

Regular Meeting Agenda

December 28, 2012

1:30 pm

Ukiah

Mendocino Transit Authority, Ukiah Bus Yard

241 Plant Road, Maintenance Facility

Break Room

<u>AGENDA ITEM</u>	<u>PAGE</u>
1. Call to Order Public Comment: Anyone is welcome to attend MTA Board meetings to address items that are on the agenda, or to bring other transit related matters to the attention of the Board. The time limit is 3 minutes per speaker.	
2. Minutes of November 15, 2012 Board Meeting <u>Action:</u> Approve	1
3. Certification of Need to Retain Retired Annuitant (Bruce Richard) for On-going Consulting. <u>Action:</u> Approve Resolution 2012-15	6
4. Management Report	oral
5. Matters from Directors	oral

CLOSED SESSION

Consideration of Compensation: Interim General Manager, pursuant to Government Code 54957.

ADJOURN Anticipated adjournment is 2:00 pm

Americans With Disabilities Act (ADA) Compliance

The Mendocino Transit Authority complies with ADA requirements and, upon request, will attempt to reasonably accommodate individuals with disabilities by making meeting material available in appropriate alternative formats (pursuant to Government Code Section 54953.2). Anyone requiring reasonable accommodation to participate in the meeting should contact the Administrative Secretary by calling (707) 462-5765 at least five days prior to the meeting.

Agenda #2

Mendocino Transit Authority

Board of Directors

Regular Board Meeting November 15, 2012

Fort Bragg Video-Conferenced with Ukiah

Present: Thomas, Mastin, Cross, Hanson, Pinches - Ukiah;
Tarbell - Fort Bragg
Excused: Courtney
Staff: Baxter, Beard - Fort Bragg; Richard, Butler,
Webster, Blake - Ukiah
Others: Loretta Ellard MCOG

Chair **Mastin** called the Meeting to order at 1:35 PM.

Chair **Mastin** asked for Public Comment; there were no public in attendance.

CONSENT CALENDER

Agenda Item #2: Minutes October 25, 2012 Board Meeting
Agenda Item #3: Service Performance Report: September 2012
Agenda Item #4: Financial Report: September 2012:
Agenda Item #5: Board Meeting Dates and Locations
Agenda Item #6: Capital Program: Update/Progress Report

GM **Richard** requested that Agenda Item #5 be pulled from the Consent Calendar for further discussion.

Moved by Dir. **Hanson** and Seconded by Dir. **Cross** to approve Consent Calendar Agenda Items 2, 3, 4, and 6.

Motion Approved by a Roll Call vote:

AYES: Tarbell, Thomas, Hanson, Pinches, Cross, Mastin
NO: None
ABSTAIN: None
ABSENT: Courtney

Agenda Item #7: Unmet Transit Needs: Ukiah and Fort Bragg:
Action: Solicit Input: Marketing and Planning Manager **Blake** reported on SSTAC and the Unmet Transit Needs process. There were no Unmet Transit Needs brought forward. No action taken by The Board.

Agenda Item #8: Mobility Management Program Update: This item was presented by Marketing/Planning Manager **Blake**. Dir. **Pinches** was concerned that the vouchers for the E-ride program had been discontinued after staff was informed by Caltrans that vouchers were not an allowable expense under the Mobility Management JARC Capital Grant.

Dir. **Pinches** asked if the vouchers could be funded by TDA funds. Marketing and Planning Manager **Blake** responded that it is not in the current Budget. The consensus of the Board was they would like to keep the service going even if the vouchers are funded by TDA funds and they directed staff to reinstate the program and revise the FY Operating Budget.

The Board also discussed the Ag Worker Transportation Program and the on-going obstacles that have resulted with only one of the four vans in use on a regular basis.

Dir. **Cross** requested the background and expectations of the program and the downside of giving back the vans. The Board directed that staff talk to both the Cal Vans and Caltrans and bring the issue back as an action item at the next meeting.

