



**MEETING OF THE
BOARD OF COMMISSIONERS OF
CAPITAL AREA TRANSIT SYSTEM
AND
PUBLIC TRANSPORTATION COMMISSION
MARCH 18, 2014
4:30 p.m.
BREC Administration Building
6201 Florida Boulevard
Baton Rouge, LA 70806**

MINUTES

I. CALL TO ORDER: Ms. Donna Collins-Lewis

Ms. Collins-Lewis called the meeting to order.

II. INVOCATION

Ms. Roe gave the invocation.

III. ROLL CALL

Present were all members, namely Messrs. Brandt, Honore, Miller, O’Gorman, and Perret and Mss. Collins-Lewis, Perkins, Pierre, and Ms. Roe. Also present were Mr. Robert Mirabito, CEO; Mr. Conner Burns, CFO; Mr. Bill Deville COO/Project Manager; other CATS staff; Wendell Lindsay and Creighton Abadie of Lindsay & Abadie, A.P.L.C., CATS attorneys; and members of the public.

IV. APPROVAL OF MINUTES OF FEBRUARY 18, 2014, MEETING

Ms. Perkins moved to approve the minutes of the February 18, 2014, board meeting and Mr. Brandt seconded. The motion carried without objection.

V. ADMINISTRATIVE MATTERS:

- 1. Financial statements: Mr. Conner Burns**

Mr. Burns noted that CATS is undergoing a workers' compensation audit. It is a regular audit and was not precipitated by any particular event. Mr. Burns also shared that the outside auditors' annual material audit would begin on March 24th.

He has investigated the placement of the net pension asset in the financial statements' balance sheet and noted it falls in a netted position with no offsetting liability.

Mr. Burns made note of the encumbrances on the grants sheet and shared that \$230,069 was for paratransit vehicles. The total grant balance is \$9,066,690. He expects to secure FTA formula grant approval within the forthcoming weeks.

After further discussion by members, Mr. Burns mentioned the highlights of the financial statements for the month ended February 28, 2014. \$505,016 was spent from the property tax fund for the month. The total operating expenses were \$1,031,564.

2. CEO report: Mr. Mirabito

Mr. Mirabito mentioned the highlights of his written report contained in the members' packets. Those comments included: there were 13 new operator hires and one supervisor hire in Operations; CATS now has the needed 135 operators for the system expansion on March 30th; the run pick has concluded and the ATU allowed new operators to be assigned to routes with some veterans assigned to extra board; there was preliminary readout of the Financial Management Oversight audit; CATS and Reliant have discovered a billing error that has been rectified and will be repaid over time; customer service training will take place March 24-28 for all operators and customer service representatives; testing continues on RouteMatch; CATS continues to support the efforts of the Mayor's Office and others to bring a tram to the Nicholson Drive corridor; total trips for February were 191,452; on-time performance was 79.5%; and there were nine complaints.

VI. RECOGNITION OF FORMER BOARD PRESIDENT MARSTON FOWLER

Without objection, this item was deferred to later in the meeting when Mr. Fowler would be present.

VII. COMMITTEE REPORTS AND ANY ACTION THEREON

1. Finance and Executive: Ms. Collins-Lewis

Ms. Collins-Lewis referred the members to the minutes of the committee's March 13th meeting in their packets. She shared the highlights of the meeting and the discussion of the Reliant billing issue.

2. Technical, Policies and Practices: Ms. Perkins

Ms. Perkins noted that the committee would not meet until May to allow for focus on the system expansion. She shared that she has been in regular contact with Ms. Buchanan.

3. Audit: Mr. Miller

Mr. Miller announced that the annual audit would begin the week of March 24th and that the committee had deferred meeting until it was completed or the need arose.

4. Planning: Mr. Perret

Mr. Perret stated that there was no formal meeting of the Committee this month, as the strategic vision is being put on hold due to the focus on the service expansion. He stated, however, that the committee would definitely be meeting with Capital Region Planning Commission (CRPC) in April to discuss alternative fuel vehicles. He stated that the US Department of Transportation and Development (US DOTD) has issued a call for innovative Tiger grant applications and such a grant may be able to be used for the streetcar concept. He noted that Senator Sharon Broome had introduced a bill to require new transit board member training.

5. Community Relations: Ms. Roe and Mr. Melvin Caesar

Ms. Roe referred the members to the minutes of the committee's March 12th meeting in their packets and noted the highlights, including progress in developing a riders' association. She stated there were 50 new applications for paratransit service in February, indicating that demand is increasing. Four were ineligible and 25 have not scheduled appointments.

Mr. Caesar of Reliant Transportation introduced Mr. Steve Neal, Reliant's new director of operations. Mr. Caesar reported that the completed paratransit rides were 6,524. The on-time performance was still in the 95% range. Total hours increased by 9% and there was a 13% increase in the number of riders. There was one customer complaint.

