



**Wednesday, February 27, 2013**

**12:00 Noon**

*(Lunch Provided for Board Members)*

**Kelly Board Room**

**32-505 Harry Oliver Trail**

**Thousand Palms, CA 92276**

**Board Member Councilmember Glenn Miller will be participating via telephone conference from 2800 Opryland Drive, Nashville, TN 37214**

**NOTE:** IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT SUNLINE AT (760) 343-3456. NOTIFICATION 48 HOURS PRIOR TO THE MEETING WILL ENABLE SUNLINE TO MAKE REASONABLE ACCOMMODATION TO ENSURE ACCESSIBILITY TO THIS MEETING.

**THE CHAIR REQUESTS THAT ALL CELLULAR PHONES AND PAGERS BE TURNED OFF OR SET ON SILENT MODE FOR THE DURATION OF THE BOARD MEETING.**

**AGENDA TOPICS**

**RECOMMENDATION**

1. **Call to Order**  
Chairman Robert Spiegel
2. **Flag Salute**
3. **Roll Call**
4. **Presentations**
  - a) Employees of the Quarter (Donald A. Bradburn)
  - b) SunLine Major Projects (C. Mikel Oglesby)

**5. Finalization of Agenda****6. Correspondence**

None.

**7. Public Comments**

(NOTE: Those wishing to address the Board should complete a Public Comment Card and will be called upon to speak.)

**Receive Comments****NON AGENDA ITEMS**

Anyone wishing to address the Board on items not on the agenda may do so at this time. Each presentation is limited to 3 minutes.

**AGENDA ITEMS**

Anyone wishing to address specific items on the agenda should notify the Chair at this time so those comments can be made at the appropriate time. Each presentation is limited to 3 minutes.

**8. Board Member Comments**

Any Board Member who wishes to speak may do so at this time.

**Receive Comments**

-----**ACTION**-----

**9. Consent Calendar****Approve**

All items on the Consent Calendar will be approved by one motion, and there will be no discussion of individual items unless a Boardmember requests a specific item be pulled from the calendar for separate discussion. The public may comment on any item.

- a) Minutes of the January 23, 2013 Board of Directors Meeting (Pages 1-27)
- b) Checks over \$1,000 for January, 2013 (Pages 28-29)
- c) Credit card statement for January, 2013 (Pages 30-32)
- d) Monthly Budget Report for November, December, 2012 (Pages 33-34)
- e) Contract Report – nothing to report.
- f) Ridership Report for January, 2013 (Pages 35-36)
- g) SunDial Operational Notes for January, 2013 (Page 37)

- 10. Award of Contract for Purchase and Installation of Bus Shelter (Joe Forgiarini)** **Approve**  
Request to the Board to grant authorization to the General Manager to award a contract to ND Electrical Construction, Inc., for the purchase and installation of bus shelters throughout SunLine's service area. (Pages 38-39)
- 11. Approval of FY 13/14 Budget Process and Schedule (C. Mikel Oglesby)** **Approve**  
Request to the Board to approve general budgetary procedures for the development of the FY 13/14 SunLine Transit Agency budget. (Pages 40-44)
- 12. General Manager Renegotiations of Compensation and Benefits Provisions of Agreement (C. Mikel Oglesby)** **Approve**  
Request to the Board to begin the renegotiation process of the General Manager's "Compensation and Benefits" provisions as stated in the current Agreement." (Pages 45-46)

----- **DISCUSSION** -----

- 13. Coachella Valley Rail Service Update (C. Mikel Oglesby)** **Discussion**  
Update to the Board on Coachella Valley Rail Service discussions. (Pages 47-51)
- 14. Guidelines for General Manager Salary and Benefits Scale (Board of Directors)** **Discussion**  
Per the request of Board Member Dana Hobart, discussion of Guidelines he presented at the January 23, 2013 Board Meeting. (Pages 52-54)

----- **INFORMATION** -----

- 15. Commuter Link 220 Update (Joe Forgiarini)** **Information**  
Update to the Board on the SunLine Commuter Link 220 service. (Pages 55-57)
- 16. The "Do Good Bus" (C. Mikel Oglesby)** **Information**  
Provide information on the "Do Good Bus" program in Los Angeles Area what was presented to staff by the City of Indio. (Page 58)

**17. Bus Stop Inventory – City of Rancho Mirage**  
**(C. Mikel Oglesby)**

**Information**

Provide the Board the requested inventory of bus stops, and Amenities, within the City of Rancho Mirage. (Pages 59-60 )

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**18. General Manager’s Report (C. Mikel Oglesby)**

**19. Next Meeting Date**

March 27, 2013  
12 o’clock Noon – Kelly Board Room  
32-505 Harry Oliver Trail  
Thousand Palms, CA 92276

**20. Adjourn**

**MINUTES**  
**SunLine Transit Agency**  
**Board of Directors Meeting**  
**January 23, 2013**

A regular meeting of the SunLine Transit Agency Board of Directors was held at 12:00pm on Wednesday, January 23, 2013 in the Kelly Board Room at SunLine Transit Agency, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

**1. Call to Order**

The meeting was called to order at 12:00 p.m. by Vice Chair Mayor Yvonne Parks.

**2. Flag Salute**

Councilmember Greg Pettis led all in a salute to our flag.

**3. Roll Call**

Completed.

**Members Present**

Yvonne Parks, Vice Chairman, Mayor, City of Desert Hot Springs  
Rick Hutcheson, Councilmember, City of Palm Springs  
Greg Pettis, Councilmember, City of Cathedral City  
G. Dana Hobart, Councilmember, City of Rancho Mirage  
Douglas Hanson, Councilmember, City of Indian Wells  
Don Adolph, Mayor, City of La Quinta  
Glenn Miller, Councilmember, City of Indio  
Eduardo Garcia, Mayor, City of Coachella  
John J. Benoit, Supervisor, County of Riverside

**Members Absent**

Robert Spiegel, Chairman, Councilmember, City of Palm Desert

**Guests:**

Joe Pradetto, County of Riverside  
Kathleen Bennett, Resort Marketing  
Kerry Trost, PERMA  
Michal Brock Yellow Cab  
Bill Meyer Yellow Cab  
Mabu Hossein Desert City Cab  
Harry Incs, American Cab  
Scott Russo, Legal Counsel, American Cab

**Staff:**

C. Mikel Oglesby, General Manager  
Jeffrey Goldfarb, Legal Counsel  
Carolyn Rude, Special Asst. to the General Manager/Clerk of the Board  
Polo Del Toro, Director of Operations

Joe Forgiarini, Director of Transit Planning  
Mike Morrow, Director of Maintenance  
Don Bradburn, Director of Human Resources  
Brenda Walker, Director of Finance  
Tommy Edwards, Contracting Officer Technical Representative  
Rudy LeFlore, Procurement Consultant  
Mannie Thomas, Manager of Operations and Safety Training  
Don Wilms, Paratransit Operations Supervisor  
Manny Garcia, Operations Senior Supervisor  
Debbie White, SunDial Dispatcher  
Armando Ozuna, Operations Supervisor/Dispatcher  
Mary Borders, Marketing Manager  
Robert Beigie, Maintenance Supervisor  
Joseph Friend, Senior T Systems Analyst  
Rick Barone, Procurement Officer  
Michael Jones, Manager Taxicab Administration  
David Manriquez, Facilities Maintenance Assistant  
Karen Thomas, Senior Administrative Assistant  
Francine DePalo, Administrative Assistant  
Mike Jones, Taxi Cab Manager  
Stephanie Buriel, Senior Administrative Assistant  
David Robin, Assistant Taxi Cab Administrator II  
Harmon Singh, Assistant Taxi Cab Administrator II  
Diann Chumney, Marketing Specialist II

#### 4. **Presentations**

##### **Employees of the Quarter:**

Mr. Oglesby addressed the Board and introduced the Agency's new Director of Human Resources, Donald Bradburn. He stated that Mr. Bradburn brings to SunLine many years of knowledge and experience in human resource skills. He worked in the public sector for many years and recently moved to the Valley where he worked for a very brief time at the City of Indio prior to coming to SunLine. Mr. Oglesby stated that we look forward to utilizing Mr. Bradburn's expertise in all areas of the Agency. Mr. Bradburn addressed the Board. He announced the "Employees of the Quarter" award winners for the 3<sup>rd</sup> quarter of 2012 for the period of July through September. They are as follows: Employees of the Quarter are Diane Penry of the Operations Dept., and Terry Miller of the Maintenance Department. Mr. Oglesby stated that Terry Miller was instrumental in working on the new Learning Center from the ground up. Debbie White of the Operations Dept. was presented with the "Supervisor of the Quarter" award. Vice Chair Parks and General Manager Mikel Oglesby acknowledged the employee's hard work and dedication; the Board gave them a round of applause.

#### 5. **Finalization of Agenda** No changes were made.

#### 6. **Correspondence**

None.

7. **Public Comments**

**NON AGENDA ITEMS:**

None.

**AGENDA ITEMS:**

None.

8. **Board Member Comments**

Councilmember Miller stated the following: "I just have a couple of things. I want to pass out. (*Councilmember Miller provided a newspaper article to each Board Member.*) There is something that a friend of mine up in Los Angeles did and it's the "Do Good Bus"; it was in the L.A. Times. It's about taking buses and having community service for the people in the community that want to volunteer. They are taking over to certain organizations like Martha's Village or anything else and they give free labor, or work in areas of need. And bus transportation – it's through the local bus system and then they go out and do good deeds throughout the Valley. It's just another way, I thought, to be instrumental and maybe someone will ride a bus - to be able to give some transportation back to the people that want to give community service. It's paid for by the people there and is well received in L.A. and areas like that where people want to conjugate together and have an interest. They don't know where they're going, but they go out and help throughout the community. It has really caught on and that might be something we'd like to see here out because we have a lot of groups with needs. Just food for thought. And then I have one more thing. I got a letter from our new principal, Mr. Marcus Wood, from the Shadow Hills High and one of our issues that we have on Shadow Hills is that a lot of our students aren't from that area. There is not a SunLine bus stop nearby the high school. He, Mr. Wood, was wondering if we would be able to look at possibly getting one nearby to give the kids an opportunity to get there. What is happening is they are being dropped off further down. They are coming in tardy to school because of the distance they have to go from the time the bus stops to when he gets picked up. Or, they have to wait extra time because the bus has already left. Mr. Wood was wondering if we could look at a bus stop somewhere nearby the Shadow Hills High School to see if it is a possibility. So if he gets that it will be appreciated."

Councilmember Hobart stated the following: "What I'd like to do is put on our agenda for next month... (*Councilmember Hobart passed out a document*) What I have observed is that we have no policy regarding the guidelines for a General Manager's salary and benefits scale and we have negotiations with the General Manager coming up sometime prior to June 30<sup>th</sup>. What I would like to do is I'd like to have the Board review some type of policy guidelines with a determination as to what they want or don't want with General Manager contracts. And what I would suggest is -and what I tried to do is outline, I guess, twelve areas - it could be more, could be fewer, depending on what the Board wanted to do. What I would like to do is ask that this outline be contained in our package since I have gone to the trouble of bringing the issues, the summary issues that we should be

discussing. Essentially, these are things that I think we should talk about before we begin negotiations so we know what Board policy is on where we want to go with the General Manager contract.”

Councilmember Miller asked the following: “What is our practice? I know it’s a five-year contract that gets three years and there’s one substantial year after that. What is our policy on what we are going to do to negotiate?” SunLine Legal Counsel, Jeff Goldfarb, stated the following: “My understanding is that I don’t know that there’s any specific policy. There’s the Agreement, the Amended Agreement that provides strictly that the compensation and benefits will be renegotiated at the beginning of the fourth year and the beginning of the fifth year of five-year contract.”

Vice Chair Parks stated: “So, what would be the suggestion is that we all take this and we prepare to go over it at our next meeting or would you recommend a subcommittee to address these and make recommendations for the Board?” Councilmember Hobart stated: “My feeling is we should have the Board - this is a major issue for the Board and a subcommittee is not adequately represented. The Board should have an input in this. What I’d like to do is have it on the Board agenda for consideration.” Vice Chair Parks asked: “And how long do you expect this to go on?” Councilmember Hobart stated: “My guess is for a half an hour; I don’t know. I don’t know that it matters.” Vice Chair Parks further stated: “My only point is that people may have to prepare to come and sit for a while - this is a lot to digest.” Councilmember Hobart stated: “Yes, it does, and I certainly agree with you on that.” Vice Chair Parks further stated: “You want to put this on the agenda or want to discuss it’ just come prepared to be here for the duration.” Councilmember Pettis stated: “Maybe it could be over two or three meetings.” Supervisor Benoit stated: “We’re going down the path where we have a general discussion and then have a select committee to beat out the details.” Councilmember Hobart stated: “Yes, that might work. My only thought is that it an issue what we have never discussed and we should. However we deal with this is whether the Board decides the process, the committee or whatever. But we’re running out of time because I don’t know when renegotiations will take place. When do they customarily start?” Mr. Oglesby stated that the date – the end of the contract - is the end of June. Usually it was just one meeting that was done by--it’s really up to you guys. If it’s over a six-month period, it’s going to be over a six-month period.” Councilmember Hobart stated: “Whatever time it takes to be expeditious.” Mayor Adolph asked the following: “In order to refresh our memory about the contractual agreements that we have with Mikel, can we get something that basically spells out what with this agreement with this Board is?” Councilmember Hobart stated: “I think that’s a good idea.” Vice Chair Parks stated: “I think Carolyn can e-mail that to each of us and we can review the contract and the document (created by Councilmember Hobart)”. Supervisor Benoit stated: “It would be helpful if whoever takes that out, rather than just sends us a copy, can also answer on the list of items that Dana created – what does the current contract have in those areas. For instance, item 7 - what sick time should be allowed to accumulate? It would be nice to have a document that says ‘current contract is....’ on that topic.” Councilmember Hobart stated: “I



intentionally didn't put that sort of thing on this document. I wanted this document from the starting point to be completely neutral." Vice Chair Parks asked the following: "Okay. Can you do that, Mr. Goldfarb?" Mr. Goldfarb stated yes. Vice Chair Parks further stated: "And include that along with the email on the contract?" Mr. Goldfarb stated: "Yes, I can send out as a package." Vice Chair parks stated: "And everyone will read this before our next meeting and be prepared to discuss this."

Councilmember Hobart stated the following: "I have one other item. Neither SSG nor STA has a set of bylaws and I've participated in the creation of many bylaws and what I would volunteer to do or suggest some other approach - we have to have bylaws. We can't continue. I don't know how many years since we were created without having a set of bylaws for either organization. What I would suggest and see if there's no objection to it, because I'm really more than glad to meet with Mr. Goldfarb and try to knock down a draft set of bylaws that pertain to SSG and STA. I think they have to be separate. They could be identical. We would bring it back, give it to the Board, and let the Board consider it over another month and then eventually we can get to the point where we could pass a set of bylaws. It has to start somewhere. Does anyone have any objection with me cranking it out?" Vice Chair Park stated: "Do we have any comparative information such as another transit agency and their bylaws or if they have bylaws?" Councilmember Hobart stated: "The Joint Powers Agreement and that's the only thing we get rules from right now. We have procedures for the Board meetings manual. And that's all. We don't have bylaws in anywhere near the traditional sense. And, the other thing is procedural matters for Board hearings. For example, the Palm Springs Convention and Visitor's Authority has bylaws and that is a JPA agency. It's the only one offhand that comes to my mind." Vice Chair Parks stated: "Well, we have on the agenda today..." Clerk of the Board, Carolyn Rude, stated: "Resolution number 0001, page 73 of the Agenda - 'Rules of Procedure for Board Meetings and Related Functions and Activities'. That's basically what we are going off now." Vice Chair Parks stated: "I am not getting comments from Board members as to how this would differentiate between bylaws and policies and procedures." Councilmember Hobart stated: "Well, it is the Board hearings. It's expressly limited to Board meetings. It doesn't contain traditional stuff; for example, the selection of officers. What we have now was all created by the JPA. We are a group that has two officers, period. A chair and a vice chair. I'm not sure if bylaws can alter that without a change to the JPA. Succession, for example. If somebody dies, what happens? But this document is about meetings." Vice Chair Parks stated: "Here is the thing... 1.6, the 'Majority Vote', on page 2, or 74, said 1.6.1, 'Adoption of bylaws, amendment of bylaws, adoption of the annual budget and other such matters as the Board may designate shall require a majority vote of the entire membership of the Board', which means to me that we have bylaws set up by the JPA." Legal Counsel, Jeff Goldfarb stated: "Resolution 0001, which establishes some regulations relating to the operations." Councilmember Miller asked the General Manager: "Mr. Oglesby, do we have bylaws that you are aware of?" Mr. Oglesby stated: "Off the top my head, the only one that I'm thinking about right now is the bylaws for the Access Committee. As far as bylaws for the Board itself, I am not familiar with

that." Mayor Garcia asked the following: "I've got a question in regards to the JPA. We're looking to the bylaws - kind of how this Board manages to make policy decisions..." Mr. Goldfarb stated the following: "We can certainly look to the JPA agreement and this Resolution and sort of put together ideas, or limitations on what we can do. But in and of itself, those aren't specifically a set of bylaws. There are, like I said, different places we can go to pull regulations, restrictions and limitations. But I've never seen a set of bylaws that sort of incorporates all of that together." Mayor Garcia stated: "This organization has been in operation for 35 years without them." Vice Chair Parks stated: "We have gotten along just fine. It seems to me that before we really go into this, take a look at the JPA and maybe there's something in there that we're not aware of. We've never seen it or reviewed it. Does it make any reference to bylaws?" Mr. Goldfarb stated: "It does. It makes the exact same reference to the bylaws that Resolution 0001 makes in terms of what it takes to pass bylaws. So, it certainly authorizes the Board to adopt bylaws and implement bylaws. It's just, historically, I don't know if that's ever occurred." Councilmember Hobart stated: "With respect to the concept that we have managed for 15 years - 35 years, maybe that is the answer, but it doesn't seem to me to be the answer. If there is no consistency that we did something this way ten years ago..." Mr. Goldfarb stated: "I will say that in looking through the document we have, we can take from what we have in terms of what we think the document suggests we should be doing, or shouldn't be doing, or how we should be doing them. As a lawyer, I like clarity and stuff written down." Councilmember Miller asked Mr. Goldfarb the following: "If we are running off the JPA based as the guiding document, does the JPA give us authority then to set committees and stuff like that? Does the Chair and the Vice Chair decide for the Board, or does the Board have to decide who is on the Committees?" Mr. Goldfarb answered: "Yes, absolutely. The Board has the sole authority. The JPA Agreement says that the Board decides what committees are necessary for the Board's operation. It doesn't specify how those committees are staffed." Councilmember Miller further asked: "Let's just say the Finance Committee - would that be an agreement among the Board or would the Chairman have the authority to staff that?" Mr. Goldfarb stated: "Yes, that's a great example - something that should probably be in the bylaws." Mayor Garcia stated: "Currently, the Chairman makes recommendations. And this Board would adopt those recommendations, and so you can channel it through that process, right?" Councilmember Miller asked: "But could we override it?" Mr. Oglesby stated: "When I hear adopt - it is put together by the Chair, put out to the Board and asked if everyone is in agreement." Vice Chair Parks stated: "Everybody is asked at the beginning of the year what Committees they would like to be on." Mr. Goldfarb stated: "Can I make a suggestion? Since this is on the agenda, we might want to continue this discussion during that item."

