



**STATEMENT OF PROCEEDINGS FOR THE
REGULAR MEETING OF THE
FOOTHILL TRANSIT EXECUTIVE BOARD
FOOTHILL TRANSIT ADMINISTRATIVE OFFICE
2ND FLOOR BOARD ROOM
100 SOUTH VINCENT AVENUE
WEST COVINA, CALIFORNIA 91790**

Friday, September 28, 2012

8:00 AM

CALL TO ORDER

1. Call to order. (12-4362)

The meeting was called to order by Chair Pat Wallach at 8:04 a.m.

PLEDGE OF ALLEGIANCE

2. Pledge of Allegiance. (12-4363)

The Pledge of Allegiance was led by Vice Chair Tessitor.

ROLL CALL

3. Roll call. (12-4364)

**Roll call was taken by Ms. Martha Arana, Staff, Board of Supervisors
Executive Office, Commission Services Division.**

Present: Chair Pat Wallach, Vice Chair Doug Tessitor, Treasurer Paula
Lantz, Member Carol Herrera and Member Margaret McAustin

I. ADMINISTRATIVE MATTERS

4. Approval of the minutes for the Regular Meeting of August 31, 2012. (12-4365)

**On motion of Member Carol Herrera, seconded by Vice Chair Doug
Tessitor, this item was approved by the following vote:**

Ayes: 4 - Chair Pat Wallach, Vice Chair Doug Tessitor,
Treasurer Paula Lantz and Member Carol Herrera

Abstentions: 1 - Member Margaret McAustin

Attachments: [SUPPORTING DOCUMENT](#)

II. PRESENTATIONS

5. Presentations:

5.1 New and Promoted Staff (12-4493)

Doran Barnes, Executive Director, Foothill Transit, recognized the following newly hired and promoted staff:

New Hires

- **John Xie, Revenue Specialist (September 2012). Mr. Xie was not present at the meeting; however, will be introduced next month.**

Promotions

- **Hendy Satyaputra, Marketing and Communication Coordinator**
- **Thomas "TJ" Nass, Manager of Maintenance and Vehicle Technology**
- **Joseph Raquel, Director of Planning**
- **Donald Luey, Director of Information Technology**

After discussion, by common consent and there being no objection, this item was received and filed.

5.2 Contractors' Employee Recognition (12-4366)

Peter Greenberg, General Manager, Arcadia Operations & Maintenance Facility, introduced and recognized the following Arcadia location MV Transportation Operator and Employee of the Month:

- **Dara Yith, Operator of the Month (September 2012)**
- **Shronda Hill, Employee of the Month (September 2012)**

Jim Marshall, General Manager, First Transit, introduced and recognized the following Pomona location First Transit Operator of the Month:

- **Leticia Chavez, Operator of the Month (September 2012)**

After discussion, by common consent and there being no objection, this item was received and filed.

III. PUBLIC COMMENT

6. Public Comment. (12-4367)

No members of the public addressed the Foothill Transit Executive Board.

IV. CONSENT CALENDAR

7. FY 2013 FINANCIAL STATEMENTS AND INVESTMENT SUMMARY - August 2012

Recommendation: Receive and file the Financial Statements and Investment Summary for Fiscal Year 2013. (12-4371)

On motion of Member Carol Herrera, seconded by Member Margaret McAustin, unanimously carried, this item was received and filed.

Attachments: [SUPPORTING DOCUMENT](#)

8. 2012 LEGISLATIVE SUMMARY

Recommendation: Receive and file the September 2012 Legislative Summary. There are no recommended positions on bills this month. (12-4494)

On motion of Member Carol Herrera, seconded by Member Margaret McAustin, unanimously carried, this item was received and filed.

Attachments: [SUPPORTING DOCUMENT](#)

9. EXERCISE OPTION YEAR 2 OF THE BUS BOOK CONTRACT

Recommendation: Authorize the Executive Director to exercise Option Year 2 of Agreement No. 11-007 in the amount of \$110,000 for the printing of 90,000 copies of the Bus Book for Fiscal Year 2013. (12-4495)

On motion of Member Carol Herrera, seconded by Member Margaret McAustin, unanimously carried, this item was approved.