Agenda Item #9: Facility Solarization & Modernization Program: Maintenance Facility Project Update: Item presented by GM **Richard** for information only, no action was taken by the Board.

Agenda #10: Facility Solarization and Modernization Program: Solar Canopy Project: Authorize Solicitation of Construction Bids: GM **Richard** reported that the project was approximately two weeks behind. He reviewed the cost estimates and the revised schedule to go out to bid in early January 2013.

Moved by Dir. **Cross** and Seconded by Dir. **Thomas** to authorize solicitation of Solar Canopy construction bids in accordance with all regulations in early January 2013.

Motion Approved by a Roll Call vote:

AYES: Tarbell, Thomas, Hanson, Cross, Pinches, Mastin
NO: None
ABSTAIN: None
ABSENT: Courtney

Agenda Item #11: Revised Capital Budget: Adopt Resolution 2012-14: Item presented by GM **Richard**. He explained that in the past month the California Transportation Commission has allocated an unanticipated \$1,207,000 in STIP funds and he reminded the Board they had approved an expenditure of up to \$125,000 for the early phases of the design of the Administration/Operations Building.

He also explained that \$460,000 is budgeted for two medium-duty low-floor buses in the current Capital Budget. At this time no manufacturer has produced a viable bus. He proposes that the FY 2012/2013 Capital Budget be revised to add the start of design of the Admin/Ops building and eliminate the purchase of two medium-duty low-floor buses, replace these vehicles with one more heavy-duty low-floor bus and one paratransit van in 2013/14, and incorporate the full \$1,207,000 in STIP funds as discussed at the October 25 meeting.

Moved by Dir. **Hanson** and Seconded by Dir. **Thomas** to adopt Resolution 2012-14 to amend FY 2012/2013 Capital Budget as presented.

Motion Approved by a Roll Call vote:

AYES: Tarbell, Thomas, Hanson, Cross, Pinches, Mastin
NO: None
ABSTAIN: None
ABSENT: Courtney

Agenda Item #12: General Manager Recruitment and Replacement: Appoint Interim General Manger: Item presented by Finance and Personnel Manager **Webster**. She said that the recruitment process is running on schedule and ads are ready to be placed and she listed the publications where the ads will be placed. The brochure is being prepared and the position will be posted on the website.

Dir. **Pinches** said he believes the issue of the appointment of interim GM is a personnel issue and should be discussed in closed session. There was discussion if this was or was not a closed session item.

Chair **Mastin** recommended the appointment can be made now and salary can be negotiated at a later date.

Moved by Dir. **Pinches** and Seconded by Dir. **Cross** to appoint Transportation Manager **Baxter** as the Interim GM of MTA and negotiate the salary retroactive back to Dec 30, 2012.

Motion Approved by a Roll Call vote:

AYES: Tarbell, Thomas, Hanson, Cross, Pinches, Mastin
NO: None
ABSTAIN: None
ABSENT: Courtney

Dir. **Hanson** left the meeting. GM **Richard** informed him that there is no requirement that the representative to the MTA Board is required to be a city council member or County Supervisor.

Agenda Item #13: MTA Bus Charter Rates: GM **Richard** reminded the Board that at the end of the last meeting there was discussion about MTA charter rates Dir. **Pinches** requested that this item be agenized at this meeting.

Chair **Mastin** clarified that this discussion is just about charter services for public events.

Transportation Manager **Baxter** reviewed the charter rates and noted that the charitable rate is \$10.00 less per passenger. It would be possible to also charge a passenger fare.

Dir. **Pinches** felt that it is equitable to charge the charitable rates for public events.

Agenda Item #5: Board Meeting Dates and Locations: GM **Richard** recommend the December Board meeting be cancelled and hold the January, 2013 meeting on the 31st in Fort Bragg and video-conferenced with Ukiah to award the construction contract for the Solar Canopy project. The Board agreed.

Agenda Item #14: Management Report: Marketing and Planning Manager **Blake** invited the Board to the MTA Holiday party on December 9th and said they would all receive an invitation soon.