Mayor Adolph stated the following: "Earlier today, in the Finance Committee, which we did not have a quorum, a discussion was held about the request by Board members for information for things that come up. We found out that it's kind of screwing up our budget - the cost of these things. So we need to know just where we're going - that we're not going to run into big bills to do these things. So it's something that our attorney is going to have to take a good hard

look at. We have to know what kinds of costs are involved in these things." Councilmember Hanson stated: "Excuse me. Are you making reference to a Board member request for information?" Mayor Adolph stated: "Yes. We have something that occurred a month ago and that has kind of followed things up because of the time and the bills that we've got that came in to pay for all this." Mr. Oglesby stated: "Actually, let me provide clarity on this. We get the bills and we come to an agreement - as a matter of fact both Mr. England and Councilmember Hobart came together and assisted in writing a contract for Legal Counsel. In it, there's a section, there's a part that I was kind of nervous about that says we have a set dollar amount that we pay a month, but there's potential routine costs. I remember at one point, I said, 'Well, can you define that?' So, it kind of leaves leeway that if I think something's routine--for example, I personally think that a Board member requesting information that was requested is more routine, so there shouldn't have been additional cost. Yet, from a legal standpoint, that would not be the case because there are all kinds of explanations. So, there have been additional charges. So, to make a long story short, we usually set aside \$6900 for attorney fees. That's split between SSG and STA, and if there are additional routine costs, that dollar amount can go up. We are budgeted at a certain amount. So, I think there just needs to be a discussion. I was going to discuss with Mr. Goldfarb and come forth with what we need to bring to the Board as far as what is included and what is not included in the case." Mr. Goldfarb stated: "Actually, it is non-routine that would incur more costs." Mr. Oglesby further stated: "Yes, I'm sorry--I meant non-routine." Councilmember Hanson stated: "Excuse me, is it just a matter of allocating additional funds in order to take care of the request, is that the issue?" Mr. Oglesby answered: "Well, I don't know. That might be." Councilmember Hanson stated: "Obviously, you would not want to restrict information." Mayor Adolph stated: "No. We just have to understand what this cost is." Councilmember Hanson further stated: "It's not an attempt to restrict, only to provide additional funding for the request." Mr. Oglesby stated: "Or define it as that being routine and included in the retainer." Councilmember Miller stated: "That is a whole different discussion. I think we will go back to the contract; Don and I talked about it, and see what we classify as routine. Some of that stuff, personally, I would classify as routine. I think we need to get clarification on that contract. And if Board members are asking for information, we do not want to restrict that information, but it comes at a cost. So we have to realize that it could cost. Especially for SSG as it affects consumers." Councilmember Hobart stated: "One thing I'd like to find out, since everybody here knows we're talking about my requests for documents that has gone on over the last two, three or four months, whatever it has been, three months, whatever. As a Board member--forget the public records act, but as a Board member, I am entitled to see every document that exists pertaining to this organization." Mayor Adolph stated: "Nobody denies that." Councilmember Hobart stated: "I'm astounded to find out that there are costs because my requests, just like recently, usually, at least always I think, send my requests to Ms. Rude. She's going to copy to whoever has to know about it, which is fine. I don't understand how the costs go beyond. I mean, she's already a full-time employee, so unless she has to work some overtime to do that, that might be an additional cost, but she and I can work that out for the

most part. There's nothing that I can see that an attorney has to be asked about that. Now, I don't know that an attorney was, but I don't understand quite how an attorney fees get involved in the matter of requesting information." Mr. Goldfarb stated: "I want to go back to look at my bills too because my recollection was to the extent that I did do work on that, I thought most of that was included in the retainer, unless there was an unusual legal issue that had to be reviewed." Mayor Adolph stated: "And these are not nickel and dime items." Councilmember Hobart stated: "As a matter of fact, we were talking about putting some of the minutes on a disc. It should be done pretty quickly. So the review of minutes – we will all have access to that. I never requested a document that wasn't readily available." Mayor Adolph stated: "All we know is we get a bill. If this is going to be a routine kind of thing, we need to budget for it or we need to know upfront what these things are costing us. We need to approve to spend that kind of money to do these things." Councilmember Hanson asked: "Question. Do you have all of your information, all of your documents - has it been digitized? Is it online? Is it available? As an example, could I go to your website and pull your (*Mr. Oglesby's*) contract to review it?" Mr. Oglesby stated: "No, not everything is digitized." Councilmember Hanson further asked: "Do you have a plan to do that?" Mr. Oglesby stated: "The plan that we have right now, due to resources and costs, the plan we have right now is trying to find a way to get all minutes, all Board reports, everything online, similar to the cities. I took a look at San Clemente, I believe it was, and I saw that it says agendas and you can click over and it has everything. I'd love that. IT is working on that and in the long run, you want to get there, but in the meantime, should a Board member call, we put everything on disc and get it to you and that's just the internal thing. But, yes, we'd like to get that, but as far as actual every document, no." Councilmember Hanson stated: "Indian Wells just went through that process. Since our new Interim City Manager - every document in the City at this point, just about, is online." Councilmember Hobart asked: "Is that every document or does that go back in time?" Councilmember Hanson stated: "It goes back in time; historically. And I would suggest that our IT person who is very familiar with this process, offer your IT – I would offer that up to talk about the system and talk about how you go about doing that. We had a tremendous amount of request for information." Vice Chair Parks stated: "Are you sure it goes way back to where?" Councilmember Hanson stated: "You know, I don't know if it is since the beginning of time. And I can't tell you if every document is there, but I could tell you, there was a tremendous amount of documents." Vice Chair Parks further stated: "Because we've done that same thing and everything now is online but it started at a certain point. It doesn't go back." Mr. Oglesby asked: "Is that a normal practice at every city - every single document? So if I say, 'send a letter to anybody,' that document will go online to the public?" Mayor Garcia stated: "I think what we're referring to, and please correct me if I'm wrong, is that every agenda, all minutes, possibly every contract with the Public Works, maybe a vendor, maybe salaries of employees, Council, City Manager; but I can't imagine that every single document is on everyone's website." I think there's a kind of general expectation of what should be public information." Councilmember Hanson stated: "But everything is public, Mr. Garcia. Every document that is in this Agency, as well as every document in the City of Indian Wells is public. But

let's don't get my point lost in a discussion as to 'every letter' - my suggestion was that you begin digitizing all the documents that are available to the extent that you have the capability of doing that and to the extent that you need to provide funds for that, you need to think about getting the funds to do it. But it's something that every city is doing to the extent that they possibly can." Mr. Oglesby stated: "And just to get back to that, you said the magic words 'to the extent that we can do it.' We are right now taking one bite at a time. First things first. We want to make sure we get all the agendas, all of the minutes - all of that done and then go through the next step of getting all the contracts. And just to let you know, I have a bit of a staffing issuing, I don't have a lot of staff to do this. We actually have one IT person and we serve 4.6 million riders a year. It's something to think about." Mr. Goldfarb stated: "If we want to get into the discussion on it which might be a good idea, that we agendize it in our upcoming meeting." Vice Chairman Parks stated: "IT is the only person that sets it up and they set it up with some group; there are many, many groups out there that do this. And everything goes over the microphones, onto it and it's, you know, and you just go and you click the agenda and then you watch the meeting." Councilmember Hobart stated: "Without this getting to the point of another whole discussion, why don't we just start with putting the two IT people together. Let them talk, let them come back to you or us and let us know what the issues are. Personally, I think the priority is the agendas and minutes. I think we should have all the agendas and all of the minutes of all of our Board meetings going back to our originating days and have those available." Councilmember Pettis stated: "And I am also hearing that the Board may be comfortable with this being part of the budget discussion for the next fiscal year." Vice Chair Parks stated: "This does not come cheap. We have to budget for it." Councilmember Hobart asked: "What were the other expenses we're talking about?" Mayor Adolph stated: "He didn't break it down, but he gave us the bottom line - three different expenses. I can't answer it. Jeff has got to answer it." Vice Chairman Parks stated: "Okay. We aren't any further than Board member comments. We have to move on. We'll never get through this agenda. So, the result here is that we're going to have a couple of things on the next agenda. Am I hearing that correct? One is that we're going to get the General Manager's policy and this. And then we're going to look at that and we're going to come back and discuss it. The other thing is - when are we going to talk about budget?" Mr. Oglesby stated: "We were working on that as we speak. I will put some money aside for this." Vice Chair Parks stated: "Okay. So, let's just leave it within the Finance Committee."

**9. Consent Calendar**

Mayor Adolph moved for approval of the consent calendar. The motion was seconded by Councilmember Hutcheson. The motion was approved by a unanimous vote with abstention of the minutes, 9a, by Councilmember Hanson and Councilmember Pettis.

**10. FY 2012/13 Short Range Transit Plan (SRTP) Amendment**

Director of Transit Planning, Joe Forgiarini, addressed the Board. He stated that the Board had adopted at its September, 2012 meeting the project for replacement and new solar panels as an additional capital project in the 2012/13

Short Range Transit Plan. This was based on Federal Transit Administration allocation of State of Good Repair grant funding (Section 5309) to SunLine for this project (80% of costs - \$1.456 million), matched with state STA funding (20% of costs - \$364,000). However, South Coast Air Quality Management District (SCAQMD) subsequently approved funding to Renova (the contractor) towards the same project (\$314,584) from the \$53 million of AB1318 Sentinel Power Plant Mitigation funding allocated to the Coachella Valley. This means that only \$49,416 of state STA funding will be needed for this project. The project total cost is unchanged – only the local match funding allocation is altered. Male Speaker: I'm starting with a comment by me. Supervisor Benoit stated the following: "I would just like to point out, if you ever have a chance to see any of the other Board members in the South Coast Air Quality Management District, you might want to pass along your thanks that all of the \$53 million was directed to the Coachella Valley, which made many projects including this one possible in the Valley. Only \$13 million of that would have gone to the Coachella Valley – the original statute, the AB1318. It was a Board decision that I could push, but a Board decision." Vice Chair Parks stated: "Thank you, Supervisor." Councilmember Hanson asked the following: "By getting this additional money, does that then allow the Agency to do something else with the previously allocated funds?" Mr. Forgiarini stated: "The match funding becomes available for other projects. It would normally be just held until the budget is prepared for the following fiscal year." Councilmember Hanson asked: "Have you thought about where that money could be spent on another project?" Mr. Forgiarini answered: "There are a number of up and coming leads - other capital projects that probably would go towards. We need to start stock piling money towards our fleet replacement even though it's still three to five years away it is a significant funding burden when it arrives." Councilmember Hutcheson moved for approval. The motion was seconded by Supervisor Benoit and approved by a unanimous vote.

#### **11. Purchase of Replacement Paratransit Vehicles**

Director of Maintenance, Mike Morrow, addressed the Board requesting to grant authorization to the General Manager to approve and award contract for the purchase of 14 CNG paratransit, ADA accessible vehicles for SunLine's SunDial service upon approval as to form and legality by legal counsel. SunLine's paratransit fleet currently consists of 31 El Dorado Aero-tech, Ford Cut-A-Way CNG-powered vehicles. These vehicles have a life of three years. Fourteen of these vehicles have reached this lifespan and have run over 150,000 miles. Continued operation of these older vehicles can lead to more failures in the service with associated high maintenance costs and customer disruption. There is, therefore, a need to replace these 14 vehicles in the first half of 2013. Total estimated cost per vehicle will be \$96,000 plus tax. This procurement will be paid for using the combination of federal and state funds already allocated in grants for SunLine Transit Agency for this purpose. The total project cost, including additional items such as the decals and the radio installation is not to exceed \$1,499,000." Councilmember Hobart asked the following: "How much of that \$1.5 million is our responsibility? Is that our part or is that covered by grants?" Mr. Morrow answered: "That would be all grants." Councilmember Hanson asked

the following: "Question; a couple of questions. This El Dorado Aero-tech Ford, are there any other manufacturers that manufacture this product?" Mr. Morrow answered: "There is - one of the things - we like to stay consistent with the same type of fleet for parts reasons and also our technicians are trained, so we more or less try to stick with the same type of model. It's the Ford chassis, which has proven real well out here in the desert for us. We get a great lifespan out of them." Councilmember Hanson asked: "So, you single source it?" Mr. Morrow answered: "Correct." Mr. Hanson further asked: "And that's customary, single source purchase for this type of vehicle?" Mr. Oglesby answered: "Yes. It depends on what you call customary, but yes. In this situation, as we move forward and with the life expectancy of these vehicles and the speed that we have to move with it, it is okay to do a single source. And as Mike said, it falls in our current fleet and our employees know how to deal with them." Councilmember Hanson further asked: "Are all of these vehicles in this fleet that you have this type of vehicle - Ford?" Mr. Morrow stated: "Yes, in the Dial-A-Ride fleet, correct." Councilmember Hanson stated: "This is a question out of ignorance. Does this Agency pay taxes?" Mr. Oglesby stated: "Yes, sales taxes on the vehicles." Vice Chair Parks stated: "I think the cities pay taxes on their vehicles as well." Councilmember Pettis stated the following: "I understand that that it is single source as it relates to the type of the vehicles. However, are you going after - is there a dealer you deal with or are we able to talk to the Ford dealers here in Coachella Valley to see if they can buy these vehicles through them so that our cities are going to get the benefit of sales tax revenue that's coming - we are not giving it to Pasadena or somewhere else?" Rudy LeFlore, Procurement Consultant, stated: "Typically, with the FTA, they allow you to what they call piggyback or latch on to other agreements, other competitive agreements out there. We attempted to do that and we did not like the terms in the piggyback. So, in essence, we settled on the vans, but the method we changed to sole source because it turned out to be cheaper and less risky to the Agency. So, it's allowed in the FTA rules to do that for supplementing fleet - one of mixed vehicles, and so we did a sole source justification in that regard to make sure. Typically, it's competitive when you don't have other factors in play that would increase the costs for training, inventory and other considerations for managing a fleet". Councilmember Pettis stated: "And I understand that as it relates to this particular type of vehicle. My concern is what dealer we're buying it from." Mr. LeFlore further stated: "El Dorado is the manufacturer of these vehicles and there is only one dealer, reasonable dealer that can work through to get these vehicles from - El Dorado. El Dorado is in Chino. Creative Bus Works is the designated dealer for the region." Councilmember Pettis asked: "Where are they?" Mr. LeFlore answered: "Chino." Councilmember Pettis stated: "And then going forward, it would be helpful to me, and I'm sure for others and supervisors typically, if we can have on the staff reports, list who we're buying these things from. Because there may be some campaign contribution that's used - not in this particular case, but there may be that we would need to be aware of so that we don't vote on it." Councilmember Hanson stated: "But the additional question is that while you single source the Aero-tech - Ford, Aero-tech, you've requested additional funds over that - the total of \$107,071 per vehicle if I calculated that right. So, you've got a lot of equipment between

\$96,000 and \$107,000, and how are you bidding all of that equipment out that you're purchasing for those to fit those vehicles once you've purchased them?" Mr. LeFlore answered: "The vehicle model has standard options that are available from the manufacturer. What we did is - one of the charges is to make sure the price is fair and reasonable. So we did a comparison on market prices to make sure the prices that we pay are fair and reasonable based on the options that are consistent with the fleet in terms of the camera system, wheelchair lifts and things that we specify to be consistent with what we operate at SunLine. So one of our responsibilities is making sure the price is fair and reasonable. We did a price analysis, comparing this price to catalogue pricing and other pricing for the same vehicle in similar marketplaces." Councilmember Hanson asked: "So, you don't competitive bid the additional lifts and things like that?" Mr. LeFlore answered: "Well, the problem with that would be the installation. We would be responsible for installing and would take the risk for it not functioning on the platform. So we like to pass that risk to the manufacturer, or whoever is delivering the vehicles." Councilmember Hobart stated the following: "There's just this one thing - I would like to follow up on Greg's point. If anybody knows of any method to make the point of origin or sale be transferred to a place that we designated, and I don't know if there is, but perhaps somebody has got some information on that and then we could talk about it". Vice Chair Parks stated: "I think that staff is looking at the best cost available based on what they're purchasing and making sure that these purchases are in compliance with what we have, and all the training, and all of the parts and everything can be interchangeable." Councilmember Pettis stated: "I have no problem with that whatsoever. It's just that I think that our vendors within our respective jurisdictions should have an opportunity to bid on that and maybe they did. In some cases they can't. And certainly when you're going to piggyback, - when we buy police cars on a piggyback with the City of Los Angeles, most obviously you're not going to be - a Crown Vic with Palm Springs Motors. But we should at least be trying to get our people some ..." Mr. Oglesby stated: "Yes, it's difficult because there are probably more Cut-A-Way vehicles... Councilmember Hanson: "Just one last point, to his point, because I think if we brushed over that. Why couldn't you not go to the Ford dealer in Palm Spring Motors and purchase those through him?" Councilmember Miller stated: "You can't crisscross over." Mayor Adolph stated: "Yes, because Ford may not be able to it..." Councilmember Miller further stated: "...or go into someone else's territory." Mr. LeFlore stated: "I'd like to address that. We did by support vehicles locally. The FTA has a prohibition on geographic preferences though, for its funds, so we really have to be careful and make sure everyone has an opportunity. So, where we can, if there's local money, that's not a question. But using FTA funds, there's a prohibition on geographic preferences, but we do buy support vehicles locally." Councilmember Pettis moved for approval. The motion was seconded by Councilmember Miller and approved by a unanimous vote.

