.89.
- Update on Bus Procurement, Fixed Route and Paratransit: Mr. Copling reported that the first 32' test vehicle will arrive in July and will run all routes during a thirty day evaluation period. The vehicle will be returned to the manufacturer with any requested changes. The delivery of twelve 32' buses from NABI will begin the first week of August 2010, and be completed by September 1, 2010. Ms. Lassiter requested the name of the person who will be the on-site inspector at

the manufacturing facility that will certify that the buses are built according to specifications.

The RFP for twelve 40' buses is expected to go out Friday, January 29, 2010, for thirty days; the process will be closed and ready for award at the May Board meeting. Delivery of the buses is expected in approximately 12-15 months.

Seventeen of the fixed route buses were funded 100% through ARRA federal stimulus funds. The remaining seven buses are being funded through federal grants that require matching funds and are contingent upon receiving additional funds from the City of Birmingham.

The first paratransit vehicle will arrive in March 2010 and will be operated for a thirty day evaluation period and sent back to the manufacturer with any changes requested. The delivery date for all thirty-five (35) paratransit vehicles is August 2010. Thirty (30) of the vehicles were funded through a grant award of \$2.2 million with a local match of \$1.725 million from the City of Birmingham.

Per the request of Doris Powell, Mr. Copling distributed a written update on bus and paratransit procurement. She then requested an update in regards to additional training for employee James Wormely, per previous discussions at National Bus Sales in Elkhart. Mr. Copling replied that the vendor has a person who will develop a training course for selected BJCTA individuals. Ongoing training will continue, based on that module.

Ms. Powell confirmed with Mr. Copling that the BJCTA is seeking additional funds, such as from ARRA, to replace the entire fleet. Mr. Copling replied that forty (40) compressed natural gas vehicles will be refurbished by federal funds, with matching funds that will be paid over a three year period. New vehicles will be compressed natural gas and the plan is to retire the diesel fleet. Mr. Hamilton requested that the Board be kept abreast of the process for these vehicles.

Mr. Copling announced that three Request for Quotation (RFQ) are being sent out Friday, January 29, 2010—one for renovations of the 8th Avenue Facility; one for a program manager to guide the BJCTA regarding duct work at the facility, and another for the bus washer. Johnnye P. Lassiter instructed that the Board and Legal Counsel have copies of the RFQs for their review before they are sent out. Mr. Hamilton agreed with Ms. Lassiter and directed Mr. Copling to make sure that staff is aware that Legal Counsel must always review the RFPs/RFQs.

In terms of available ARRA funds, Ms. Powell expressed concerns of the BJCTA having equipment for installing shelters and expediting the process of installing shelters. Mr. Copling answered that L.A. Moss, Facility Manager, is ready to install shelters within two day of receiving permits. Mr. Moss explained that the BJCTA maintains the structure of the shelters but is not responsible for cleaning or maintaining the area around the shelters. For the City of Birmingham, Ms. Powell clarified that if a glass pane is damaged to a shelter, it is the

neighborhood associations' responsibility to replace the broken panes. This is not the case for all participating municipalities. Mr. Robinson requested that a report on the shelters be presented at the next Committee meetings.

Frank Galloway inquired of the BJCTA process for installing new bus stop locations. Mr. Copling explained that the BJCTA receives the request for a bus stop installation and then Safety goes to the site to see if it is ADA compliant. If it is ADA compliant, the BJCTA identifies the property owner and makes an official request to install the bus stop. New bus stop installations are denied only if they would be in a hazardous location or if there is another one in the same block.

Mr. Copling reported that there are unresolved differences regarding allocations of funding from the City of Birmingham. The current funding will only allow operation in the City of Birmingham through February 28, 2010. Per FTA guidelines, the BJCTA is obligated to provide notification to customers that might be affected. Mr. Robinson requested that Dr. Jesse Lewis secure a meeting this day or the next morning with Birmingham City Councilor Kim Rafferty and/or her committee, as well as the mayor, to discuss the matter. Mr. Ricker commented that this is an item on the agenda of the Transportation and Communications Committee meeting scheduled for Wednesday, February 3, 2010.

Mr. Robinson asked the Interim Executive Director and Legal Counsel if there would be any violation if the Board extended a two week delay before official notice is given to the public. Mr. Lyas and Mr. Nardecchia mentioned that the information and deadline had already been reported in the local newspaper. Mr. Lyas moved that the BJCTA delay any official notices to the public for fourteen (14) days to resolve the matter; Ms. Powell, seconded. Mr. Galloway requested discussion and stated, for the record, that he would have to vote against the motion because the Board did not know if it was legal or proper to make such motion. Mr. Robinson asked Legal Counsel to look into the matter. Ken Simon, Legal Counsel, agreed and recommended that a determination of the BJCTA financial situation be made to see if all the municipalities are paying exactly what they are obligated to pay under legislation.

Mr. Robinson requested that the Finance Committee call a meeting as soon as possible to look at the BJCTA financial situation, with staff and legal counsel involved.

Resolutions for Consideration –

- A. **Resolution No. 2010-05:** Revised Travel Policies for the Birmingham-Jefferson County Transit Authority Board of Directors and Staff was moved by Walter Jones, seconded by Johnnye P. Lassiter, and approved by general consent, with changes requested.

Mr. Robinson requested that Board Support procedures for arranging travel be discussed at the next Committee meeting.

Old Business –

- Procurement: Mr. Robinson requested a one-page standard operating procedure (SOP) for procurement to be presented at the next Committee meeting. The document should include basic concepts of upfront discussion and a review by attorneys.
- City of Hoover: Mr. Robinson spoke with Mayor Petelos of Hoover whose budget is set to be approved at the first council meeting in February, including \$50,000 for FY2010 transit service and \$30,117.50 for the FY2009 balance. The Board will revisit the situation if the budget items are not approved.
- Fixed Price Contracts for Fuel:
Mr. Galloway referred to the November Board Meeting Minutes and his request for a written report to the Board regarding fixed price contracts for fuel. Mr. Copling replied that an oral report was given in Committee. Staff was instructed to provide a written report.
- Travel Expense Report: The reviews have been completed by the attorneys and memos regarding any discrepancies will be hand-delivered on this day. Members will have an opportunity to challenge the findings. Mr. Galloway commented that if outstanding balances by Board members are not paid within a short time of determination, he plans to introduce a resolution that future directors' fees of those members will to be applied against amounts owed.

New Business –

Darrell Howard of the Regional Planning Commission announced that notice was received to proceed with the U.S. Highway 280 project. The RFP for U.S. Highway 11 has been issued.

Public Comments –

- A. Anna Brown, transit dependent rider, discussed perceptions of the BJCTA, what the organization could not help, and the following items that riders felt the organization should address immediately.
 - Fare boxes not working: every three riders would pay for one gallon of fuel, if the boxes were working.
 - Buses not being cleaned routinely: old food and roaches present.
 - Poor customer service: rude or untruthful personnel.
 - Better security at Central Station: sexual acts, drug deals, and robberies.

Ms. Brown requested that the Board take immediate action on the items brought forth. Mr. Robinson instructed a written response to the concerns mentioned and that these concerns be placed on the agenda for committee meetings. Mr. Hamilton requested a written report be provided to the Board before the next committee meetings regarding the status of the fare boxes, cleaning of the buses, and security. A copy of the security contract should be provided with the report.