VIII. ACTION ITEMS

- 1. Authorize the CEO to execute all documents necessary to amend and extend the original agreement with the Family Service of Greater Baton Rouge for the operation of the Ways to Work Program funded by the FTA Section 3037 Job Access Reverse Commute (JARC) contract/grant (LA-37-X021) and to authorize CATS to continue to administer the program and continue to meet the program requirements.**

Mr. Abadie explained that CATS has been administering this grant as the project grant recipient since 2009 when a contract for the provision of services was awarded to Family Services. The initial contract term was for two years, and extensions maintained the contract in force through 2012. CATS paid Family Services from January through September 2013 before realizing there had been no contract extension. CATS has not paid since. The proposed contract extension would be retroactive to 2013 to ratify the payments made and to authorize the back payments.

Ms. Roe moved to adopt the following resolution and Mr. Honore seconded:

BE IT RESOLVED that the Chief Executive Officer of Capital Area Transit System (CATS) is authorized to enter into an inter-agency agreement for the Job Access and Reverse Commute (JARC) Program with Family Services of Greater Baton Rouge (Ways to Work Program) for the period of January 1, 2013 through December 31, 2014, that the

payments made by CATS to Family Services of Greater Baton Rouge for operations performed by and loans made by Family Services of Greater Baton Rouge for the period of January 1, 2013 through October 31, 2013 are hereby ratified, and CATS is hereby authorized to pay Family Services of Greater Baton Rouge funds due it for operations performed by and loans made by Family Services of Greater Baton Rouge for October 1, 2013 through this date, all such payments to be made from funds received by CATS from the federal Jobs Access and Reverse Commute grant.

The motion carried without objection.

2. Authorize the CEO to renew the legal contract with Lindsay & Abadie A.P.L.C. for a period of one year (this is the first of two available renewals).

After discussing whether to have Messrs. Lindsay and Abadie leave for the discussion, it was determined they would stay.

Mr. Perret moved to authorize the CEO to renew the legal contract with Lindsay & Abadie A.P.L.C. for a period of one year. Ms. Roe seconded the motion, and it carried unanimously.

3. Authorize the CEO to waive all fares for the first week of the system expansion (March 30-April 5, 2014).

Mr. Mirabito stated that the projected loss for waiving fares for the week would be approximately 25,000. It was noted that the F&E Committee recommended this action. Ms. Collins-Lewis asked if there were any comments from members or the public and, there being none, Mr. Honore moved to waive all fares for the first week of the system expansion. Ms. Perkins seconded. The motion carried without objection.

Without objection, it was agreed that since the remaining two action items, namely the two items for authority to settle claims, would likely require an executive session they would be deferred until the end of the meeting.

IX. PUBLIC COMMENTS

Ms. Collins-Lewis asked if there were any comments from the public. There being none, she asked for comments from members.

Ms. Roe asked if CATS staff could include in its reports to the board comments on any developments with the new routes. Mr. Conner stated that the staff would do so.

Mr. Miller complimented MV for its written report. Ms. Collins-Lewis complimented all involved for their work in preparing for the system expansion.

X. RECOGNITION OF FORMER BOARD PRESIDENT MARSTON FOWLER

Mr. Mirabito, on behalf of the board and the whole CATS organization, thanked Mr. Fowler for his dedication to CATS and his hard work and service. Mr. Mirabito shared that Mr. Fowler was instrumental in getting and keeping him as the CEO for the organization. Ms. Collins-Lewis and

other members also expressed their gratitude. Mr. Mirabito then presented Mr. Fowler with a plaque and gavel commemorating his service.

X. CONTINUATION OF ACION ITEMS

- 4. Authorization for the CEO to settle the claim of Rosemary Coleman under the terms of the settlement and judgment payment policy adopted by the Board on July 20, 2004, as amended.**
- 5. Authorization for the CEO to settle the claim of Gary Curtis under the terms of the settlement and judgment payment policy adopted by the Board on July 20, 2004, as amended.**

Mr. Brandt moved to enter executive session to discuss action items 4 and 5. Ms. Perkins seconded the motion and it carried unanimously.

Upon returning from executive session, Mr. Miller moved to authorize the CEO to execute the appropriate documents to settle the claim of Rosemary Coleman for \$20,000 plus court costs, and to settle the claim of Gary Curtis for \$150,000, all to be paid in accordance with the settlement and judgment policy adopted by the Board on July 20, 2004, as amended. Ms. Roe seconded the motion and it carried without objection.

X. ADJOURNMENT

There being no further business, Ms. Roe moved that the meeting be adjourned. Mr. Honore seconded the motion and it was unanimously approved.