**12. Award of Contract for Security Perimeter Fencing and Gates for Division 1 and Division 2**

Contracting Officer Technical Representative, Tommy Edwards stated that staff is in the process and went out to bid to replace the security fencing for the



parameter of Division 1 in Thousand Palms and also Division 2 in Indio with Prop 1B Security Improvement funds that was a programed for the work. There were two qualified bidders - Atom Engineering and Alvarez Quality Construction. Mr. Edwards requested that the Board grant authorization to the General Manager to enter into a contract with a qualified bidder Alvarez Quality Construction. This is funded through, 90 percent Prop 1B Transit Security Improvements and 10 percent Federal Transit Administration Funds.” Councilmember Miller stated: “We talked about this at the Finance Committee and Tommy answered, but I still find it unreasonable that we have to - if you look at this and the next item coming up, both of the items are outside of our area. This is a wrought-iron fence with multiple companies – I know they put in the paper, but I'd like to see as much of that money that's raised here in Coachella Valley to be spent here. I can't believe that and the pads that come up later, to get from somewhere else - Anaheim Hills. We have qualified contractors here that can bid on it. Someway we have to get out there and get our word out that there's bids available at SunLine to local contractors so that that the money stays here and continues to work here.” Vice Chair Parks stated: “Let me ask you a question. When you send out your bids, do you send out to pre-designated?” Mr. Edwards answered: “We have some that we do that with and we also, of course, advertise it locally. Also, I might note that during the pre-bid meeting, we had local contractors; we had approximately 12 contractors show up for the per-bid. So, we were rather surprised to see that only three folks bid on this.” Councilmember Miller stated: “That's probably information that should have been brought up at the last meeting - that 12 people actually solicited the information.” Mr. Edwards further stated: “Another issue is a lot of local contractors - for a smaller project, even though this is close to half a million dollars, this is probably is a public works project, prevailing wage and a lot of the small companies do not want to deal with prevailing wage. I'm not saying that is the reason, but it could be.” Mayor Adolph moved for approval. The motion was seconded by Councilmember Hutcheson and approved by a unanimous vote.

**13. Award of Contract for Construction of Bus Shelter Shed Pads**

Director of Transit Planning, Joe Forgiarini, addressed the Board asking to grant authorization to the General Manager to approve award of contract to ND Electrical Construction in Anaheim in the amount of \$65,940.40. It's for the first batch of pads for new shelters. As the Board may be aware, we have 70 new shelters. The shelters should be installed by the end of this financial year. There were three bids received. One of the three parties was not considered experienced in this type of work. The lowest bid came from the ND Electrical Construction.” Vice Chair Parks stated: “Going back to our previous item, and Tommy said that there was a certain number of companies that came in to pre-bid, did you have a pre-bid?” Rick Barone, Procurement Officer, stated the following: “Yes, we did. Off the top of my head, there were approximately seven companies. He didn't believe any were local. He said that a lot of times, it is because of the prevailing wage. He stated that we try to encourage those local contractors to get on as sub-contractors if they can.” Vice Chair Parks stated: “It appears that most of this is the prevailing wage.” Councilmember Miller stated: “And I can't believe - all our cities are doing business – it's prevailing wage

wherever we go. I can't believe the guy that pours concrete can't somewhere in our community have a prevailing wage job in the \$65,000." Mr. Oglesby stated: "I agree and feel your exact same pain. We do as much as we can to get the word out there within our parameters. We can't force them to bid. As a matter of fact, I'm surprised that we're stressing on something like this that it didn't get done locally. But we do push for everything local. I know that the Board has been a big supporter of putting money in the local businesses right down to the banks. We keep putting the word out there; maybe we can try to amp it up a little bit." Councilmember Miller stated: "Maybe we can send it to the local jurisdictions, and put on our websites too. A lot of people check our website on a daily basis. So, the more people we get in there, the more people will bid." Councilmember Miller further stated: "On the bus shelters themselves, you know, with all due respect to the staff – I know they have been working hard, this has been going on two years and I talked to Don - we need to have a better way of getting this out. The route that we did and we're very appreciative of the route 81 – going up the north side of Indio, but it's been in existence a year and even a year in advance and it's probably coming down the pipe, and we still have people in 100 degree heat with no shade or no structure there whatsoever. I think there's got to be a better way in place once we have the funding to be able to move this along quicker. We're not doing any of the work except for putting out a bid, but when you have a bunch of senior citizens, people who are disabled, and they're standing out in these areas with just a sign and a bench in 110-degree heat, I don't think it says well for what we're trying to accomplish and to the people we are trying to serve. So I would like to see some way in the mechanism that we can put shelters in advance, so when we open up the routes that we have the shelters available." Councilmember Hanson asked: "Are these shelters going to be placed on the route that you're talking about (*Councilmember Miller*)?" Mr. Oglesby stated: "They are going to be spread throughout every City; not just this route, but throughout the cities. Councilmember Hanson: "Who will have shelters out of the 14 that we're approving today?" Mr. Forgiarini stated: "There are two sites in the area Glenn is referring to." Vice Chair Parks stated: "Glenn, these are just the pads; there are 70 going in, as I recall." Mr. Oglesby stated: "This is just the money for the 23 pads. There are 70 shelters going in. What Glenn is bringing up is a little bit different but is on the same topic which is, when we get the funding, it's not getting out as quickly as we would like. I think we have actually addressed it at the last meeting when we talked specifically about the funding, getting a hold of the funding and when we can disperse those funds. And I can't remember specifically what was discussed, but Joe Forgiarini did a presentation. And what's been happening is we get the funding and then we go out to bid. Then once we got the bid, we select someone. Then we move forward and what Glenn is saying is that we need to find a way to squeeze that and making it a little quicker." Councilmember Hanson asked: "My question was, out of the 23 pads that are going to be built, maybe you said that pads are going to be put on this route that he's talking about that has been in existence for a year about the shelters." Mr. Forgiarini stated: "These are in the group I believe. I have to check that out." Councilmember Hanson further asked: "But you are not sure?" Mr. Forgiarini stated: "If they are not in this batch, they are in the other batch." Mr. Oglesby stated: "Because there are 23 pads in different locations, we

can figure out which city, but the specific route, we have to look up, which Mr. Forgiarini can do." Councilmember Hanson stated: "But I think it is an important question for him, because he said he has had a bus route for over year without shelters, and you're getting ready to put in 23 pads, and the question is are any of those pads that are going to be constructed on this route that he is concerned about?" Mr. Forgiarini stated: "No. The first batch does not include those. They in the 70 - is what I'm trying to say." Vice Chair Parks stated: "In other words, he has to put his own pad down for those two. Or it may already exist." Mayor Garcia stated: "Not every site requires us to go out to put the pad before we put the shelter and so it may be that the shelter goes up far sooner than these and still need the infrastructures to be put in." Vice Chair Parks stated: "Actually, we're paying for 23 pads and that came out of some kind of a special something - not everybody got a free pad and not every city got a free pad." Mr. Forgiarini stated: "Out of the 70 sites, 20, I believe, is already available to be used. Another subsequent batch of around 27 often require more, you know, a lot of complicated engineering plans which are being arranged at the moment. These 23 were just requiring a very basic plan that staff here could provide a contractor with so we are able to push forward these rather than wait for the other 27. So there are three levels of complexity here." Vice Chair Park stated: "Let's give this staff credit for what they're doing. I think it's remarkable they are getting in as quickly as they are." Councilmember Miller stated: "I give them credit. I have no issue with that. But I am obligated to the residents of my City that ask me where the shelters are." Councilmember Hobart asked: "Regarding the SunLine bus shelter agreements, how many - does this list every bus stop in Rancho Mirage?" Mr. Oglesby asked what document Councilmember was referring to. Councilmember Hobart stated: "It's from a contract, our contract with SunLine." Mr. Forgiarini stated: "There is a list of shelters that the City of Rancho Mirage constructed on their own. And then we as an Agency, was contracted by the City to maintain those." Councilmember Hobart stated: "Would it be possible--I don't want to take your time to discuss it--but would it be possible for somebody to email me the statistics with respect to the number of - the total number of bus stops, how many have a bench, and how many are sheltered. I would just like to get a real feeling for that." Mr. Oglesby stated: "Yes. We have that." Councilmember Pettis moved for approval. The motion was seconded by Mayor Adolph and approved by a unanimous vote.

**14. Amendment to the Public Entity Risk Management Authority (PERMA) Joint Powers Agreement (JPA)**

Director of Human Resources, Donald Bradburn, addressed the Board. He stated that this item recommends that the Board of Directors approve the amendment to the PERMA JPA and requests authorization be given to the General Manager to sign the amendment on behalf of SunLine Transit Agency. Essentially, the PERMA JPA allows for a member agency to provide a treasurer and auditor to oversee the finances of PERMA. However, the person who was fulfilling that role announced his retirement in October and subsequent to that, the PERMA General Manager did solicit member organizations to find a replacement and none has been identified. In order to keep PERMA in compliance with California state law, they're asking to amend the JPA to provide

that an employee or an officer of PERMA fulfill the role of treasurer and auditor, and if such action is approved by SunLine and the required two-thirds vote by all the members of PERMA, a member or an officer or an employee of PERMA was to fulfill that role, they are then required to do an audit by a certified public accountant to ensure fiduciary responsibility. Councilmember Hutcheson moved for approval. The motion was seconded by Councilmember Miller and approved by a unanimous vote.

15. **Amendment to the SunLine Employees Non-Union Restated Retirement System Plan Document**

Director of Human Resources, Donald Bradburn addressed the Board requesting to approve the amendment to SunLine employee's non-union, Restated Retirement System Plan document and authorize the General Manager to sign the amendment on behalf of SunLine Transit Agency. Mr. Bradburn stated that as a point of making sure we stay in compliance of the Brown Act, we provided copies to date of the final amendment. It adds the definition under section 1.28, what a new participant is and defines a new participant as an employee who has been hired on or after January 1, 2013, and has become eligible in accordance with our plan. That's the only change to the document that was posted with the agenda. Other than that, the summary of the changes reduces the benefit formula for SunLine non-union for new employees from two percent at 60 to two percent at 62 in compliance with California Public Employee Pension Reform Act. It also requires forfeiture of the pension allowance upon conviction of a felony and then requires cost sharing at the normal cost of the plan for the employee. Nothing in this would increase the cost of the pension obligation for SunLine Transit; it only seeks to reduce it and is in compliance with CPEPRA. Councilmember Hutcheson moved for approval. The motion was seconded by Councilmember Hobart and approved by a unanimous vote.

16. **Resolution Updating Signatories on Bank Accounts**

Mikel Oglesby addressed the Board requesting approval of a Resolution changing signatories as follows: add the new Director of Finance, Brenda Walker, and remove Chief of Staff, Naomi Nightingale." Mayor Adolph moved for approval. The motion was seconded by Councilmember Hobart and approved by a unanimous vote.

17. **Amendment of SunLine Transit Agency JPA**

Legal Counsel, Jeff Goldfarb, stated the following: "At the last meeting, we discussed a provision of the JPA Agreement that actually provided for something called weighted voting. That simply doesn't work anymore because of the way that transit is provided throughout the Coachella Valley. As a result, the Board directed me to amend or draft an amendment to the JPA. I've done that and I wanted to provide it to the Board prior to sending it out to each of the member city. This is more of just an opportunity to take the peek at it and direct me to then send it out to all individual members." Councilmember Hanson asked the following: "What is the, just as information, the process that we go through to get the JPA approved by each city council?" Mr. Goldfarb stated: "And the County.... My understanding is we will take that and then draft a cover letter and send it to

each city clerk, asking each city clerk to put this on the agenda of the governmental entity of the city or the county, and ask them to have their agency adopt this. They'll come back to us. Once we get the last signature, we then have 60 days to apply to the California Secretary of State - we've made an amendment to the JPA Agreement. We'll then send a copy of that amendment to the JPA agreement to the agencies." Councilmember Hobart asked the following: "It requires a 100 percent vote, doesn't it?" Mr. Goldfarb answered: "Yes". Councilmember Hobart moved for approval. The motion was seconded by Mayor Adolph and approved by a unanimous vote.

**18. Resolution- Board Members Discuss Certain Closed Session Items with City Council & City Attorneys**

Legal Counsel, Jeff Goldfarb addressed the Board and stated the following: "I provided a memo to the Board about the following. Two meetings ago, I believe, the Board adopted a Resolution that authorizes any of the member agencies to hold a closed session on certain items as authorized by the California Brown Act. After the Board adopted that, we were looking at some policies and we realized that the Board actually had adopted a similar, but not the same, Resolution many years earlier. As a matter of law, a subsequent adoption of a Resolution on the same subject replaces the prior Resolution. And so as a result, the law, as it relates to SunLine, is that the Resolution that you recently adopted is the Resolution that authorizes member agencies to hold closed sessions on closed session items that the Board held for purposes of providing information to each member agency. The question that came back essentially is this, because we never knew about that prior Resolution that was adopted by the Board and the Board wasn't apprised of that prior Resolution, does the Board and is the Board comfortable with the Resolution as it was adopted two meetings ago or would the Board rather amend that Resolution another time, to include some of the things that were in the old Resolution. I have some very strong feelings about what I think the Board should do and included that in my memo. It is my recommendation that the Board simply leave the Resolution as it was adopted two meetings ago the way it is because I think that is the most consistent with Brown Act. I think the old Resolution that was adopted by the Board had a number of items in there that, if they weren't directly a violation of the Brown Act, they sure seem to come closer to being violations to the Brown Act and were enforceable in any event. And so, it's my suggestion that we leave the Resolution the way it is. But I am more than happy to answer the questions you might have on the memo, the action and any of the ramifications from what was in the old Resolution. And I'm using the term old Resolution and new Resolution." Councilmember Hobart stated: "My comment, since I was the one asked that we pass that Resolution, I've compared the two, and in my mind, the one we passed was the one that should maintain as the operative one. The other one has questionable legality, to begin with. But as influences - that it that would make it much more difficult for a member agency to want to look at some issues that any Board member here has a right to take to your council - under the way it was written. So I would say we just leave it as General Counsel suggests; leave it as it is and not have these other things such as having to have our General Counsel come to our agency closed session. What happens if the agency says, 'We don't

want the General Counsel to come.' We want to decide this on our own. That would nullify whatever the local agency wanted to do." Mayor Adolph stated: "More than likely, the new Resolution would bring us up to date, as you said, with the Brown Act. Was there anything in the old Resolution that was covered that was not covered in the new Resolution?" Mr. Goldfarb stated: "There is one thing that was not covered in the new Resolution because it is expressly stated in the Brown Act itself. So I didn't think there was a need to simply copy that." Mayor Adolph stated: "I just want to make sure that we weren't missing something from the old Resolution that should be in the new Resolution." Councilmember Hanson stated: "You said that there were a list of items that--there's only certain items that you can take back to your jurisdiction. What are the items that you cannot take back - if you have a list of those. Or is it vague or--who then determines what you can and can't take back." Mr. Goldfarb stated: "It is vague. It is determined by local agency counsel. What I mean by local agency counsel - if you want to hold a closed session, it would be determined by your city attorney as to whether you can hold a closed session about the items discussed in our closed session." Councilmember Hanson stated: "Whatever the item is regardless, you would take it back to your general counsel, tell him what the item is and then ask him whether or not you could have a closed session concerning that item." Mr. Goldfarb stated: "Exactly." Councilmember Hobart stated: "One additional point that I think we should get cleared. It doesn't qualify to be taken back unless your local attorney determines that the matter that we're discussing does involve a direct financial or liability implication for the local agency. Am I right?" Mr. Goldfarb answered: "Correct." Councilmember Hobart stated: "That's a requirement, sort of a standard. You can't take everything back. You can only take back something that your lawyer says, 'This could pose a direct financial or liability implication on the city.'" Mr. Goldfarb stated: "For example, let's say SunLine is sued, not only as SunLine Transit Agency, but each member agency is sued along with that." Supervisor Benoit stated: "I would just like to reiterate when we adopted that, that language is very broad. It was the legislative intent to do so. Just about everything we talk about has some potential financial impact." Supervisor Benoit moved to retain the new Resolution and direct the Clerk of the Board to replace the old Resolution with the new Resolution in the SunLine Transit Agency Policy Manual – Policy # 030805. The motion was seconded by Councilmember Hobart and approved by a unanimous vote.