Attachments: [SUPPORTING DOCUMENT](#)

10. STATE ADVOCACY SERVICES CONTRACT

Recommendation: Authorize the Executive Director to award a two-year contract with three one-year options to be exercised at the sole discretion of Foothill Transit to Capital Representation Group for the provision of state advocacy services for the amounts of \$42,000 for Year 1 and \$42,000 for Year 2. (12-4496)

David Reyno, Director of Government Relations, Foothill Transit, presented this item and introduced Tim Egan, President, Capital Representation Group. Mr. Egan reported that Capital Representation Group has been Foothill Transit's advocate in Sacramento since January 1, 2008. Capital Representation Group, has assisted Foothill Transit in a number of areas including the passage of two Utility Users' Tax (UUT) bills exempting from UUT natural gas and electricity that are used as transit fuel, two bills relating to the adjudication of fare evasion and passenger misconduct violations from the courts to an administrative venue and limitations on bus axle weight.

After discussion, on motion of Treasurer Paula Lantz, seconded by Vice Chair Doug Tessitor, unanimously carried, this item was approved.

Attachments: [SUPPORTING DOCUMENT](#)

V. DISCUSSION ITEMS (REGULAR AGENDA)

11. FISCAL YEAR 2012 FINANCIAL AND COMPLIANCE AUDIT RESULTS

Recommendation: Receive and file the Fiscal Year 2012 financial and compliance audit results. (12-4372)

Richard Hasenohrl, Director of Finance, Foothill Transit reported that the accounting firm, of Lance, Soll and Lunghard LLP (LSL) completed an audit of Foothill Transit's balance sheet as of June 30, 2012, related statements of revenues, expenses, and cash flow. In addition, this LSL completed an audit of Foothill Transit in compliance with the Single Audit (Office of Management and Budget Circular [OMB] A-133) Guidelines mandated by Foothill Transit's receipt of federal funds, the Transportation Development Act, and the rules and regulations of the Los Angeles County Metropolitan Authority. For the tenth year in a row, Foothill Transit received a clean audit, and no requirements or recommended adjustments were made to Foothill Transit's financial statements for the fiscal year ending June 30, 2012.

Mr. Hasenohrl, introduced Debbie Harper, Senior Manager of LSL, who provided a PowerPoint presentation detailing Fiscal Year 2012 financial and compliance audit results for the organization.

Mr. Hasenohrl noted that last year the organization was awarded a certificate of achievement for excellence in financial reporting for its Comprehensive Annual Financial Report (CAFR) for Fiscal Year ending June 30, 2011, by the Government Finance Officers Association of the United States and Canada. Foothill Transit looks forward to receiving the same recognition this year.

Vice Chair Doug Tessitor and Chair Pat Wallach, thanked staff for a good job well done.

After discussion, on motion of Member Margaret McAustin, seconded by Member Carol Herrera, unanimously carried, this item was received and filed.

Attachments: [SUPPORTING DOCUMENT](#)

12. MT. SAN ANTONIO COLLEGE STUDENT RIDERSHIP PILOT PROGRAM

Recommendation: Authorize the Executive Director to implement a pilot program at an estimated cost of \$231,000 with Mt. San Antonio College (Mt. SAC) to promote student ridership to be funded through Foothill Transit's Measure R funding allocation. (12-4499)

Felicia Friesema, Director of Marketing and Communication, Foothill Transit, presented this item and reported the following:

- **Student ridership programs across the country account for 11% of the public transportation users.**
- **The success of two ridership programs Foothill Transit has in place with Rio Hondo College and the Pasadena City College led to discussions on the implementation of a pilot ridership program at Mt. San Antonio College (Mt. SAC).**
- **The projected cost of Mt. SAC Student Ridership Pilot Program is \$231,000, which includes the cost of fare revenue that would not be collected from the students during the pilot period, and the cost of marketing materials that will be developed to promote the Program.**

Discussion ensued on: 1.) The timeline for implementing the student ridership pilot program; 2.) The approach and adequate timeframe in which Mt. SAC and Foothill Transit should devote to collect valuable data

on student ridership trends; and 3.) Mt. SAC ability to identify an appropriate funding source and commit to fund the ridership program beyond the pilot phase.

