



**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, May 24, 2013

8:00 AM

CALL TO ORDER

The meeting was called to order by Chair Doug Tessitor at 8:02 a.m.

1. Call to order. (13-2432)

PLEDGE

2. Pledge of Allegiance. (13-2433)

The Pledge of Allegiance was led by Darold Pieper, General Counsel.

ROLL CALL

3. Roll call. (13-2434)

**Roll call was taken by Mr. Garen Khachian, Staff, Board of Supervisors
Executive Office, Commission Services Division.**

Present: Chair Doug Tessitor, Vice Chair Paula Lantz, Treasurer Carol
Herrera, Member Becky A. Shevlin and Member Michael De La
Torre

I. ADMINISTRATIVE MATTERS

4. Approval of the minutes for the Special Meeting of the Executive Board Study
Session of April 19, 2013 and Regular Meeting of April 26, 2013. (13-2435)

**On motion of Treasurer Carol Herrera, seconded by Vice Chair Paula Lantz,
the minutes for the Executive Board Study Session of April 19, 2013 were
approved by the following vote:**

Ayes: 3 - Chair Doug Tessitor, Vice Chair Paula Lantz and Treasurer Carol Herrera

Abstentions: 2 - Member Becky A. Shevlin and Member Michael De La Torre

On motion of Treasurer Carol Herrera, seconded by Vice Chair Paula Lantz, the minutes for the Executive Board meeting of April 26, 2013 were approved by the following vote:

Ayes: 4 - Chair Doug Tessitor, Vice Chair Paula Lantz, Treasurer Carol Herrera and Member Becky A. Shevlin

Abstentions: 1 - Member Michael De La Torre

Attachments: [SUPPORTING DOCUMENT](#)
[SUPPORTING DOCUMENT](#)

II. PRESENTATIONS

5. 5.1 Pat Wallach Recognition (13-2436)

Item was not discussed. Honoree Pat Wallach was not available to attend the meeting.

5.2 Contractors' Employee Recognition (13-2437)

Dan McKeehan, General Manager, First Transit, introduced and recognized the following Arcadia location First Transit Operator of the Month:

- **Ralph Mutter, Operator of the Month (May 2013) (not present at the meeting)**

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

- **Sergio Mendez, Operator of the Month (May 2013)**

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

III. PUBLIC COMMENT

6. Public Comment. (13-2438)

Mr. Neil Bjornsen addressed the Foothill Transit Executive Board.

IV. CONSENT CALENDAR

7. APRIL 2013 FINANCIAL STATEMENTS AND INVESTMENT SUMMARY

Recommendation: Receive and file the April 2013 Financial Statements and Investment Summary. (13-2439)

On motion of Treasurer Carol Herrera, seconded by Member Michael De La Torre, unanimously carried, this item was received and filed.

Attachments: [SUPPORTING DOCUMENT](#)

8. APRIL PERFORMANCE INDICATORS REPORT

Recommendation: Receive and file the April 2013 Performance Indicators Report.
(13-2440)

On motion of Treasurer Carol Herrera, seconded by Member Michael De La Torre, unanimously carried, this item was received and filed.

Attachments: [SUPPORTING DOCUMENT](#)

9. 2013 LEGISLATIVE SUMMARY

Recommendation: Receive and file the May 2013 Legislative Summary. Adopt an oppose position on AB 5. (13-2441)

On motion of Treasurer Carol Herrera, seconded by Member Michael De La Torre, unanimously carried, opposition to AB 5 (Ammiano) Homeless Person's Bill of Rights and Fairness Act was approved; and the May 2013 Legislative Summary was received and filed.

Attachments: [SUPPORTING DOCUMENT](#)

10. INDUSTRY PARK AND RIDE: SPECIAL INSPECTIONS AND MATERIALS TESTING

Recommendation: Authorize the expenditure of the amounts listed below for the special inspection and materials testing services required during the remaining construction of the Industry Park & Ride Project:

\$250,000 for Special Inspection Services
\$60,000 for Material Testing Services (13-2442)

On motion of Treasurer Carol Herrera, seconded by Member Michael De La Torre, unanimously carried, this item was approved.