Maintenance Manager **Butler** informed the Board of the various transit vehicles that were on display at the California Transit Association conference in Palm Springs. He added that he was looking forward to the new Gilligs starting down the line in a few months.

GM **Richard** invited the Board to his February 23rd retirement dinner at Barra's Winery and asked them to mark the date.

Agenda Item #15: Matters from Directors: Chair **Mastin** said that at the CTA conference he talked to a variety of vendors to see


if they would underwrite the cost of GM **Richard's** retirement party and they were delighted. This should help lower the ticket price significantly. He also reported that he submitted his application to the California Transportation Commission. He said Governor Brown probably won't make a decision until February and he has secured letters of support from several organizations and individuals.

CLOSED SESSION - There was no closed session.

Meeting Adjourned at 3:35 PM.

James W. Mastin, Chair


Glenna Blake, Marketing & Planning

To: Board of Directors
From: Bruce Richard, General Manager 
Date: December 21, 2012
Subj: **Certification of the Need to Retain Retired Annuitant
For On-going Professional Services**

With my retirement after December 28, MTA will have one less top level staff resource. Interim GM, Dan Baxter, will pickup overall responsibility for the organization, but will also retain charge of Operations. In the past 31 years, I have developed systems and procedures for certain specific tasks for which Dan has not been trained. At least some of those occur early in the calendar year. Therefore, the ability to temporarily retain my services (while the Board selects a permanent GM, and possibly for some time after that) would be a great benefit to the MTA.

Specific Tasks and Training

Capital Budget
Close Out of Maintenance Facility Project
Regular Reporting of Prop 1B Modernization Activities
Carry Solar Canopy Project through award of Construction Contract
Negotiate Contract for Admin/Ops Building initial Design
Arrange Contract for Van Purchases
Grant Writing
General Financial and Policy Review/Advice
Specific training of Permanent General Manager

Current (2012) Public Employee Pension law allows a retired annuitant (a retired public employee who is drawing a pension) to work for their previous employer immediately following retirement with little restriction. The Public Employee Pension Reform Act (PEPRA, adopted just a few months ago), allows retired annuitants to work for their previous employer, starting January 1, 2013, only after a 6 month waiting period. In both cases, employment is limited to 960 hours per fiscal year.

MTA is able to work under the pre-2013 rules if this retired annuitant begins working on December 31, 2012 (i.e. before January 1, 2013). To be safe, Finance & Personnel Manager Webster recommends that the Board formally take that action by adopting the attached MTA Resolution. Absent this approval, the MTA and its interim GM will be stretched to retain budgeting, reporting and analysis work in addition to the well organized operation.

Recommendation: Adopt Resolution 2012-15.

MENDOCINO TRANSIT AUTHORITY
RESOLUTION 2012-15

CERTIFYING THE NEED FOR AND
RETAINING PROFESSIONAL SERVICES OF A RETIRED ANNUITANT

WHEREAS:

1. In order to provide quality public transit oversight and administration after the retirement of General Manager, Bruce Richard, on December 28, 2012, additional professional services should be retained, and
2. Current Public Employee Pension law allows for the employment of a Retired Annuitant without a waiting period, but for no more than 960 hours per fiscal year, and
3. Funding for such professional services is easily available.

NOW, THEREFORE, BE IT RESOLVED that the MTA Board of Directors hereby:

1. Certifies the need for additional professional services after December 28, 2012, and
2. Authorizes the employment of a Retired Annuitant, namely the former General Manager, to begin such services on December 31, 2012, and
3. Authorizes the Interim General Manager, the Permanent General Manager and the Finance & Personnel Manager to make all arrangements to task the Retired Annuitant with appropriate duties to be accomplished within 960 hours per fiscal year.

ADOPTION of this RESOLUTION was MOVED by Director _____ and SECONDED by Director _____ at a Special meeting of the MTA Board of Directors on December 28, 2012 by the following Roll Call vote:

AYES:
NOES:
ABSENT:
ATTEST:

James W. Mastin, Chairman

Bruce Richard, General Manager