After discussion, on motion of Member Carol Herrera, seconded by Member Margaret McAustin, the Board considered a substitute motion to approve Mt. SAC's Student Ridership Pilot Program in concept; and instruct staff to:

- Continue to work on the marketing campaign for the Program;
- Continue discussions with Mt. SAC on its commitment and development of the Program; and
- Report back at the next Executive Board meeting on progress made and on a Memorandum of Understanding (MOU) between Foothill Transit and Mt. SAC for the Program.

Said motion was unanimously carried.

Attachments: [SUPPORTING DOCUMENT](#)

13. FISCAL YEAR 2013 BUDGET ADJUSTMENT

Recommendation: Recommend that the Governing Board approve the listed budget adjustments. (12-4501)

Richard Hasenohrl, Director of Finance, Foothill Transit, presented this item and responded to questions posed by the Executive Board.

After discussion, on motion of Member Margaret McAustin, seconded by Vice Chair Doug Tessitor, unanimously carried, this item was approved. Member McAustin requested that in the future when budget adjustments are scheduled on the agenda, additional information detailing the purpose of the adjustment be provided to Board members.

Attachments: [SUPPORTING DOCUMENT](#)

14. BOARD PAYROLL PROCESS

Recommendation: Direct the Executive Director to implement a process whereby Foothill Transit board members are paid and reported to the Internal Revenue Service (IRS) as employees of the agency. (12-4502)

Richard Hasenohrl, Director of Finance, Foothill Transit, presented this item and responded to questions posed by the Executive Board.

After discussion, on motion of Treasurer Paula Lantz, seconded by

Member Carol Herrera, unanimously carried, this item was approved.

Discussion ensued on the appropriate action to be taken by the organization on whether or not Foothill Transit Board members should be reported to the Internal Revenue Services as employees of Foothill Transit.

Darold Pieper, General Counsel, responded to questions posed by the Executive Board, and advised them of the option to file Form SS-8 *Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding* with the Internal Revenue Service, seeking clarification of the status of Board members.

After further discussion, on motion of Treasurer Paula Lantz, seconded by Member Carol Herrera, the aforementioned motion was reconsidered.

Therefore, on motion of Vice Chair Doug Tessitor, seconded by Treasurer Paula Lantz, the Board approved a substitute motion instructing Foothill Transit staff to:

- File Form SS-8, *Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding*, on behalf of its members, with the Internal Revenue Service seeking clarification of the employment status of its Board members; and
- Report back at the December 2012 Executive Board meeting on the findings resulting from the filing of Form SS-8.

Attachments: [SUPPORTING DOCUMENT](#)

15. FOOHILL TRANSIT WORKFORCE DEVELOPMENT EFFORTS

Recommendation: Receive and file a report on Foothill Transit's Workforce Development Efforts. (12-4504)

Denise Guerra, Human Resources Manager, Foothill Transit, presented this item.

After discussion, on motion of Member Carol Herrera, seconded by Treasurer Paula, unanimously carried, this item was received and filed.

Attachments: [SUPPORTING DOCUMENT](#)

VI. EXECUTIVE DIRECTOR COMMENT

16. Comments by Mr. Doran Barnes, Executive Director, Foothill Transit Executive Board. (12-4368)

Mr. Barnes reported the following:

- **A Governing Board meeting will be scheduled for the third week of October 2012; date to be determined based on members' availability. Meeting is scheduled to begin at 7:45 a.m. Additional information will be forthcoming.**
- **The "Silver to Silver Program" in the El Monte station is targeted to begin service on October 14, 2012. A grand opening at the El Monte station facility is tentatively scheduled for October 10, 2012. Additional information will be forthcoming.**
- **Felicia Friesema, was recognized as one of the top 40 Professionals under the age of 40 by the Bus Transit Magazine. Seven employees of Veolia Transportation have also been recognized by the same magazine.**
- **Araceli Lopez, Transit Stores Operations Manager, on September 27, 2012 celebrated her 20th year of service with Foothill Transit.**
- **Mr. Barnes was elected Secretary/Treasurer for the American Public Transportation Association (APTA). He thanked Executive Board members for their support and for allowing him to partake on this body. Mr. Barnes will be giving his first report for APTA on, Saturday, September 29, 2012.**

After discussion, by common consent and there being no objection, this item was received and filed.