Attachments: [SUPPORTING DOCUMENT](#)

V. DISCUSSION ITEMS (REGULAR AGENDA)

11. ENVIRONMENTAL AND SUSTAINABILITY MANAGEMENT SYSTEM - ISO 14001 CERTIFICATION

Recommendation: Receive and file an update on Foothill Transit's receipt of International Organization for Standardization (ISO) 1400 certification for its Environmental and Sustainability Management System (ESMS) at the Arcadia Operations and Maintenance Facility. (13-2443)

Roland Cordero, Director of Maintenance and Vehicle Technology, presented this item and reported the following:

In 2010, Federal Transit Administration (FTA) invited State and local transit agencies to apply for the Environmental Sustainability Management System (ESMS) training and assistance. The training was designed to help agencies develop and implement ESMS using the 14001 Standard of the International Organization for Standardization (ISO). The FTA funded the program with training provided by Virginia Tech.

What is an ESMS?

- **A set of processes and practices to reduce environmental impact**
- **Increase operating efficiency**
- **Help an organization achieve its environmental goals and improve environmental performance**

ISO 14001 Certification

- **Foothill Transit was selected to participate in Round 3 of ESMS training**
- **10 Transit agencies, were selected to participate**
- **Foothill Transit was the sole recipient of certification in Round 3**

ESMS Accomplishments

- **Reduced CNG gas leaks by 100%**
- **Removed 19 gallons of hazardous materials from Arcadia facility**
- **Installation of solar panels at Arcadia facility has generated over 260,000 Kilowatt hours of solar power**
- **100% employees have trained in the Storm Water Pollution Prevention Plan (SWPPP); and the SWAPP was updated to comply with Federal and State laws.**

-
- Fuel consumption from idling at Arcadia facility was reduced by 19%.

On motion of Vice Chair Paula Lantz, seconded by Member Michael De La Torre, unanimously carried this item, was received and filed.

Attachments: [SUPPORTING DOCUMENT](#)

12. MANAGEMENT SERVICES SUBCOMMITTEE REPORT

Recommendation: Receive the subcommittee's oral report and take action to implement the recommendations of the subcommittee to revise the scope of the Management Services Agreement with Veolia Transportation Services, Inc., or in the alternative, to give notice of the termination of that agreement. (13-2444)

Vice Chair Paula Lantz read the oral report of the Subcommittee's recommendation in its entirety for all members present at the meeting.

Mr. Ken Westbrook, President and Chief Operating Officer, Veolia Transportation Services Inc. (Veolia) reported that he enjoyed the partnership with Foothill Transit and is proud of all mutual accomplishments. Mr. Westbrook hoped that the partnership continue as is. He further stated if the partnership should be revised, he hoped the changes will take effect in July 2014.

The Members of the Board thanked Mr. Westbrook and indicated they appreciate the 13-year relationship with Foothill Transit and the service that has been provided by Veolia. The time is now for Foothill Transit to move on its own and make the transition to in-house management, and implement revisions to the scope of Management Services Agreement with Veolia Transportation Services by July 1, 2013.

After discussion, on motion of Member Michael De La Torre, seconded by Member Becky A. Shevlin, unanimously carried, to receive and file the Subcommittee's recommendation and direct the implementation of the Subcommittee's recommendation as set forth in the report.

Ayes: 5 - Chair Doug Tessitor, Vice Chair Paula Lantz,
 Treasurer Carol Herrera, Member Becky A. Shevlin
 and Member Michael De La Torre

Attachments: [SUPPORTING DOCUMENT](#)

RECESS

The Foothill Transit Executive Board recessed to Closed Session at 8:32

a.m. following Agenda Item No. 12. The Foothill Transit Executive Board meeting was reconvened and called to order by Chair Doug Tessitor at 10:08 a.m.