#### **19. Litigation Policy**

Mikel Oglesby addressed the Board. He stated the following: "SunLine Transit Agency is managing a number of lawsuits. If not managed properly, lawsuits can have an avoidable, adverse impact on SunLine's operating budget and staffing resources. A Government Code 935.4 provides that employees can be delegated to settle claims under \$50,000. This has been verbally dedicated to me in the past. Staff believes its delegation should be in writing. The Code also allows establishment of claims Board (three Board members) if the full Board will not settle the claims. Staff believes if this is the case, that delegation should be in writing also. When a claim is filed, it is filed in the name of the Board. It should be clear who has primary responsibility for managing of this process. SunLine's defense costs have been skyrocketing lately, so I actually had a discussion with

Legal Counsel on this and he has some suggestions to potentially clean this up. I just wanted to bring that out because there are various--the time that it was delegated to myself - it was probably around 2008. We used to have Personnel Loss Review Committee and the then Chair and everybody there asked 'Why are we doing this? You should handle this, especially if its \$150,000.' I said, fine, and I just moved on. But that's not in writing any place. So I don't want that to come out later so I decided to put this on the agenda and you decide which way you would like to go with it." Mr. Goldfarb stated: "I don't have too much to say other than the Board has some level of discretion as to how they want to handle it. In my experience with my cities is that we take all litigation back to the city for purposes of deciding whether the city desires to settle or not settle, continue litigation, file an appeal, or what have you. But again, if the Board wants to delegate to the General Manager authority up to a certain dollar amount of settlement, that's fine. I don't know what our litigation history is in here. So I don't know how often we get small things. I know that our insurance carrier appoints council for a number of elements of litigation that really do not make it to my desk." Mr. Oglesby further stated: "And just to give you an idea, in 2008, two claims settled, one was \$12,500 and one was \$14,600. In 2009, there was a \$26,000 one, and then in 2010 there was a \$40,000 one that was claimed underneath it. It's very low. We don't have a lot of claims for a transit agency. In addition, if anyone had any questions about the PERMA claims and how it takes place, I actually have an individual here who can answer any questions you have." Councilmember Hobart stated: "I saw this issue on the agenda. I prepared another memorandum if I could pass them out. This doesn't contain a delegation of authority and maybe the Board wants that in here. What I tried to set forth in this is my belief that the Board of Directors has to maintain control of all litigation. Not that they have to be involved a whole lot and part of this is that I've heard that, I think I heard you just say that you have a Litigation Committee?" Mr. Oglesby stated: "No, we don't. Those are the options underneath the code. Right now, we don't have one. We delegate to me, especially on the smaller one and that's because very simply if PERMA calls me and says look, this will cost X amount of money, but if you do it now, it will cost \$5,000, I have the ability to get rid of those." Councilmember Hobart stated the following: "Well, I thought we should have a litigation committee and I think three members is about as big as it should be, again appointed by the Board of Directors. This document that I put together essentially requires the Board to be kept in the loop on all litigation matters. It states that no settlement, no offer of settlement made by the Board and no offer of settlement made by the adverse party can be accepted by anybody but the Board, and essentially that's what it is. It just--it puts together the General Manager's role and puts together the Board's role as a committee and puts together the Board's role as a final determinator what we're going to do. If somebody said we should have a policy that if anything could be settled for less than \$5,000 or \$10,000 should be determined by the General Manager - that sounds good. Except sometimes there are policy issues even at that level. Depends on what the law suit is - whether you want to set a precedent or settling for nuisance value or not. We settled for \$10,000, if you'll all remember. We settled for \$10,000 in one of our two cases with the American Cab. We authorized that we make a settlement offer of \$10,000. We controlled it and it

didn't take a whole lot of extra time, I didn't think. But it does keep us where I think the public wants us to be, and that's where a Board of Directors makes policy for certain issues in significance and I submit and I make a motion that we accept this litigation committee and policy. But it seems to me that we have to have a policy and our policies, by the way - I have been here now about two years, and we've talked about, I just think that it's important that the Board be what I think is our responsibility and we take a little extra time, probably not a whole lot because we don't get many lawsuits to begin with. What we do have, sometimes the really important precedent setting matters". Mr. Oglesby stated that under PERMA, we have to pay up to \$125,000 and then PERMA kicks in." Councilmember Hobart asked: "Does PERMA have a settlement authority?" Mr. Oglesby stated: "No. PERMA doesn't have the settlement authority." Councilmember Pettis stated: "I know that in Cathedral City, several times over the course of the year, the city attorney's office will give to us a list of all claims providing a status. We at least see that. Does that same report come to this Board so that they see those kinds of things?" Mr. Oglesby stated: "At one point, that's why the Personnel Loss Review Committee was actually developed prior to my coming here - to bring those every month. Every month the claims were brought to that group. I think it was just brought to that group. There were reasons, but I can't remember why. Some information that was on the report wasn't to get out - or something like that. I'd say in 2008 - I remember Steve Pougnet was the chairman at that time - was when it stopped. I kept bringing the report every month and going over with the Personnel Loss Review Committee and they had indicated that I stop. I can't remember the reason why, but unless it's over a certain amount or it's going to be a problem in the press or it's going to be a large number, don't bring it to the Personnel Loss Review Committee. So what I've been doing is handling them up to \$50,000, and if we had anything that was pressing, let's say, at one point, I remember one was \$125,000, we call the Personnel Loss Review Committee and then go over those. So that was really the direction. That's why I brought this up, if you want to do that." Vice Chair Parks asked: "Are any current members of this Board on that Personnel Loss Review Committee?" Mr. Oglesby stated: "It still exists. We just have not had to hold a meeting because we haven't had any big hits." Councilmember Hanson stated: "I was just going to tell you how we do it down in Indian Wells. Every claim that comes to the City is reviewed by the full City Council in Closed Session. It doesn't matter what the claim amount is. We review every claim. It doesn't take very long. That's the only way I know. I think, personally, our fiduciary requirements require us to know about every claim that is made against this Agency. I'm not sure how we get that information, but as Councilmember Pettis suggested, we should know. We should know what kinds of claims are being made against this Agency." Councilmember Huteson stated: "Madam Chair, in my city, we also know about every litigation in closed session and I think as a Board, we should also know about it here as well. Maybe there is automatic authority for the General Manager up to some reasonable number whether it is \$25,000 or something like that and then we simply get a report in closed session - a couple of minutes saying this happened, and for anything above that number, whatever that number might be, then we still have a closed session. But I think it's appropriate to have the Board know about it." Councilmember Miller stated:



"My only concern with that is, and I do agree with Councilmember Hutcheson on that, it's not only about money. Sometimes it is perception. It could be a \$5,000 claim, but it could have a bad influence on how people perceive how we are looked at." Mr. Goldfarb stated: "You really make a really good point and, in fact, there's a piece of litigation we're involved in right now which has zero to do with money." Councilmember Miller stated: "So, it could have a negative effect on the Agency, the way we look, the way we operate, and this is not always money." Mr. Goldfarb stated: "Can I just comment about what was just handed out? My only comment that I have goes to item number 7 on the list. There may be situations when given the fact that time is not practical for a rejection or settlement offer, we may have to respond to a settlement offer quicker than we will be able to come back to the Board of Directors for the final decision to reject that settlement offer. So I wonder if we could redraft to simply say if time requires and the action would be for a rejection of a settlement offer..." Councilmember Hobart stated: "Let me tell you why I don't think that's a good idea. First off, I've handled thousands of litigations and hundreds against municipal agencies and other agencies. Occasionally, maybe five times over 40 years, somebody says, 'We will give you an hour to accept this settlement contract' or at a settlement conference, you can have a mandatory settlement conference, you can have a mediation where both sides are represented - somebody might say, 'Well, if you don't settle it by the end of this mediation, after this mediation, then there's no deal.' The way you resolve that in my view is one, when you go to mediation, if you have a monetary situation, you go with certain authority or you have somebody delegated by the Board to go with you who was given complete authority of the Board to make those distinguishes. Secondly, I've heard the threat many times, but I've never seen it where, and for example, I made demands - say I am suing the City of Anaheim, if I made a demand to the defense lawyer and I say, 'You got to accept it today or there's no deal.' He would say, 'I'm sorry, I'm dealing with a public agency, I can't do that,' and so what am I going to do? If I want to settle the case, I'm going to give him more time. I would to say that the chances of that being a realistic thing is not high and it puts the General Manager and the lawyer with very difficult decisions to say, 'We had to do it because there wasn't time.' And somebody on the Board says, - Wait a second. I've heard the story about not enough time and all of a sudden, now we're challenging two people for making a determination that is one that can go in any direction. So until we saw some real history of some problem, I would think that we would prefer to leave it this way because even Section 7 'proposed response shall be discussed and tentatively formulated at a meeting with legal counsel. Once the response is formulated and placed in draft form, the matter will be submitted to the Board for a final decision on the response as quickly as Legal Counsel seems essential.' We can call a special meeting of the Board in 24 hours." Vice Chair Parks stated the following: "I have something I have to say. Even as Chair, I'm going to jump in and say it. We have on the books this Personnel Loss Review Committee where Rancho Mirage is a member and two other cities. There are three cities that are on this committee. It was already established." The Clerk of the Board stated that the list of committees is in the agenda packet, page 93. Mr. Oglesby stated "The Committee is made up of Councilmember Rick Hutcheson, Councilmember Dana Hobart, Mayor Don

Adolph and Councilmember Glenn Miller and Chairman of the Committee is Mayor Eduardo Garcia. This was put together at the very beginning when all the Committees were put together by the current chair, who is not here today, and was sent out to everybody. If anyone had any issue, they were to get back to Mr. Spiegel." Vice Chair Parks stated: "My only point is why reinvent the wheel. We've got the committee. This committee can take a look." Councilmember Hobart stated: "I can say that - I don't think I was every notified, but I should have noticed that I am on this committee. I actually guarantee you--I'll bet anybody here that is allowed in our jurisdiction that we do not have any document even close to this connected with that committee. No committee - no committee of this Board has ever been legally created. That's a pretty broad statement to say, but it's never happened. And I know that the committee doesn't have - because I can't find anything. No committee has--except maybe one or two exceptions - a designation of the rules and responsibilities and how you deal with things. This is intended to start us off on a process that we should have started a long time ago, but we didn't and now here we are, and I can assure you, that committee that we got does not meet anything near the requirements..." Supervisor Benoit stated: "I concur that we need the bylaws that we discussed earlier. We need within that framework, probably a policy that describes for this particular committee, but I submit that this may be too broad a discussion to have at the full Board. It's time to ask that we put together a group that is going to review this and come back with the final..." Councilmember Miller stated: "This is a discussion item." Vice Chair Parks stated: "Yes. I'll just refer it to the committee and let that committee meet. We can refer this to that committee that we still have - Eduardo Garcia as the Chair, Dana and who else?" Councilmember Hanson stated: "Are you suggesting that we refer this to the Personnel Loss Review Committee? Well you would have to work with General Counsel, would you not? ...In order to come up with a revised policy and procedure document. That's what you're looking at, right? That you would then bring back to the full Board. Is that a part of being suggested here?" Supervisor Benoit stated: "And I also suggest that it might be folded into the bylaws discussion because..." Councilmember Hobart stated: "What we should have is bylaws and we should have another book somewhere that we can all see that says Board Policies. Board Policies are kept somewhere where we all know where they are and we all know what they are." Councilmember Hanson stated: "And that every new member that comes on the Board will have an opportunity to read and understand what the policies and procedure are." Mr. Goldfarb stated: "There is a set of Board policies. They are..." Mr. Oglesby stated: "Being reviewed by both of us. Our goal is to take those Board Policies, review them all and bring them back to the Board because I want to make sure that every--like you just said, everybody is not only aware of every single policy, but then there's access to them digitally. We are trying to get there." Supervisor Benoit stated: "And this policy should be in there." Councilmember Hanson asked: "But is that different than this Resolution number 0001?" Mr. Goldfarb stated: "Actually, that is the first policy - I think that is the first Policy in that book." Councilmember Hanson asked: "So are you suggesting that the General Manager and you (*Legal Counsel*) set the policies for this Board?" Mr. Goldfarb answered: "No, no." Councilmember Hanson stated: "Shouldn't there be a group of this Board that

would set the policies and procedures?" Mr. Oglesby stated: "We are looking at the existing policies and bringing them back to refresh them. Some of them are dated, outdated. Some of them actually aren't even policies." Councilmember Hanson stated: "What you (*Mr. Oglesby*) just said and what he (*Legal Counsel*) just said is totally different. He said he's creating new policies, revising the old policies and then bring back to the Board." Mr. Goldfarb stated: "What I think has happened is there has been this long-term patchwork of different documents that have been adopted by the Board that has somehow wound up in this Policy Manuel and some of them are probably good and some of them are probably not so good and some of them are probably outdated and some of them are probably just illegal. And so it's just time to go through them, and to understand what we got and come back to the Board and say, 'This is what we have. This is what we think is outdated, this clearly does not work and this is what perhaps we think you should do to make all this...' Supervisor Benoit stated: "And I agree 100 percent - this needs to be done. And what I'm suggesting is that these all are related, and since that's a process, it shouldn't be just the two of you. We probably have a couple of Board members and formal bylaws, and policy review committee. Mr. Oglesby stated: "I have a suggestion, and I can provide some clarification too just to let you know how we got there. This came up quite some time ago with the previous attorney that we had. She looked at all of the policies and came back with a revised book that lists some suggestions as to pieces that are missing, so on and so forth. I never brought this to the Board because, at that time, she was on her way out and she's gone, so I had this book and I didn't know what to do. So what I did when Mr. Goldfarb came on board, I gave him a present... 'Here's what the previous attorney basically did, take a look at it and let me know.' He looked at it, gave it back to me and said, "You look at it now." And that's where it stands. So that's how we got to this point. But at one point, the previous attorney went through it. That's why I thought we would do the same process based on what the Board wanted before. No problem changing it. I just wanted to give a little clarity as to how this has come up." Supervisor Benoit stated: "I suggest that we motion that we create a subcommittee of this Board to work with the General Manager and Legal Counsel to do the bylaws and policies. It would be for the Chair to suggest and the Board to agree who would serve on it." Councilmember Hobart stated: "Why not just use the committee we have?" Mayor Garcia stated: "I will second the motion if you agree to use the Personnel Loss Review Committee - there's five members - Councilmember Rick Hutcheson, Councilmember Dana Hobart, Mayor Don Adolph, Councilmember Glenn Miller and myself (*Mayor Eduardo Garcia*)." Supervisor Benoit stated: "If those members are willing to serve, I would make that part of the motion." Mayor Garcia further stated: "At the same time, because I think we're taking up the litigation policy item first, mention that there's a need for a bylaw. Perhaps a group - these individuals - we can also take the lead on the bylaws with our group." Supervisor Benoit stated: "My motion is to create a policy/bylaw subcommittee, and if you want to extend that to include these members as the members of that committee, I'm fine with that." Vice Chair Parks stated: "And the thing is that I think existing standing committees stay until such time as we are going to be hearing bylaws...the bylaws are going to be determine how these committees are formed, and so without going without the committees, we can

just continue those committees as assigned even though they may not be legal." Councilmember Hobart stated: "And they are not, and I totally disagree with that approach. I mean." Vice Chair Park asked Councilmember Hobart: "What do you want to do? Just disband all committees at this point?" Councilmember Hobart stated: "No, I want to disband the so-called executive committee until it has, which I have one (documents) ready for it. Give it specific duties." Vice Chair Parks stated: "I think that bylaws is the first thing you do." Councilmember Hobart stated: "And then you don't have the executive committee that could do like the last one did." Vice Chair Parks stated: "I think this whole thing is getting back to that executive committee." Councilmember Hobart stated: "No, I didn't put this matter on the agenda; Mr. Oglesby put all of them, including the executive committee on the agenda." Mr. Goldfarb stated: "I will say something as well that I have been concerned about because we have committees that I'm quite sure they could work and they're necessary, and we should have committees. But they should be committees that are created according to the Joint Powers Agreement – the way it says we need to do it. And however you guys want to handle that is up to you, but an action should be taken at some point on all of the committees." Councilmember Hanson stated: "Supervisor Benoit fully dealt with two committees, and if this committee is going to deal with any committee, it should deal with all the six committees and it should write the policies and procedures for all of six committees." Vice Chair Parks asked: "Okay. What's going to happen to the taxi Committee? What's going to happen to the Finance Committee? Are you going to just completely dissolve them so we have no meetings?" Councilmember Hanson stated: "No, no. I didn't go that far. What I'm saying is that not today, as I understand it. Well, first of all, today we don't have a legal committee, number one. The attorney just said that; we don't have a legal committee. Secondly, what I said was, if you're going to legally establish these committees, then each committee needs to have policies and procedures in which they know how to function and what their charge and responsibility is. And if the bylaw is going to be created for the overall Board and how it's regulated, that too needs to be looked at by this Personnel Loss Review Committee, if that's the committee that's going to deal with each of these committees, and their policies and procedures. You just wouldn't want to do one or two; you're going to do all six." Supervisor Benoit stated: "My motion anticipated that this committee would start with bylaws and then within the bylaws, define the committees we need and what authority they have." Vice Chair Parks asked: "So next month, do we have a Taxi Committee meeting and a Finance Committee meeting?" Councilmember Hobart: "We can continue because there's nobody trying to stop it. So we can continue to proceed as if we have, except that I do want to deal with the executive committee. And since we're talking about all these committees at the same time, I want to go through all of these with – we are solving this for now. This is the charge the way I wrote it, for the executive committee". Mr. Goldfarb stated: "Before you go on, could I make a quick suggestion and the reason is this. It seems that we're still on item number 19. But what we moving very quickly item number 20. Can we call Item number 20 as well?" Vice Chair stated: "Yes." Clerk of the Board, Carolyn Rude stated: "I just want to make it noted for the record that all of our agendas and minutes from 1977 to 2001 are in binders. There may have been times during meetings where these committees

were created just like we are doing now, but I haven't been able to go through all of those binders to see. So it hasn't really been established that these committees were not created during a past Board meeting, during that timeframe." Councilmember Hobart stated: "Am I correct that based on e-mail communication, as far as you know, the idea of an executive committee or an advisory committee was started sort of ad hoc by Dick Kelly - that was back in 2003. And then in 2006, the then Chairman of the Board, Mike Wilson called it the Chairman's advisory or executive committee and there's no other history." Ms. Rude stated: "That's all I have now." Councilmember Hobart further stated: "So we are pretty sure they created them orally so we are pretty sure that one doesn't exist." Ms. Rude stated: "Yes, as far as I know." Councilmember Hobart stated: "Just on this point, I have no objection to the executive committee continuing while we go through this process. If we limit their duties, pretty much as I had scrolled down here - let me just read it to you. I'll pass this out to everybody who wants it. The primary justification for the Committee to exist is to provide the General Manager, the Chair and the Board of Directors with the ability to respond quickly to exigent matters or circumstances which, in the best interests of STA and/or SSG, should be dealt with promptly and which are not of such significance as to justify calling a meeting of the Board of Directors. Subject matter which does not meet these criteria shall not be the subject of a meeting of the Executive Committee. If we can live with something like that which means it takes care of urgent problems, fine. But to extend the power to call a disciplinary hearing on a Board member without telling the Board member, no way would I agree with that." Councilmember Pettis stated: "Madam Chair, just from a procedural standpoint. We had a motion and second, to accept Mr. Hobart's original motion. So either we need to pull that off the floor, or Mr. Benoit's needs to be a substitute motion." Supervisor Benoit stated: "I would move as a substitute motion, that we create a Bylaws and Policies and Procedures Subcommittee to review the suggestions made today on all topics related to the bylaws and committee assignments and report back to this Board with a recommendation for bylaws and policies and procedures to be adopted by the Board; committee includes the same members as previously discussed." Councilmember Miller asked Mr. Goldfarb the following: "Considering this is a discussion item, can we move this forward and make a motion since it is listed as a discussion item?" Mr. Goldfarb stated: "Yes, you can create a committee. I think that the notice went out and if anybody was interested, they would be here to talk about it." Councilmember Miller stated: "I just won't be talking about two months from now." Vice Chair Parks stated: "We have a motion and we have a second to establish the committee, to do the bylaws and the policies and procedures; that committee consisting of the same members that were previously put on the Personnel Loss Review Committee." Councilmember Hanson stated: "The thing you didn't say, Madam Chair, is that the policies and procedures for each of the listed committees." Supervisor Benoit stated: "Review all those committees and bring back a proposed policy, establishing which committees we need. And the only thing I would add is to move quickly." Vice Chair Parks stated: "So, Chairman Garcia, establish your committee and meet." Councilmember Hobart stated: "Wait a second. The Chair can call a meeting or any two members can call a meeting so that we make sure this gets expedited. If

he goes on a sabbatical, we need to move forward. So does that work for you (Mayor Garcia)? Mayor Garcia stated: "Yes. The motion was made by Supervisor Benoit, seconded by Mayor Garcia and approved by a unanimous vote.