VII. BOARD MEMBER COMMENT

- 17. Comments by Members of the Foothill Transit Executive Board. (12-4369)**

Member Carol Herrera, and Chair Patricia Wallach congratulated LaShawn Gillespie, Director of Customer Service and Operations, on the arrival of her new baby boy.

Chair Wallach congratulated Doran Barnes, Executive Director, on his election as the Secretary/Treasurer for APTA.

After discussion, by common consent and there being no objection, this item was received and filed.

RECESS

The Foothill Transit Executive Board recessed to Closed Session at 8:42 a.m.

following Agenda Item No. 17. The Foothill Transit Executive Board meeting was reconvened and called to order by Chair Wallach, at 10:11 a.m.

The following members were present: Chair Pat Wallach, Vice Chair Doug Tessitor, Treasurer Paula Lantz, Members Carol Herrera and Margaret McAustin (12-4618)

VIII. NOTICES OF CLOSED SESSION: CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code § 54956.8)

18. Property Address/Location: Diamond Bar Park-N-Ride Lot 100-101
N. Diamond Bar Blvd., Diamond Bar.
Agency Negotiator(s): Doran J. Barnes, Roland Cordero, Edward J. Gill,
Darold D. Pieper, Kevin McDonald
Negotiating Parties: Michael Miles, District 7 Director - Caltrans
Under Negotiation: Price and Terms

Darold Pieper, General Counsel, reported that no reportable action was taken.

19. Property Address/Location: 600 S. Brea Canyon Rd. City of Industry APN: 908
Agency Negotiator(s): Doran J. Barnes, Roland Cordero, Edward J. Gill,
Darold D. Pieper, Kevin McDonald
Negotiating Parties: John D. Ballas, Director of Public Works, City of
Industry
Under Negotiation: Price and Terms (12-4373)

Darold Pieper, General Counsel, reported that no reportable action was taken.

20. Property Address/Location: Northerly 126 ± feet x 383 ± feet of
APN: 8608-027-900
Agency Negotiator(s): Doran J. Barnes, Roland Cordero, Edward J. Gill,
Darold D. Pieper, Kevin McDonald
Negotiating Parties: James Makshanoff, Azusa City Manager &
Tito Haes, Public Works Director
Under Negotiation: Price and Terms (12-4509)

Darold Pieper, General Counsel, in Open Session reported that the City of Azusa requested a Memorandum of Understanding (MOU) change, to address additional sites in the environmental review at the City's expense. In Closed Session, the Executive Board authorized staff to make adjustments to the MOU in accordance with the City of Azusa's request. Said motion carried by the following vote:

**Ayes: Chair Pat Wallach, Vice Chair Doug Tessitor, Member Carol Herrera,
Member Margaret McAustin
Noes: Treasurer Paula Lantz**

**In Open Session, on motion of Treasurer Paula Lantz seconded by Vice
Chair Doug Tessitor, unanimously carried, the Executive Board approved
the report presented in Closed Session.**

- 21.** Property Address/Location: APN: 8474007035
Agency Negotiator(s): Doran J. Barnes, Roland Cordero, Edward J. Gill,
Darold D. Pieper, Kevin McDonald
Negotiating Parties: Andrew Pasmant, West Covina City Manager
(12-4510)

**Darold Pieper, General Counsel, reported that the Executive Board, during
Closed Session, took the following action:**

**On motion of Treasurer Paula Lantz, seconded by Vice Chair Doug Tessitor,
unanimously carried, the Board approved the Memorandum of
Understanding with the direction should there be any further changes
requested by one of the other parties in the process of having the
Memorandum of Understanding approved that it be returned to the Board
for the approval.**

**In Open Session, on motion of Treasurer Paula Lantz seconded by Vice
Chair Doug Tessitor, unanimously carried, the Executive Board approved
the report presented in Closed Session.**

IX. ADJOURNMENT

- 22.** Adjournment of the September 28, 2012, Foothill Transit Executive Board
Meeting. (12-4370)

**There being no further business, the Foothill Transit executive Board
meeting was adjourned at 10:14 a.m.**