The following members were present: Chair Doug Tessitor, Vice Chair Paula Lantz, Treasurer Carol Herrera, Members Becky A. Shevlin and Michael De La Torre .

13. EXECUTIVE DIRECTOR EMPLOYMENT AGREEMENT

Recommendation: Consider approval of an Executive Director Employment Agreement with Doran J. Barnes. (13-2445)

Darold Pieper, General Counsel, reported the Subcommittee has negotiated an employment agreement with Mr. Doran Barnes. A copy of the agreement was provided and a copy is available for the members of the public; and recommends the approval of the employment agreement by the Executive Board.

Treasurer Carol Herrera stated that this is a historic day for Foothill Transit, and a first for the organization hiring its first Executive Director.

On motion of Treasurer Carol Herrera, seconded by Member Michael De La Torre, unanimously carried, this item was approved.

Ayes: 5 - Chair Doug Tessitor, Vice Chair Paula Lantz, Treasurer Carol Herrera, Member Becky A. Shevlin and Member Michael De La Torre

VI. NOTICES OF CLOSED SESSION: PUBLIC EMPLOYMENT (Government Code § 54957) AND CONFERENCE WITH LABOR NEGOTIATORS (Government Code § 54957.6)

**14. CLOSED SESSION: PUBLIC EMPLOYMENT
(Gov't Code § 54957)**

Title of position to be filled: Executive Director (13-2446)

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

**15. CLOSED SESSION: PUBLIC EMPLOYEE APPOINTMENT
(Gov't Code § 54957)**

Title of position to be filled: Executive Director (13-2447)

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

**16. CLOSED SESSION: CONFERENCE WITH LABOR NEGOTIATORS
(Gov't Code § 54957.6)**

Agency Representatives Attending Closed Session:
Executive Board Members Herrera and Lantz, General Counsel Pieper
Unrepresented Employee Position Title: Executive Director (13-2448)

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

VII. EXECUTIVE DIRECTOR COMMENT

17. Comments by Mr. Doran Barnes, Executive Director, Foothill Transit Executive Board. (13-2449)

Mr. Doran Barnes, Executive Director, Foothill Transit, reported the following:

- **It is a pleasure and honor to continue to serve the members in the new capacity and moving forward with new projects.**
- **Final deck on the parking structure for the Foothill Transit Industry Park & Ride will be poured on May 24, 2013. A small ceremony for the employees performing the construction is scheduled for May 24, 2013.**
- **The ribbon-cutting ceremony for the completion of the Industry Park & Ride is tentatively scheduled for September 6, 2013.**

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

VIII. BOARD MEMBER COMMENT

18. Comments by Members of the Foothill Transit Executive Board. (13-2450)

Darold Pieper, General Counsel, Foothill Transit, reported the following:

- **The Board has determined that Veolia management team will become Foothill Management team directly employed by Foothill Transit as a public agency. The Board requested that the transition take effect as of July 1, 2013. The Veolia existing contract has to be amended by removing all management positions from the contract effective June 30, 2013. The compensation package for employees will be comparable to what Veolia has provided.**
- **If Veolia's decision is not to amend the contract, then on June 15, 2013,**

Foothill Transit will authorize and direct the Chair to issue a 90-day notice of termination, that an employment agreement with the Executive Director be approved and executed to become effective July 1, 2013, or upon the earlier termination by Veolia; and at such time as the Executive Director becomes a Foothill Transit employee, the Executive Director will be directed to develop a personnel program so that Foothill Transit could begin to make offers, hire and employ a new management team following the termination of the contract.

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

IX. ADJOURNMENT

- 19.** Adjournment for the May 24, 2013, Foothill Transit Executive Board Meeting. (13-2451)

There being no further business, the Foothill Transit Executive Board meeting was adjourned at 10:22 a.m.