Councilmember Hanson asked: "As it relates to these committees and committees assignments, am I to assume that that I would fulfill Mr. Powers' committee assignments until they are restructured?" Vice Chair Parks stated: "That is the way it has been in the past." Ms. Rude stated: "Actually in the past what has happened is, as new Board members came on Board, the committees- as long as there was a quorum with each committee, that committee assignment wouldn't be reassigned until July when a new chairman would then assign new members onto committees to give the new Board member an opportunity to learn about SunLine." Councilmember Hobart stated the following: "I move that Councilmember Doug Hanson fill the vacancy on the Finance Committee (and the Executive Committee) replacing Mr. Powers and that Councilmember Greg Pettis fill the vacancy fill the vacancy of Mr. Bud England on the Taxi Committee (and the Marketing Committee). The motion was seconded by Supervisor Benoit and passed by a unanimous vote."

**20. Appointment of Advisory Committees**

Items discussed during Item # 19 discussion.

**21. General Manager's Report**

Mr. Oglesby stated the following: "Mr. Chairman, Members of the Board: First, let me wish all of you Happy New Year! We have many events coming up quickly as we begin the New Year. Next month we will be hosting the American Public Transportation Association's annual Transit CEO's Seminar. Executive leaders of transit agencies across the county will gather in Palm Springs to discuss emerging trends and best practice on public transit policy. We wanted to take advantage of the fact that APTA's President and CEO, Michael Melaniphy, will be in town, so we have scheduled our "State of Public Transit" Luncheon immediately following the seminar. Mr. Melaniphy has agreed to stay in town and serve as keynote speaker at this years' Luncheon. I believe you have all been notified of the event, which takes place Wednesday, February 13<sup>th</sup> at 11:30am, at the Rancho Las Palmas Resort in Rancho Mirage. I understand that there is a RCTC Executive Committee meeting taking place that morning, but hopefully the meeting will be short and those of you on the Committee can attend our event. February is going to be a busy month! We are finally moving forward with the ground breaking of the new Admin. Building! The event will take place Tuesday, February 26<sup>th</sup> at 10:00am. We hope that all of you can attend. Staff is looking forward to the reality of getting out of the "temporary" trailers, into a "real" building! I am now pleased to introduce our new Director of Finance, Brenda Walker. Brenda is no stranger to transit. She has 25 years of experience in transit operations, budget and finance, and capital programs in the public and private sectors. We look forward to utilizing Brenda's experience in our Finance Dept. and throughout the Agency."

**+22. Next Meeting Date**

February 27, 2013  
12 o'clock Noon – Kelly Board Room  
32-505 Harry Oliver Trail  
Thousand Palms, CA 92276

At 2:10pm Vice Chair Parks announced that the Board would go into closed session.

**23. Closed Session**

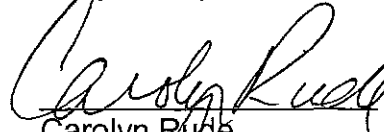
Closed session conference with Legal Counsel—existing litigation (Gov. Code Sec. 54956.9) *United States of America ex.rel S.I.T.O INC. V. SunLine Transit Agency, Airport Taxi.* (ED CV 12-01084 VAP(OPX))

At 2:15pm Vice Chair Parks announced that the Board would move back into open session. There was nothing to report out of closed session.

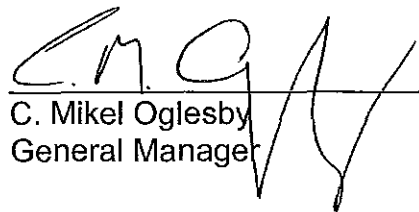
**24. Adjourn**

Vice Chairman Parks adjourned the meeting at 2:15p.m.

Respectfully Submitted,

  
Carolyn Rude  
Clerk of the Board

Approved By:

  
C. Mikel Oglesby  
General Manager

Date: 2/19/13

SunLine Transit Agency  
Checks \$1,000 and Over  
For the month - January 2013

Vendor Name	Item Description	Check No.	Date	Amount
<b>Section I - Check payments issued against the Operating Fund</b>				
HEALTH NET	Group Health Ins Prem	656721	1/24/2013	\$241,861.58
HEALTH NET	Group Health Ins Prem	656584	1/7/2013	\$203,746.49
U.S. BANK INSTITUTIONAL TRUST-	Pension Deposits	656825	1/31/2013	\$89,833.08
U.S. BANK INSTITUTIONAL TRUST-	Pension Deposits	656769	1/24/2013	\$89,131.04
U.S. BANK INSTITUTIONAL TRUST-	Pension Deposits	656612	1/7/2013	\$88,123.28
SO CAL GAS CO.	Sun Fuels Inventory	656816	1/31/2013	\$83,345.08
PERMA - Insurance	Gen Lib/WC	656672	1/11/2013	\$76,918.26
ST. BOARD OF EQUALIZATION	Fuel Taxes #58-100972	656818	1/31/2013	\$33,381.00
THOMAS P HOCK & ASSOCIATES	Labor Negotiations - 4 Invoices	656678	1/11/2013	\$17,500.00
IMPERIAL IRRIGATION DIST	Utilities	656655	1/11/2013	\$16,341.72
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	656718	1/24/2013	\$16,207.01
PRUDENTIAL GROUP INSURANCE	Employee Benefits	656807	1/31/2013	\$14,628.86
ST. BOARD OF EQUALIZATION	Fuel Taxes #58-400124	656817	1/31/2013	\$14,416.00
ADVANCED WEB OFFSET, INC.	Printing Rider's Guide	656617	1/11/2013	\$11,470.00
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656574	1/7/2013	\$10,732.13
CALIFORNIA TRANSIT ASSOCIATION	Membership for 2013	656628	1/11/2013	\$10,181.00
METLIFE SBC	Dental Insurance	656662	1/11/2013	\$6,670.05
OFFICE TEAM	Temporary Services	656747	1/24/2013	\$6,113.91
NYHART COMPANY	Pension Consultant	656743	1/24/2013	\$5,619.01
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	656651	1/11/2013	\$5,250.00
G & K SERVICES	Uniform service	656716	1/24/2013	\$5,231.21
HOME DEPOT CARD SRVS	Facility Maintenance	656591	1/7/2013	\$5,004.90
MOORE MAINTENANCE & JANITORIAL	Janitorial Services	656665	1/11/2013	\$4,678.00
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656638	1/11/2013	\$4,321.49
STRICKLAND KENNY INC.	Lubricants & Oils	656761	1/24/2013	\$3,969.75
WOODRUFF, SPRADLIN & SMART,	Legal Services	656684	1/11/2013	\$3,805.50
NYHART COMPANY	Pension Consultant	656598	1/7/2013	\$3,299.89
NEW FLYER	Bus Parts	656597	1/7/2013	\$3,148.51
CAL-TEST, INC.	D&A Onsite Testing	656698	1/24/2013	\$2,722.40
NEW FLYER	Bus Parts	656741	1/24/2013	\$2,708.33
A.C. PROPANE CO.	Propane Service	656689	1/24/2013	\$2,649.22
WESTGATE CENTER FOR	Staff Development	656827	1/31/2013	\$2,590.00
BRENDA WALKER	Employee Reimbursement	656695	1/24/2013	\$2,500.00
ALLIED BARTON SECURITY SERVICES	Security Services	656619	1/11/2013	\$2,484.72
KIMCO STAFFING SERVICES, INC.	Temporary Services	656731	1/24/2013	\$2,450.00
BROADLUX, INC.	Repair Parts CNG	656624	1/11/2013	\$2,312.72
EYE MED	Employee Benefits	656795	1/31/2013	\$2,278.64
VERIZON WIRELESS	Wireless Cell Service	656774	1/24/2013	\$2,195.19
MAGELLAN BEHAVIORAL HEALTH	Employee Assistance Program	656736	1/24/2013	\$2,170.74
BURRTEC WASTE & RECYCLING	Facility Trash Removal	656696	1/24/2013	\$2,081.78
TOTAL FUNDS BY HASLER	Postage Supplies	656766	1/24/2013	\$2,057.11
IVANNA SAMOKISH	Education Reimbursement	656656	1/11/2013	\$2,000.00
JOSEPH FRIEND	Education Reimbursement	656803	1/31/2013	\$2,000.00
DESERT AIR CONDITIONING, INC.	A/C Contracted Services	656640	1/11/2013	\$1,896.00
FLEET-NET CORPORATION	Software & Licenses	656647	1/11/2013	\$1,770.00
FRANKLIN TRUCK PARTS, INC	Bus Repair Parts	656714	1/24/2013	\$1,744.62
OFFICE TEAM	Temporary Services	656670	1/11/2013	\$1,707.68
RESORT MARKETING	Public Relations Mgmt	656603	1/7/2013	\$1,690.00
VERIZON	Communications	656773	1/24/2013	\$1,558.10
HOME DEPOT CARD SRVS	Facility Maintenance	656728	1/24/2013	\$1,539.10
RAPID LEARNING INSTITUTE	Subscription for 2013	656601	1/7/2013	\$1,499.00
TELEPHONE DOCTOR, INC.	Staff Development - Customer Svc	656823	1/31/2013	\$1,490.00



**SunLine Transit Agency  
Checks \$1,000 and Over  
For the month - January 2013**

Vendor Name	Item Description	Check No.	Date	Amount
CARQUEST OF THE DESERT	Repair Parts	656701	1/24/2013	\$1,454.86
HAYWARD TILTON & ROLAPP	Auto Physical Damage	656720	1/24/2013	\$1,408.33
BROADLUX, INC.	Gas Card Readers	656783	1/31/2013	\$1,397.59
SWRCB ACCOUNTING OFFICE	Annual Storm Water Fee	656822	1/31/2013	\$1,359.00
VALLEY OFFICE EQUIPMENT, INC.	Fax/Copier Supplies	656772	1/24/2013	\$1,314.88
OPW FUELING COMPONENTS	CNG/Hydrogen Station Parts	656671	1/11/2013	\$1,277.22
DESERT SUN PUBLISHING CO., THE	Public Notice	656706	1/24/2013	\$1,267.70
ALLIED BARTON SECURITY SERVICES	Security Services	656691	1/24/2013	\$1,242.32
ST. BOARD OF EQUALIZATION	Use Tax 99-246185	656820	1/31/2013	\$1,206.00
TECH DEPOT	Computer Supplies	656764	1/24/2013	\$1,182.46
GRAINGER	Facility Maintenance	656652	1/11/2013	\$1,138.08
OFFICE DEPOT	Office Supplies	656745	1/24/2013	\$1,102.61
ELLSWORTH TRUCK & AUTO	Repair Parts	656708	1/24/2013	\$1,101.21
RANCHO LAS PALMAS RESORT	State of Public Luncheon (Dep)	656754	1/24/2013	\$1,050.00
CIRCOR INSTRUMENTATION	Fittings	656633	1/11/2013	\$1,022.58
CALIFORNIA TRANSIT ASSOCIATION	Annual Conference	656785	1/31/2013	\$1,000.00
	<b>Subtotal</b>			<b>\$1,144,548.94</b>

**Section II - Check payments subject to the provisions of Grants, Contracts, Capital Projects or "Pass-through"**

PERMA - Insurance	LAWCX (Workers Comp)	656749	1/24/2013	\$123,870.76
TURBO IMAGES INC.	Bus Decals/Logos	656687	1/22/2013	\$95,724.70
SOFTCHOICE CORP.	Software - Microsoft	656688	1/22/2013	\$39,552.33
ARCADIS U.S., INC.	Construction Management Services	656781	1/31/2013	\$20,035.22
LEFLORE GROUP LLC, THE	Project Management	656661	1/11/2013	\$15,102.53
CMG	Grants & Audits	656631	1/11/2013	\$13,602.54
RCTC	Federal JARC Funding	656602	1/7/2013	\$13,316.31
C.V.A.G.	Federal JARC Funding	656566	1/7/2013	\$8,167.70
COLONIAL LIFE & ACCIDENT	Employee Supplemental Insurance	656787	1/31/2013	\$6,121.45
RIVERSIDE COUNTY FLOOD CONTROL	Administration Building Fees	656810	1/31/2013	\$5,000.00
AMALGAMATED TRANSIT UNION	Union Dues (Per Pay Period)	656692	1/24/2013	\$4,516.13
AMALGAMATED TRANSIT UNION	Union Dues (Per Pay Period)	656561	1/7/2013	\$4,493.84
AMALGAMATED TRANSIT UNION	Union Dues (Per Pay Period)	656779	1/31/2013	\$4,488.42
AMERICAN CAB	Taxi Voucher Program	656780	1/31/2013	\$4,013.02
AMERICAN CAB	Taxi Voucher Program	656562	1/7/2013	\$3,741.00
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656567	1/7/2013	\$3,357.34
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656697	1/24/2013	\$3,357.34
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656784	1/31/2013	\$3,357.34
AMERICAN CAB	Taxi Voucher Program	656693	1/24/2013	\$3,166.81
YELLOW CAB OF THE DESERT	Taxi Voucher Program	656615	1/7/2013	\$2,349.00
YELLOW CAB OF THE DESERT	Taxi Voucher Program	656828	1/31/2013	\$2,296.86
YELLOW CAB OF THE DESERT	Taxi Voucher Program	656777	1/24/2013	\$1,714.24
	<b>SubTotal</b>			<b>\$381,344.88</b>
	<b>Total Checks Over \$1000</b>			<b>\$1,525,893.82</b>

**Summary**

Total of Checks Over \$1,000	\$1,525,893.82
Total of Checks Under \$1,000	\$52,026.35
Total of All Checks for the Month	\$1,577,920.17
<b>Total Amount of Checks Prior Year - Same Month</b>	<b>\$1,169,382.92</b>

January 2013 Statement



Open Date: 12/21/2012 Closing Date: 01/18/2013

Account:

**Visa® Business Card**  
 SUNLINE TRANSIT  
 C MIKEL OGLESBY

**Cardmember Service** ( 1-866-552-8855  
 BUS 13

<b>New Balance</b>	<b>\$1,802.40</b>
<b>Minimum Payment Due</b>	<b>\$19.00</b>
<b>Payment Due Date</b>	<b>02/17/2013</b>
Late Payment Warning: If we do not receive your minimum payment by the date listed above, you may have to pay up to a \$39.00 Late Fee and your APRs may be increased up to the Penalty APR of 28.99%.	

Activity Summary	
Previous Balance	\$0.00
Payments	\$0.00
Other Credits	\$0.00
Purchases	+ \$1,802.40
Balance Transfers	\$0.00
Advances	\$0.00
Other Debits	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
<b>New Balance</b>	<b>= \$1,802.40</b>
Past Due	\$0.00
Minimum Payment Due	\$19.00
Credit Line	\$37,000.00
Available Credit	\$35,197.60
Days in Billing Period	29

Payment Options:



Mail payment coupon with a check



Pay online at myaccountaccess.com



Pay by phone 1-866-552-8855

No payment is required, however please use coupon when making additional payments. CPN 000648533

Automatic Payment

24-Hour Cardmember Service: 1-866-552-8855

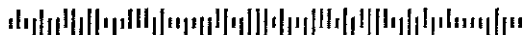
- ( . to pay by phone
- ( . to change your address

Account Number:

Your new full balance of \$1,802.40 will be automatically deducted from your account on 02/16/13.

000038808 1 MB 0.404 106481976116286 P

SUNLINE TRANSIT  
 C MIKEL OGLESBY  
 32505 HARRY OLIVER TRL  
 THOUSAND PLMS CA 92276-3501



January 2013 Statement 12/21/2012 - 01/18/2013

Page 2 of 3



SUNLINE TRANSIT  
C MIKEL OGLESBY

Cardmember Service ☎ 1-866-552-8855

**Important Messages**

Your payment of \$1802.40 will be automatically deducted from your bank account on 02/16/2013. Please refer to your AutoPay Terms and Conditions for further information regarding this account feature.

Receive Email Updates. Sign up for important updates and special offers for your credit card account to be delivered to your inbox. Provide your email address at email.myaccountaccess.com.

**Transactions**

**Purchases and Other Debits**

Post Date	Trans Date	Ref #	Transaction Description	Amount	Notation
01/04	01/03	7777	AMERICAN PUBLIC TRANS 202-4964800 DC	\$695.00	_____
01/14	01/11	2776	UNITED 0167171608673 713-324-5000 TX GARCIA/MANUEL 01/27/13 PALMSPRINGS TO LOS ANGELES LOS ANGELES TO SAN FRANCISC SAN FRANCISC TO PALMSPRINGS	\$228.70	_____
01/14	01/11	2784	UNITED 0167171608674 713-324-5000 TX GREGOR/PETER 01/27/13 PALMSPRINGS TO LOS ANGELES LOS ANGELES TO SAN FRANCISC SAN FRANCISC TO PALMSPRINGS	\$228.70	_____
01/14	01/11	5274	AMERICAN PUBLIC TRANS 202-4964800 DC	\$650.00	_____
<b>TOTAL THIS PERIOD</b>				<b>\$1,802.40</b>	

**2013 Totals Year-to-Date**

Total Fees Charged in 2013	\$0.00
Total Interest Charged in 2013	\$0.00

**Company Approval**

*(This area for use by your company)*

Signature/Approval: \_\_\_\_\_

Accounting Code: \_\_\_\_\_

Pacific Western Bank  
SunLine Transit Agency Visa Credit Card Statement  
Closing Date: January 18, 2013

Detail:			
01/04	APTA	Registration – G.M. CEO Seminar	\$ 695.00
01/14	United Airlines	Airfare – Operations Supervisor – Training – Bus Safety	\$ 228.70
01/14	United Airlines	Airfare – Operations Supervisor – Training – Bus Safety	\$ 228.70
01/14	APTA	Registration –G.M. Legislative Conference – Washington, D.C.	\$ 650.00

Note: All travel is included in the Board approved FY 2013 budget.

SunLine Transit Agency  
Statement of Activities  
November 30, 2012

Description	Total Budget	Current Month			Year to Date		
		Actual	Budget	(Unfavorable)	YTD Actual	FY 12/13 YTD Budget	Favorable (Unfavorable)
<b>Revenues:</b>							
Local Transportation Funds (LTF)	10,718,420	893,202	893,202	0	4,466,008	4,466,008	0
Measure A	4,500,000	375,000	375,000	0	1,875,000	1,875,000	0
FTA Section 5307	2,724,804	0	227,067	(227,067)	6,738	1,135,335	(1,128,597)
FTA Section 5311	264,566	0	22,047	(22,047)	0	110,236	(110,236)
FTA Section 5316	125,310	0	10,443	(10,443)	0	52,213	(52,213)
FTA Section 5317	101,951	0	8,496	(8,496)	2,873	42,480	(39,607)
Fare Box Revenue (Fixed Route)	3,070,000	264,588	255,833	8,755	1,210,966	1,279,167	(68,201)
Fare Box Revenue (Demand Resp)	280,000	23,095	23,333	(238)	136,811	116,667	20,144
Taxi Vouchers	21,724	5,265	1,810	3,455	16,480	9,052	7,428
Interest and Other Revenue	470,218	42,282	39,185	3,097	200,368	195,924	4,444
<b>Total Operating Revenue</b>	<b>22,276,993</b>	<b>1,603,432</b>	<b>1,856,416</b>	<b>(252,984)</b>	<b>7,915,244</b>	<b>9,282,080</b>	<b>(1,366,836)</b>
<b>Expenses:</b>							
SunFuels (10)	289,540	101,289	24,128	(77,161)	89,624	120,642	31,018
Operations-Fixed Route (11 & 12)	9,067,431	679,852	755,619	75,767	3,614,505	3,778,096	163,591
Operations-Dial-A-Ride (13 & 14)	2,478,560	230,700	206,547	(24,153)	1,141,555	1,032,733	(108,822)
Risk Management (15)	836,136	117,330	69,678	(47,652)	540,971	348,390	(192,581)
Maintenance (21 & 22)	4,713,527	366,965	392,794	25,829	1,925,211	1,963,970	38,759
Facility Maintenance-T.P. (23)	598,415	46,293	49,868	3,575	208,793	249,340	40,547
Facility Maintenance-Indio (24)	66,623	7,288	5,552	(1,736)	31,480	27,760	(3,720)
Stops & Zones Maintenance (25)	464,297	37,921	38,691	770	167,119	193,457	26,338
Marketing (31)	320,961	18,664	26,747	8,083	119,496	133,734	14,238
Human Resources (32)	382,828	20,644	31,902	11,258	93,041	159,512	66,471
General Administration (40)	1,352,837	99,270	112,736	13,466	509,483	563,682	54,199
Finance (41)	945,398	64,378	78,783	14,405	378,335	393,916	15,581
Information Technology (42)	271,790	25,891	22,649	(3,242)	127,136	113,246	(13,890)
Planning & Agency Development	488,651	67,677	40,721	(26,956)	318,447	203,605	(114,842)
<b>Total Expenses</b>	<b>22,276,993</b>	<b>1,884,162</b>	<b>1,856,416</b>	<b>(27,746)</b>	<b>9,265,196</b>	<b>9,282,080</b>	<b>16,884</b>

SunLine Transit Agency  
Statement of Activities  
December 31, 2012

Description	Total Budget	Current Month			Year to Date		
		Actual	Budget	(Unfavorable)	YTD Actual	FY 12/13 YTD Budget	Favorable (Unfavorable)
<b>Revenues:</b>							
Local Transportation Funds (LTF)	10,718,420	893,202	893,202	0	5,359,210	5,359,210	0
Measure A	4,500,000	375,000	375,000	0	2,250,000	2,250,000	0
FTA Section 5307	2,724,804	0	227,067	(227,067)	6,738	1,362,402	(1,355,664)
FTA Section 5311	264,566	0	22,047	(22,047)	0	132,283	(132,283)
FTA Section 5316	125,310	0	10,443	(10,443)	0	62,655	(62,655)
FTA Section 5317	101,951	0	8,496	(8,496)	2,873	50,976	(48,103)
Fare Box Revenue (Fixed Route)	3,070,000	293,747	255,833	37,914	1,504,713	1,535,000	(30,287)
Fare Box Revenue (Demand Resp)	280,000	24,582	23,333	1,249	161,393	140,000	21,393
Taxi Vouchers	21,724	4,267	1,810	2,457	20,747	10,862	9,885
Interest and Other Revenue	470,218	134,052	39,185	94,867	334,419	235,109	99,310
<b>Total Operating Revenue</b>	<b>22,276,993</b>	<b>1,724,850</b>	<b>1,856,416</b>	<b>(131,566)</b>	<b>9,640,093</b>	<b>11,138,497</b>	<b>(1,498,404)</b>
<b>Expenses:</b>							
SunFuels (10)	289,540	126,268	24,128	(102,140)	215,893	144,770	(71,123)
Operations-Fixed Route (11 & 12)	9,067,431	735,494	755,619	20,125	4,349,999	4,533,716	183,717
Operations-Dial-A-Ride (13 & 14)	2,478,560	191,384	206,547	15,163	1,332,940	1,239,280	(93,660)
Risk Management (15)	836,136	32,916	69,678	36,762	573,887	418,068	(155,819)
Maintenance (21 & 22)	4,713,527	314,571	392,794	78,223	2,239,782	2,356,764	116,982
Facility Maintenance-T.P. (23)	598,415	32,576	49,868	17,292	241,369	299,208	57,839
Facility Maintenance-Indio (24)	66,623	4,761	5,552	791	36,241	33,312	(2,930)
Stops & Zones Maintenance (25)	464,297	37,370	38,691	1,321	204,488	232,149	27,661
Marketing (31)	320,961	46,860	26,747	(20,113)	166,356	160,481	(5,876)
Human Resources (32)	382,828	47,707	31,902	(15,805)	140,747	191,414	50,667
General Administration (40)	1,352,837	91,353	112,736	21,383	600,837	676,419	75,582
Finance (41)	945,398	63,425	78,783	15,358	441,759	472,699	30,940
Information Technology (42)	271,790	18,933	22,649	3,716	146,069	135,895	(10,174)
Planning & Agency Development	488,651	61,289	40,721	(20,568)	379,736	244,326	(135,411)
<b>Total Expenses</b>	<b>22,276,993</b>	<b>1,804,907</b>	<b>1,856,416</b>	<b>51,509</b>	<b>11,070,103</b>	<b>11,138,497</b>	<b>68,394</b>



## SunLine Transit Agency Monthly Ridership Report January - 2013

FY  
2012 & 2013

Line	Fixed Route Description	Jan 2013	Jan 2012	Dec 2012	Month Var.	% Var.	FY 2013 YTD	FY 2012 YTD	YTD Var.	% Var.	Bikes		Wheelchairs	
											Monthly	YTD	Monthly	YTD
14	DHS/PS	45,690	45,998	43,840	(308)	-0.7%	311,605	300,250	11,355	3.8%	1,206	8,794	276	1,812
15	DHS	9,027	9,089	8,939	(62)	-0.7%	59,835	55,031	4,804	8.7%	127	779	20	202
24	PS/CC	16,897	17,473	15,803	(576)	-3.3%	112,536	110,443	2,093	1.9%	427	2,757	114	847
30	CC/PS	66,496	69,996	63,525	(3,500)	-5.0%	447,665	452,008	(4,343)	-1.0%	1,652	12,497	558	4,237
32	PD/RM/TP/PS	23,397	20,854	22,770	2,543	12.2%	155,729	137,284	18,445	13.4%	958	7,278	173	1,311
53	PD/IW	5,630	4,619	5,075	1,011	21.9%	35,066	28,323	6,743	23.8%	200	1,484	8	91
70	LQ/BD	22,661	23,681	20,588	(1,020)	-4.3%	142,405	140,118	2,287	1.6%	649	4,016	32	521
80	Indio	10,733	11,848	11,036	(1,115)	-9.4%	83,048	126,600	(43,552)	-34.4%	122	978	119	826
81	Indio	8,890	8,426	8,575	464	5.5%	60,304	8,426	51,878	615.7%	91	856	88	644
90	Coachella/Indio	20,814	19,219	20,059	1,595	8.3%	136,684	129,322	7,362	5.7%	451	3,072	123	1,047
91	Cch/Th/Mecca	18,843	18,824	17,499	19	0.1%	124,486	129,041	(4,555)	-3.5%	372	2,644	38	347
111	PS/Indio	139,920	136,228	139,968	3,692	2.7%	952,303	918,847	33,456	3.6%	4,529	30,967	909	6,563
220	PD to Riverside	1,132	-	1,028	1,132	0.0%	5,819	-	5,819	0.0%	11	94	4	42
<b>Fixed route total</b>		<b>390,130</b>	<b>386,255</b>	<b>378,705</b>	<b>3,875</b>	<b>1.0%</b>	<b>2,627,485</b>	<b>2,535,693</b>	<b>91,792</b>	<b>3.6%</b>	<b>10,795</b>	<b>76,216</b>	<b>2,462</b>	<b>18,490</b>
<b>Demand Response</b>														
SunDial		11,537	10,296	10,088	1,241	12.1%	77,928	70,172	7,756	11.1%				
<b>System total</b>		<b>401,667</b>	<b>396,551</b>	<b>388,793</b>	<b>5,116</b>	<b>1.3%</b>	<b>2,705,413</b>	<b>2,605,865</b>	<b>99,548</b>	<b>3.8%</b>				
		<b>Jan. 2013</b>	<b>Jan. 2012</b>	<b>Dec. 2012</b>										
Weekdays:		23	22	20										
Saturdays:		4	5	5										
Sundays:		4	4	5										
Total Days:		31	31	* 30										

**Please note:**

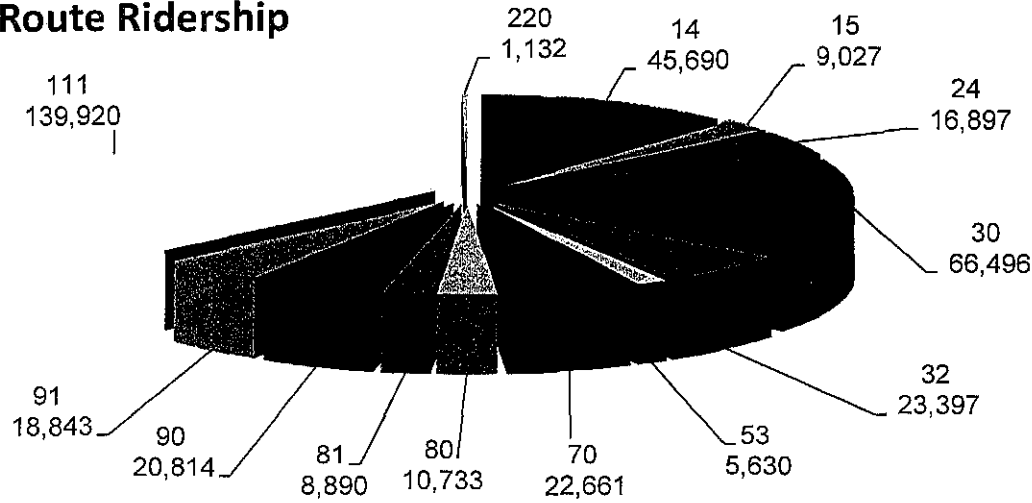
\* Christmas Day.

Commuter Link 220 service was implemented on September 10, 2012.

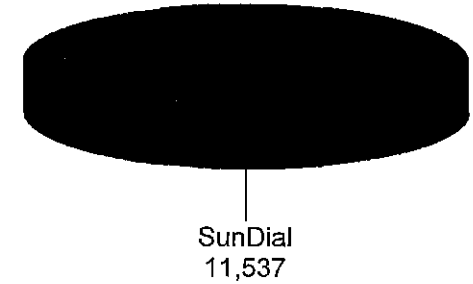
Line 80 was separated into Lines 80 and 81 in January 2012. The percentage variances for Line 80 is calculating ridership before the routes where separated.

**SunLine Transit Agency  
Monthly Ridership Report  
January - 2013**

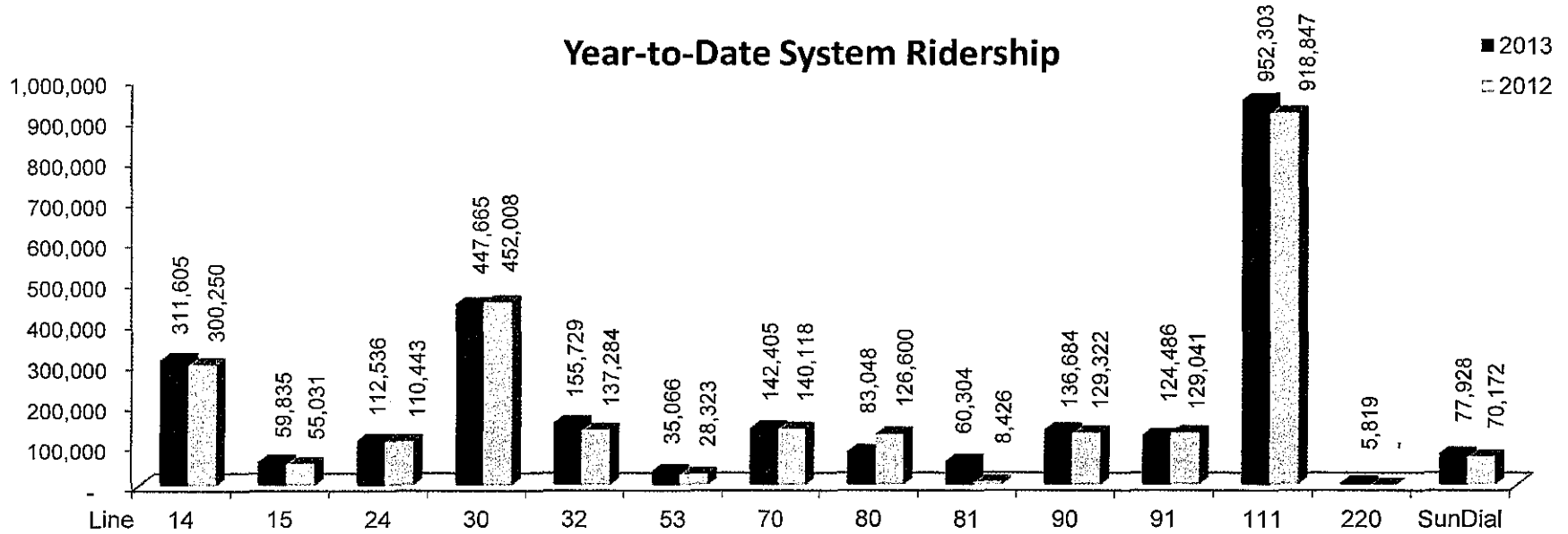
**Fixed Route Ridership**



**Demand Response Ridership**



**Year-to-Date System Ridership**







**SunDial Operational Notes**  
**January 2013**

1. ON-TIME PERFORMANCE

<u>Last Year</u>	<u>This Year</u>	
90.8%	90.8%	Total trips carried in the on-time window
927	1,046	Total trips late during the month
10,086	11,382	Total trips

2. RIDERSHIP and MILEAGE

<u>Last Year</u>	<u>This Year</u>	
10,296	11,537	Total passengers for the month
88,169	97,032	Total miles traveled for the month

3. SAFETY

<u>Last Year</u>	<u>This Year</u>	
1	1	Total preventable accidents

4. RIDE-A-LONG & ONBOARD EVALUATIONS

<u>Last Year</u>	<u>This Year</u>	
10	1	Total Ride-a-Long Evaluations
8	8	Total Onboard Inspections
6	1	Total safety evaluations

5. DENIALS

<u>Last Year</u>	<u>This Year</u>	
0	0	Total Denied Trips

6. WHEELCHAIR BOARDINGS

<u>Last Year</u>	<u>This Year</u>	
1,534	1,634	Total Mobility Device Boarding's

cc: Mikel Oglesby, Carolyn Rude, Polo Del Toro, Mannie Thomas, Jim Rayl, Diane Beebe

**SunLine Transit Agency**

**DATE:** February 27, 2013 **ACTION**  
**TO:** Finance Committee  
Board of Directors  
**FROM:** Director of Transit Planning  
**RE:** Award Contract for Purchase and Installation of Bus Shelters

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**Recommendation**

Recommend that the Board of Directors grant authorization to the General Manager to award contract to ND Electrical Construction, Incorporated for the purchase and installation of bus shelters throughout SunLine's service area. SunLine's General Manager will execute a contract upon approval as to form and legality by Legal Counsel.

**Background**

SunLine staff has issued a Request for Proposal to purchase 70 bus shelters with options for more pending funding over the next five years. Staff advertised the RFP through local newspaper and on the internet and received two proposals. Using the evaluation criteria as stated in the RFP, staff selected ND Electrical Construction, Incorporated as the most responsive and responsible vendor. Please refer to the list of bidders on the pricing sheet on page two.

This project is a result of recommendations from the Comprehensive Operational Analysis to improve and enhance bus stops located throughout the Valley. SunLine's objective is to add more amenities at bus stops with the goal of installing additional bus shelters for the comfort of passengers using the bus service.

**Fiscal Impact**

Cost for the 70 shelters of this immediate project is \$871,204.00 based on the recommended bid. Funding is provided from already available Federal Section 5307 grant funds and matching local funds.

  
Joe Forgiarini

BID AND PROPOSAL OPENING/ TABULATION RECORD  
Furnish & Install Bus Stop shelters  
RFP 13-003

POTENTIAL BIDDERS (INFORMATION DOWNLOADED)  
FULLNAME/ EMAIL/ COMPANY ADDRESS/ CITY STATE/ PHONE

- Jim Rittenhouse govbids@bidclerk.com BidClerk 28 N Clark Ste 450 Chicago Illinois 877-737-6482
- Laurie Melnick bids1@prime-vendor.com Prime Vendor Inc. 4622 Cedar Avenue Wilmington North Carolina 800-746-9554
- Lovely Banquil lovely@bidocean.biz Bid Ocean Inc. PO Box 40445 Grand Junction Colorado 866-347-9657
- Damon Harper harperdamon@ymail.com 9821 Business Park Drive Sacramento California
- Nick Martin nick@ndcompanies.com ND Electrical Construction Inc. 2201 E Winston Rd Suite M Anaheim California 9494981799
- Terrah Cox Estimating@atomengconst.com AToM Engineering Construction Inc. 40410 Vista Rd. Hemet California 951-766-2806
- Mike Sullivan mjsconst1@aol.com MJS Construction Inc. 38348 9th Street East Palmdale California 661-273-8565
- Theresa Roth theresa@LNIsigns.com LNI Signs 12536 Chadron Avenue HAWTHORNE California 310-505-7432
- nathan varnold nvarnold@mcsins.com 5530 trabuco irvine California

BIDS RECEIVED: BIDDER/ PROPOSER NAME AMOUNT COMMENTS

- ND Electrical \$ 871,204.00 All Certs Completed
- Humphrey Consrction \$ 920,760.00 All Certs Completed

RFP 13-003 Furnish & Installation of Bus Stop Shelters  
RFP was advertised with The Desert Sun,  
Govbids.com and SunLine.org

## SunLine Transit Agency

**DATE:** February 27, 2013 **ACTION**

**TO:** Board of Directors

**FROM:** General Manager

**RE:** Approval of FY 13-14 Overview of Budget Process & Schedule

---

### **Recommendation**

Discuss and request approval for *general* budgetary procedures that will be used as guiding principles to develop the FY 13-14 SunLine Transit Agency. Examples of general and broad guidance include focusing the budget on the following services & programs:

- Transit Services – New/Expansions
- Transit Fleet – New/Rehab/Replacements
- Facility Improvements – Operating and Maintenance
- Planning Studies – Transit (Bus/Rail) Integration
- Sun Fuels – Services and Fueling Stations
- Information Technology/Intelligent Transit Systems/Management Systems
- Safety/Security Programs
- Customer/Passenger Services & Facilities
- Employee Morale

Based upon the Board's general procedure guidance, staff will develop *specific* budgetary line items and new initiatives (projects/programs) to support the guiding principles. (*See attachment for examples of new initiatives*)

### **Background**

During FY 13-14 budget preparation, Finance staff will incorporate various technical and procedural concepts into the budget process. Many of these concepts include:

- Soliciting Board input and guidance early in the budget preparation process
- Developing a budget schedule to better manage the process Agency-wide
- Effectively allocating grant funds to support operating and capital budgets
- Performing a comprehensive analysis of salary savings
- Enhancing the position control processes for tracking vacancies & positions
- Developing a comprehensive capital budgeting process (*5-Year CIP*)
- Implementing a process for developing new initiatives program/projects

The changes to the budget process will foster a collaborative, systematic and streamlined- approach to developing the Agency's FY 13-14 Budget.

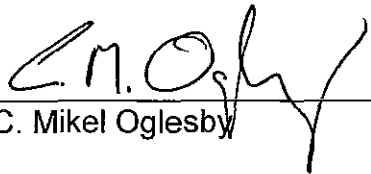
In addition to the various technical changes to the budget process, there are several budgetary challenges facing the Agency for FY 13-14 which requires review and consideration by the Board of Directors. Some of these challenges include:

- Potential reductions in Federal, State and Local revenues (*STA funding*)
- Cost of Living Adjustments (COLA) for contracts and maintenance agreements
- Rising costs of fuel, lubricants and oils
- Salary and Wages increases (2%) for Union employees per MOU
- COLA for unrepresented employees
- Impact of Union negotiations on the budget (*current contracts end March 2014*)
- Vehicle Replacements

As the budget progresses through the attached Budget Schedule, staff will inform the Board of major budget challenges for FY 13-14.

**Fiscal Implications**

None.

  
C. Mikel Oglesby

**SUNLINE TRANSIT AGENCY**  
*Joint Powers Transportation Authority*

**OVERVIEW OF BUDGET PROCESS & SCHEDULE - FY 13/14**

**Overview of Budget Process – 4 Phases**

The Budget will flow through the following four (4) phases:

- I. Phase A - Baseline Budget: Baseline budget with cost of living adjustments (COLA), contracts, fringe benefits adjustments, labor concessions, structural budget changes, position control, and revenue analysis.
- II. Phase B - Department's Budget Proposal: Department requests/budget worksheets, reallocations and new initiatives.
- III. Phase C - General Manager's Budget Proposal: Combination of baseline budget w/adjustments, department requests, new initiatives, salary savings analysis and position control review.
- IV. Phase D - Board of Director's Budget: GM's budget proposal, policy decisions, and Board approval.

**Technical Aspects of the Budget**

The following are technical concepts to be incorporated into the Budget process:

- Budget Policy Directives – Solicit the Board of Director's general policy directives and guidance early in the budget process. General policy guidance include the following services & programs:
  - Transit Services – New/Expansions/Enhancements
  - Transit Fleet - New/Rehab/Replacements
  - Facility – Operating and Maintenance
  - Planning Studies – Bus/Rail Integration
  - Sun Fuels - Enhancements/Services/Fueling Stations
  - Information Technology/Intelligent Transit Systems/Management Systems
  - Safety/Security Programs
  - Customer/Passenger Services & Facilities
  - Employee Morale
- Budget Schedule – Develop a budget schedule to better manage the process agency-wide
- Grant Funds – Effectively allocate grant funds to support operating and capital budgets
- Salary Savings – Comprehensive analysis of salary savings

- Position Control – Enhance position control processes for tracking vacancies & positions
- Capital Budget – Comprehensive capital budgeting process (5-Year CIP)
- New Initiatives – Implement process for developing new program/projects for the agency

### **New Initiatives**

Based upon the general and broad procedure guidelines from the Board, Staff will develop New Initiatives (programs/projects) that can be funded with grant funds, existing operating funds and/or new revenue sources. Examples include:

- New transit services (including Bus Rapid Transit type initiatives)
- New transit vehicles (alternative fuel)
- Transit fleet rehabilitation
- Passenger facility improvements (new shelters, restrooms at Indio hub, etc.)
- Operating and Maintenance facility improvements
- Maintenance system enhancements (new equipment, new management system, etc.)
- Fueling system upgrades, expansion, and rehabilitation
- Information technology enhancements such as electronic/digital document management
- Management system upgrades (new enterprise resource management system (ERMS))
- Intelligent transportation system enhancement and expansion (new operations management tools, new customer service tools, new customer information systems, communication system enhancements)

### **Budget Layout**

The following is a list of new items that will be incorporated into the Budget layout.

- Agency Overview (history/background, service plan/routes, etc.)
- Division Organizational Charts
- Personnel Summary
- Functions & Responsibilities of each Department
- Prior Year Accomplishments by Department
- FY 13/14 Goals and Objectives by Department (5 major goals/objectives)
- Revenue Analysis (operating and special revenues)
- 5-Year Capital Improvement Plan (CIP)
- Annual Capital Improvement Budget FY 13/14

## BUDGET SCHEDULE

Item	Due Date	Action	Responsible Party
Overview of budget policy and process w/GM	February 4, 2013	Discuss the process w/GM	Brenda Walker
Overview of budget policy and process with Directors/Departments	February 11, 2013	Review process w/Directors	Brenda Walker
Board Report – Board Secretary	February 17, 2013	Prepare Board Report and provide to Clerk of the Board	Brenda Walker & Carolyn Rude
Overview of budget policy and process with Board	February 27, 2013 (Board meeting)	Provide an overview of the budget process, solicit policy directives, and discussions	Mikel Oglesby
Budget Instructions and Worksheets	March 4, 2013	Disseminate budget instructions and worksheets to directors/departments	Brenda Walker
Department Budget Proposals & Negotiations	April 1, 2013	Submit budget proposals to Finance (Due to Finance)  Table 4 - SRTP	Brenda Walker Polo Del Toro Mike Morrow Joe Forgiarini Donald Bradburn Rudy LeFlore Naomi Nightingale Rick Barone Joseph Friend Tommy Edwards CJ Smith
Department Budget Proposal Review by Finance & Negotiations	April 2, 2013	Analyze and compile department budget proposal for GM Review/Approval	Brenda Walker
GM's Budget Proposal	April 23, 2013	Submit budget proposals to GM for Review/Approval	Brenda Walker
Board Report – Clerk of the Board	May 10, 2013 (Tentative Date)	Prepare Board Report and provide to Clerk of the Board	Brenda Walker & Carolyn Rude
Agency Budget (GM's Budget) presented to Board	May 27, 2013 (Tentative Date)	Presentation of SunLine Budget to Board of Directors	Mikel Oglesby
SunLine Budget Review with Finance Committee & Board	May 27 – June 14, 2013 (Tentative Dates)	Board of Directors Q&A/clarification of budget proposal with GM/Finance	Mikel Oglesby & Brenda Walker
Board Report – Clerk of the Board	June 17, 2013 (Tentative Date)	Prepare Board Report and provide to Clerk of the Board	Brenda Walker & Carolyn Rude
SunLine Budget	June 27, 2013 (Tentative Date)	Recommend Board approval of Budget	Mikel Oglesby



**SunLine Transit Agency**

**DATE:** February 27, 2013 **ACTION**  
**TO:** Board of Directors  
**FROM:** General Manager  
**RE:** General Manager Agreement Renegotiations

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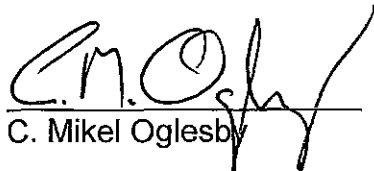
**Recommendation**

Recommend that the Board of Directors begin the renegotiation process of the General Manager's "Compensation and Benefits" provisions as stated in the current General Manager's Agreement.

**Background**

The current General Manager's Agreement states that the compensation and benefits provisions of the Agreement shall be subject to renegotiations and will apply July 1, 2013. With four Board meetings taking place prior to that date, it would be beneficial to begin discussions early.

Past practice has been for the Chairman to create an Ad Hoc Committee, with the Board's approval, to have discussions with the General Manager on potential changes. Once a proposed agreement is reached, it is then brought to the full Board for discussion and action.

  
C. Mikel Oglesby

A Public Agency

February 27, 2013

Robert Spiegel  
Chairman of the Board  
SunLine Transit Agency  
32-505 Harry Oliver Trail  
Thousand Palms, CA 92276

Dear Chairman Spiegel,

This letter is to request that the Board of Directors and I begin renegotiating the compensation and benefits provisions of my current employment agreement, known as the First Amended General Manager Employment Agreement ("Agreement"), which was effective July 1, 2010.

As you and the Board may be aware, the current Agreement has a term of five (5) years, composed of an initial three (3) year term ("Initial Term"), followed by two (2) subsequent one (1) year terms ("Subsequent Terms"). The compensation and benefits provisions, which are Sections 4 and 5 of the Agreement, shall be subject to renegotiation to take effect on each of the two Subsequent Terms which commence on July 1, 2013 and July 1, 2014, respectively.

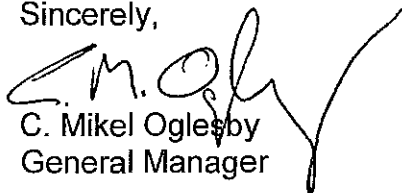
General Counsel has advised the Board of Directors, and it is also my understanding that some provisions of the Agreement may need to be renegotiated to ensure compliance with current State law, which I am amenable to include as part of our renegotiations.

While I am certain that we will be able to reach an agreement on the Subsequent Term to be effective on July 1, 2013, I wanted to broach the renegotiation provision of the current Agreement with you now. Doing so will allow sufficient time for us to have meaningful discussions and negotiate in good faith.

In the past, the Chairman has created an Ad Hoc Committee, with the Board's approval to negotiate changes. Once a proposed agreement was reached, it was then presented to the full Board for consideration. Whether the Board proceeds as in the past or with a new approach so directed by the Board, I will be prepared to present my opening proposals.

I look forward to working with the Board to develop terms that are mutually agreeable, so together we can continue to serve the public transportation needs of the Coachella Valley.

Sincerely,



C. Mikel Oglesby  
General Manager

## **SunLine Transit Agency**

**DATE:** February 27, 2013 **DISCUSSION**  
**TO:** Board of Directors  
**FROM:** General Manager  
**RE:** Coachella Valley Rail Service Update

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### **Background**

This item is being presented to keep the Board of Directors informed of discussions that may have policy implications relative to SunLine Transit Agency funding.

On February 4, 2013 the Coachella Valley Association of Governments (CVAG) Transportation Committee held a meeting that included an item that called for a discussion with SunLine of possible implications of establishing a Coachella Valley Rail Program. That item is attached hereto as Exhibit A.

Included in the staff report presented at CVAG were hypothetical scenarios relating to the redistribution of funds currently allocated to SunLine for Operations and Capital improvements.

Specific to this discussion was California Transportation Development Act funds, which comes in two forms. These forms are Local Transportation Fund (LTF) and State Transit Assistance (STA). These funds are allocated to areas of each county based on the population, taxable sales, and transit performance. SunLine receives nearly half of its Operating funds (\$10.76 million out of \$22.74 million operating budget in FY12-13) from Local Transportation Funds and a significant portion of Capital Monies from State Transportation Assistance funds.

STA funds are used for Transit Capital needs such as:

- Vehicle purchase, overhauls, and replacement
- Fueling Station maintenance, repair, and replacement
- Passenger Amenities

SunLine receives these funds for the Coachella Valley based on the demonstration that it is a viable transportation operator as reflected by the fairbox recovery rate, which is established in coordination with Riverside County Transportation Commission (RCTC). It is questionable whether funds allocated to a transit operator, as is discussed in the CVAG staff report, can be diverted for some other purpose.

## **SunLine and Rail**

SunLine has been and continues to support explorations of viable rail service in the Coachella Valley. However, it should be noted that TDA monies for planning and programming of 3 percent of SunLine's allocation is currently provided to CVAG and RCTC for the purpose of transportation planning and programming which includes potential new modes such as the Rail program under discussion.

## **Rail Service Programming**

The nature of the rail service in question places it in the category of Intercity rail, requiring it to be part of the State Rail Plan. Given that the trains would operate into Los Angeles, this involves western Riverside County (Cabazon, Banning, Beaumont) and San Bernardino County (Loma Linda, Colton) communities where additional new stations are desired. To receive new funding, a rail initiative needs to be planned and programmed in local, state, and federal Transportation Improvement Plans (TIPs). Efforts are already underway from CVAG and RCTC to have this initiative listed in the California State Rail Plan. A first draft of the 2013 update for this plan was issued mid-February 2013 for public comment and references Coachella Valley Rail Service as a long term project (pages 172, 239-241). This listing is a key step, though it does not result in funding. It is the beginning a major planning effort to secure funding.

## **Rail Service Planning**

Once the project is listed in the State rail plan, CVAG, RCTC, and SunLine can support the state in efforts to undertake detailed planning. Consultant support would be engaged to conduct detailed planning of a rail service initiative for the Coachella Valley. It is a rigorous process, including engineering, market analysis, financial planning, environmental impact analysis, etc., as well as significant public consultation.

Any rail service implementation in the Coachella Valley will be hundreds of millions of capital dollars as a project, largely driven by pressure from the rail corridor owner for increased track capacity (many miles of third track). This is believed justified to accommodate high speed passenger trains operating together with slow moving freight trains without either having to stop. Beyond track capacity and associated signal system improvements, the following other capital items were listed in the 2010 Coachella Valley Rail Study Update:

- New stations at Indio and Rancho Mirage (\$11 million each) plus an upgrade to the existing Palm Springs station (\$5 million).
- New storage facility for stabling trains overnight at Indio (\$15 million).
- New rail car and locomotive sets (\$40 million each, two sets needed).

These costs alone easily exceed \$100 million but may be much smaller than those associated with track capacity improvements.

### **Rail Service Capital Funding**

The above planning would be completed in a manner that allows it to be competitively submitted at the state and federal levels for funding. Without significant state and federal funding, a much larger funding measure would need to be taken to local voters (both in the Coachella Valley and western Riverside and San Bernardino Counties). Even with state and federal funding, a significant local contribution will likely be needed, far outstripping the existing local capital funding for transit.

### **Rail Service Operating Funding**

Once the project is built, there will also be ongoing operating funding required. The 2010 Rail Study update estimated \$11.4 million in annual operating costs, with a \$3.2 million estimate for fare revenue, leaving an \$8.2 million operating subsidy requiring funding. This is well beyond that available locally now and will likely need a new local tax measure to help sustain it, with possible state funding as well (there is no federal operating funding available).

### **Indio Rail Station Platform**

The rail station (platform) project at Indio will need to be listed in the State Rail Plan (it was not listed in the recently released draft plan update). It will need to be supported by Amtrak, California State Division of Rail, and Union Pacific Railroad. It would be a small but good learning step in the quest for Coachella Valley rail service. A more detailed study will determine if sufficient local funds can be made available to support this project. There are no ongoing significant operating cost burdens from this project as Amtrak already funds the operation of the trains.

  
C. Mikel Oglesby  
General Manager

# EXHIBIT A

## ITEM 7C

Coachella Valley Association of Governments  
Transportation Committee  
February 4, 2013



### Staff Report

**Subject:** Consider Set-Aside of Local Transportation Funds for Future Passenger Rail Facilities

**Contact:** Allyn Waggle, Deputy Executive Director ([awaggle@cvaq.org](mailto:awaggle@cvaq.org))

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**Recommendation:** That the Transportation Committee direct staff to further explore allocating transit funds for a Coachella Valley rail program and for staff to work with RCTC and SunLine Transit Agency to fully analyze the implications of such an allocation.

**Background:** This staff report is a follow up to a staff report and discussion at the November, 2012 Transportation Committee meeting. Staff was directed to provide additional information on the availability of potential funding for providing passenger rail service to the Coachella Valley.

Funding for transit in Riverside County comes from a number of sources. In both the Coachella Valley and Western Riverside County, Transportation Development Act (TDA) funds and Measure A funds support transit. However, in Western Riverside County these funds are split, generally 78%/ 22% respectively, between bus transit and rail transit.

In the Coachella Valley, no moneys from these transit funding sources are set aside for a rail program. Of course, there isn't much rail service in our desert to support at this time. However, an argument can be made that improvements in stations and setting aside funding for ultimate operations of intercity rail service could help demonstrate this region's resolve toward implementing a robust rail program and thereby unlock federal and state sources of funding and other support.

It is proposed to establish a Coachella Valley rail fund with the assistance of RCTC. With RCTC concurrence, the fund would be established at RCTC while expenditures would be authorized by CVAG's Executive Committee. This would be similar to current arrangements in the Coachella Valley arterial road program where RCTC acts as a fiscal agent pursuant to Measure A but actual expenditures are authorized by CVAG in accordance with our Transportation Project Prioritization Study. CVAG itself is not an eligible recipient of such transit funds. However, if a rail program were to be developed in accordance with the already approved and codified Coachella Valley Intermodal Transportation Authority legislation and/ or with future changes to state law, CVAG could be a direct recipient. However, staff does not believe that is necessary at this time when an actual operation of the program may be years away.

At this time, staff believes that adopting a funding policy of 78% bus / 22% rail, a la Western Riverside County is premature and excessive. However, there could be benefit in creating a fund that could be used, in the near term, to improve stations particularly in Palm Springs and Indio. For example, a 90%/ 10% split of TDA funds, a combination of State Transit Assistance

(STA) and Local Transportation Funds (LTF), could be dedicated to the Coachella Valley rail program as soon as Fiscal Year 2013/2014. In the short term if such a split were implemented it is recommended that the fund be generated out of STA funds, which are capital related. About \$2 million per year of STA funds are allocated to the Coachella Valley. Such an approach has the added benefit of not directly impacting SunLine's operations, which are significantly reliant on the approximately \$10 million per year of LTF funds. When the rail program matures and it might become necessary to subsidize such service, then LTF funds could be tapped. Doing so at that time could negatively impact SunLine's operations but SunLine would have time to make some adjustments, including potential changes in its fare structure.

That said staff believes it would be premature for the Transportation Committee to recommend to CVAG's Executive Committee and RCTC that a rail program be established with a 90%/ 10%, or any other, funding split. Instead it is recommended that the Transportation Committee generally discuss this approach and confirm continued interest among our jurisdictions. With continued interest, staff recommends working closely with SunLine Transit Agency and RCTC staff to undertake a complete analysis of the implications of creating a Coachella Valley rail program and then return to the Transportation Committee for further policy guidance.

**Fiscal Analysis:** Staff recommends seeking input from SunLine Transit Agency and RCTC on the near-term and long-term fiscal implications of creating a Coachella Valley rail program on the operations of SunLine Transit.

## SunLine Transit Agency

**DATE:** February 27, 2013

**Discussion**

**RE: Guidelines for General Manager Salary and  
Benefits Scale**

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### **Background**

At the January 23, 2013 Board meeting, Board Member Dana Hobart requested that a discussion item be placed on this agenda to discuss the attached document he created - "Guidelines for General Manager Salary and Benefits Scale.



## Sunline Transit Agency and Sunline Services Group

### Policy Guidelines for General Manager Salary and Benefits Scale

It is requested by Board Member Hobart (Rancho Mirage) be placed on the regularly scheduled meeting of the Sunline Board of Directors scheduled for February 27, 2013.

- a. It is requested that this document be used instead of a staff report in the February packet.

At the present time STA and SSG negotiates with the General Manager or applicants for the position of General Manager on an ad hoc basis directed only to the situation at hand.

The issue raised is: Should STA and SSG have some general guidelines prior to commencing such negotiations?

The following subjects are policy issues which confront every company or agency when hiring leadership personnel or when negotiating to retain leadership personnel.

Some issues that the Board of Directors may wish to be established include, but are not intended to be limited to the following:

1. What should be the TERM of the contract?
  - a. Should the term exceed one year? Two Years?
  - b. Is there any advantage to the Agencies to have a GM contract extend beyond 2-years? Beyond 3-years?
2. How should a "reasonable salary" be determined?
  - a. Should a salary amount be determined by a standard other than: "How much will it take to secure a well-qualified individual, and how much will it take to retain that individual year after year?"
    - i. If some other standard should be invoked, how is that standard described?
  - b. Should it be the comparable to the highest Transportation Agency salaries in the State? Should it be in the middle? Should it be comparable with other transportation agencies that are about the same general size as SST/SSG?
3. Should the salary be renegotiated annually or biennially? Other?
  - a. Should there be built in "steps" (planned raises) that increase the salary as time passes rather than renegotiate every year or so?
  - b. Should salary increases be limited CPI adjustments?

- c. Should a "step" salary increase preclude a CPI increase at the same time?
4. Should a CPI provision be included or excluded from the contract?
5. If a CPI is included in a salary package, should it be a mandatory increase or subject to the Board's discretion?
6. Should the hiring contract include any type of BONUS provision?
  - a. Should any bonus be tied to an overall assessment of performance?
  - b. Should any bonus be tied to special goals established by the Board?
  - c. Should any bonus concept be capped and if so, in what amount?
  - d. Should the board be influenced by how other transportation agencies deal with the subject of a bonus?
  - e. What is the objective of a bonus as compared to a competitive salary?
7. Should sick leave or vacation time subject to accumulation and permitted to be "sold back" to the agency?
8. To what extent should sick leave be allowed to be accumulated (regardless of any sell-back entitlement)?
9. To what extent should vacation time be allowed to be accumulated (regardless of any sell-back entitlement)?
10. To what extent, if any, should Deferred Compensation be matched by Sunline?
11. Should STA/SSG have the right to terminate the General Manager by a majority vote or super majority vote of the Board?
12. What should be the amount and form of compensation to a General Manager who is terminated or who leaves the job for his own reasons?

Board members will probably have other issues to discuss that are relevant to this subject matter.

Nothing contained herein should be construed to be a recommendation in any way.

Dana Hobart

## SunLine Transit Agency

**DATE:** February 27, 2013 **INFORMATION**

**TO:** Board of Directors

**FROM:** Director of Transit Planning

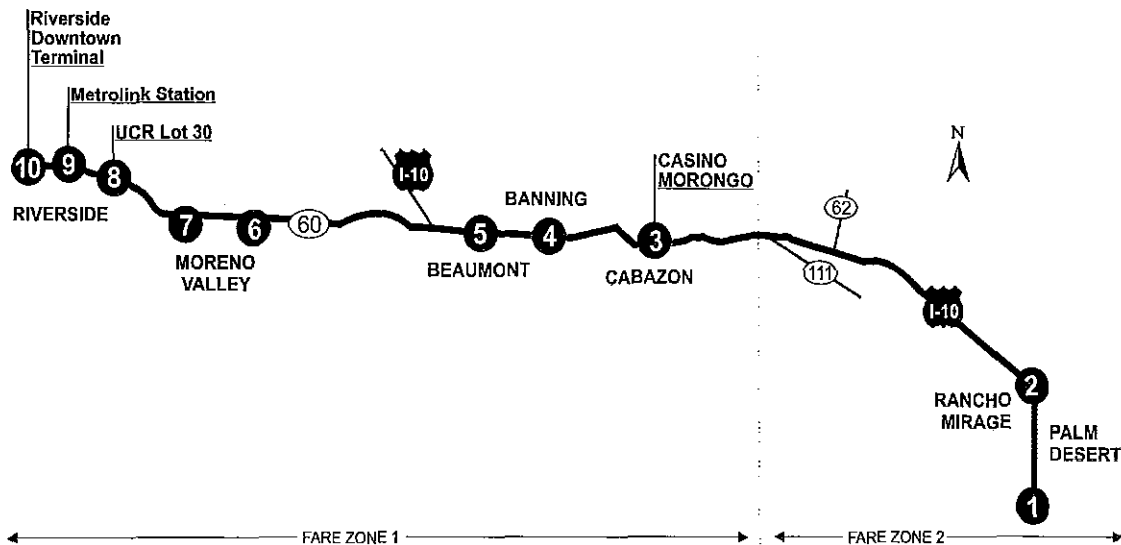
**RE:** Commuter Link 220 Update

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### Background

On September 10, 2012, SunLine introduced a new Commuter Link 220 transit service between Palm Desert and Riverside. The service follows the route shown in Map One below, serving Rancho Mirage, Morongo Casino (Cabazon), Banning, Beaumont, Moreno Valley, and Riverside. Two early morning trips depart Palm Desert for Riverside while two return trips depart Riverside in the evening peak period. The service operates weekdays only.

### Map One- Commuter Link 220



The service was half funded by Federal Job Access Reverse Commute and New Freedom grants, with the remaining half shared between local SunLine and Riverside Transit Agency funding. The service was projected to attract 70 boardings average per month. Ridership data is shown in Tables One and Two on the next page.

**Table One: Commuter Link 220 Monthly/Average Daily Ridership**

<b>Month</b>	<b>Total Ridership</b>	<b>Average Daily Ridership</b>
September 2012	764	50.9
October 2012	1,551	67.4
November 2012	1,344	64.0
December 2012	1,028	51.4
January 2013	1,132	51.5

**Table Two: Commuter Link 220 Ridership per Trip: January 2013**

<b>Trip</b>	<b>Direction</b>	<b>Average Boardings</b>	<b>Minimum Boardings</b>	<b>Maximum Boarding</b>
4.55 a.m.	Westbound	6	1	11
5.55 a.m.	Westbound	11	5	19
5.15 p.m.	Eastbound	20	11	27
6.55 p.m.	Eastbound	14	5	26

To reach the targeted 70 riders per day in total, each trip needs to average 17.5 boardings.

### **Customer Feedback**

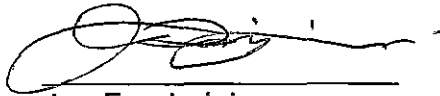
Comments have been generally positive with requests focusing on:

- Rail connections at Riverside
- Easier access for Desert Hot Springs and Palm Springs residents
- Reverse Commute trips Riverside – Palm Desert
- Later morning, midday/early afternoon trips
- Weekend trips

Some initial confusion among passengers regarding rail connections at Riverside Metrolink Station in the evening peak was promptly addressed by SunLine (morning rail connections have been reliably made).

A stop near I-10/Palm Avenue interchange is being examined for issue two above. The other three requests proposed additional trips and all require more operating subsidy funding. Such requests can be considered, along with other service improvement proposals, during the SunLine 2013/14 Short Range Transit Plan and Budget processes.

A survey of riders will be undertaken in April 2013, after 6-months of operation. The grant funding requires a two-year trial of the service. Ridership trends will continue to be monitored and a second report provided to the Board in mid-2013.

A handwritten signature in black ink, appearing to read 'Joe Forgiarini', written over a horizontal line.

Joe Forgiarini  
Director of Transit Planning

**SunLine Transit Agency**

**DATE:** February 27, 2013 **INFORMATION**  
**TO:** Board of Directors  
**FROM:** General Manager  
**RE:** The "Do Good Bus"

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**Background**

At the January 2013 SunLine Board of Directors meeting, the member from City of Indio, Councilmember Glenn Miller, presented a press article (copy attached) concerning the "Do Good Bus", for consideration by staff.

The "Do Good Bus" is a local Los Angeles area group of "do gooders". Each month the group takes volunteers from the public on a trip to a mystery destination to volunteer helping local non-profits, individuals, and groups in the community for around 4 to 6 hours. They also operate long distance group trips to cities across the nation. The group is funded by private company or individual donations.

Rebecca Pontius from the "Do Good Bus" was contacted and confirmed volunteers are transported by charter or school buses and they have not utilized transit agency buses to date. Federal Transit Administration charter bus regulations prevent transit agencies with federally funded buses competing for such work (even if donated). There are no exemptions to the charter bus regulations that would allow a transit agency to participate in The "Do Good Bus" type of activity.

  
C. Mikel Oglesby

SunLine Transit Agency

DATE: February 27, 2013

INFORMATION

TO: Board of Directors

FROM: General Manager

RE: Bus Stop Inventory – City of Rancho Mirage

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**Background**

At the January, 2013 SunLine Board of Directors meeting, the member from City of Rancho Mirage, Councilmember Dana Hobart, requested an inventory of all bus stops within the City of Rancho Mirage, including what amenities are located at each stop. The requested information is shown on the next page.

  
C. Mikel Oglesby



## BUS STOPS BY JURISDICTION RANCHO MIRAGE

As of January 2013 Service Change

Bus Stop #	On Street	Cross Street	Position	Location	Direction	Line(s)	SunLine AD Shelter	SunLine Non-AD Shelter	City/Developer Shelter	I-Stop	PH 1 Shelter	PH 2 Shelter	PH 3 Shelter	Proposed PH 4 Shelter	Benches & Waste Cont.	SunLine Signage	No Arr		
148	Ramon Rd.	Rattler Rd.	FS	NW	WB	32										1	1		
231	Monterey Ave.	Hovley Ln.	FS	SW	SB	32			1				1		1	1			
232	Dinah Shore Dr.	Bob Hope Dr.	FS	SE	EB	32			1						1	1			
233	Bob Hope Dr.	Dinah Shore Dr.	FS	SW	SB	32			1						1	1			
237	Monterey Ave.	Market Pl.	FS	SW	SB	220										1	1		
430	Ramon Rd.	Braille Institute	FS	SE	EB	32		1								1			
442	Bob Hope Dr.	Ginger Rogers Rd.	FS	NE	NB	32										1	1		
443	Bob Hope Dr.	Ginger Rogers Rd.	FS	SW	SB	32										1	1		
444	Bob Hope Dr.	Gerald Ford Dr.	FS	SW	SB	32		1								1			
445	Bob Hope Dr.	Via Marta	FS	NE	NB	32			1						1	1			
446	Country Club Dr.	John L. Sinn Rd.	FS	NW	WB	32			1				1		1	1			
530	Bob Hope Dr.	Columbia Dr.	FS	SW	SB	32		1	1						1	1			
535	Hwy. 111	Magnesia Falls Dr.	FS	SW	SB	111			1						1	1			
577	Bob Hope Dr.	Hwy. 111	FS	NE	NB						No longer served - Discontinued Sept. 10' Service Change								
578	Bob Hope Dr.	Rancho Las Palmas Dr.	FS	NE	NB						No longer served - Discontinued Sept. 10' Service Change								
582	Bob Hope Dr.	Hospital	FS	NE	NB	32		1								1			
588	Hwy. 111	One Mirage Pl.	NS	NE	WB	111									1	1			
642	Hwy. 111	Frank Sinatra Dr.	FS	SE	EB	111		1								1			
643	Hwy. 111	Mirage Cove Dr.	FS	SE	EB	111		1								1			
644	Hwy. 111	Peterson Rd.	FS	SE	EB	111		1								1			
646	Hwy. 111	Thunderbird Rd.	FS	SE	EB	111			1				1		1	1			
647	Hwy. 111	Indian Trail Rd.	MB	SE	EB	111			1				1		1	1			
650	Hwy. 111	Rancho Las Palmas Dr.	NS	SW	EB	111		1								1			
659	Hwy. 111	Rancho Las Palmas Dr.	NS	NE	WB	111		1								1			
660	Hwy. 111	Indian Trail Rd.	FS	NW	WB	111			1				1		1	1			
661	Hwy. 111	Fairway Dr.	NS	NE	WB	111										1	1		
662	Hwy. 111	Peterson Rd.	NS	NE	WB	111			1							1			
663	Hwy. 111	Mirage Cove Dr.	FS	NW	WB	111	1				1					1			
688	Hwy. 111	Magnesia Falls Dr.	FS	NW	WB	111			1						1	1			
692	Hwy. 111	Paxton Gate Dr.	NS	NE	WB	111			1							1			
702	Hwy. 111	Library Way	NS	SW	EB	111	1				1					1			
868	Hwy. 111	Atrium Wy.	FS	NW	WB	111									1	1			
939	Dinah Shore Dr.	Shoppers Ln.	FS	SE	EB	32	1			1						1			
945	Ramon Rd.	Bob Hope Dr.	FS	SE	EB	32			1						1	1			
956	Country Club Dr.	Vista Dunes Rd.	FS	NW	WB	32			1							1			
957	Bob Hope Dr.	Rancho Las Palmas Dr.	FS	SW	SB						No longer served - Discontinued Sept. 10' Service Change								
966	Country Club Dr.	John L. Sinn Rd.	NS	SW	EB	32			1							1			
982	Country Club Dr.	Vista Dunes Rd.	FS	SE	EB	32			1							1			

Total Number of Bus Stops: **36** active (plus 3 out of service)

<b>SunLine Bus Shelters Non-AD &amp; AD:</b> 3	<b>Phase 1 Bus Shelters:</b> 1	<b>Proposed PH 4 Bus Shelters:</b> 5
<b>City / Developer Shelter:</b> 14	<b>Phase 2 Bus Shelters:</b> 2	<b>Bus Benches &amp; Waste Cont.:</b> 14
<b>I-Stop:</b> 12	<b>Phase 3 Bus Shelters:</b> 0	





**AGENDA  
FINANCE COMMITTEE**

**February 27, 2013  
11:15 a.m. – 11:45 a.m.**

**G.M. Conference Room  
SunLine Transit Agency  
Thousand Palms, CA**

**Board Member Councilmember Glenn Miller will be participating via telephone conference from 2800 Opryland Drive, Nashville, TN 37214**

1. **Call to Order**
2. **Roll Call**
3. **Public Comments**
4. **Consent Calendar**
  - a) Transit checks over \$1,000 for January, 2013 (Pages 1-2)
  - b) Credit card statement January, 2013 (Pages 3-5)
  - c) SunLine Transit Monthly Budget Reports for November, December, 2012 (Pages 6-7)
  - d) Contract Report – nothing to report.
5. **Award of Contract for Purchase and Installation of Bus Shelters** **Approve**  
**(Joe Forgiarini)**

Discuss request to the Board to grant authorization to the General Manager to award a contract to ND Electrical Construction, Inc., for the purchase and installation of bus shelters throughout SunLine's service area. (Pages 8-9)
6. **Approval of FY 13/14 Budget Process and Schedule** **Approve**  
**(C. Mikel Oglesby)**

Discuss the request to the Board to approve general budgetary procedures for the development of the FY 13/14 SunLine Transit Agency Budget. (Pages 10-14)
- **DISCUSSION** -----
7. **Legal Counsel Invoices** **Discussion** **(C. Mikel Oglesby)**

Discuss Legal Counsel invoices for September, 2012 through December, 2012.
- 
8. **Adjourn**

SunLine Transit Agency  
Checks \$1,000 and Over  
For the month - January 2013

Vendor Name	Item Description	Check No.	Date	Amount
<b>Section I - Check payments issued against the Operating Fund</b>				
HEALTH NET	Group Health Ins Prem	656721	1/24/2013	\$241,861.58
HEALTH NET	Group Health Ins Prem	656584	1/7/2013	\$203,746.49
U.S. BANK INSTITUTIONAL TRUST-	Pension Deposits	656825	1/31/2013	\$89,833.08
U.S. BANK INSTITUTIONAL TRUST-	Pension Deposits	656769	1/24/2013	\$89,131.04
U.S. BANK INSTITUTIONAL TRUST-	Pension Deposits	656612	1/7/2013	\$88,123.28
SO CAL GAS CO.	Sun Fuels Inventory	656816	1/31/2013	\$83,345.08
PERMA - Insurance	Gen Lib/WC	656672	1/11/2013	\$76,918.26
ST. BOARD OF EQUALIZATION	Fuel Taxes #58-100972	656818	1/31/2013	\$33,381.00
THOMAS P HOCK & ASSOCIATES	Labor Negotiations - 4 Invoices	656678	1/11/2013	\$17,500.00
IMPERIAL IRRIGATION DIST	Utilities	656655	1/11/2013	\$16,341.72
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	656718	1/24/2013	\$16,207.01
PRUDENTIAL GROUP INSURANCE	Employee Benefits	656807	1/31/2013	\$14,628.86
ST. BOARD OF EQUALIZATION	Fuel Taxes #58-400124	656817	1/31/2013	\$14,416.00
ADVANCED WEB OFFSET, INC.	Printing Rider's Guide	656617	1/11/2013	\$11,470.00
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656574	1/7/2013	\$10,732.13
CALIFORNIA TRANSIT ASSOCIATION	Membership for 2013	656628	1/11/2013	\$10,181.00
METLIFE SBC	Dental Insurance	656662	1/11/2013	\$6,670.05
OFFICE TEAM	Temporary Services	656747	1/24/2013	\$6,113.91
NYHART COMPANY	Pension Consultant	656743	1/24/2013	\$5,619.01
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	656651	1/11/2013	\$5,250.00
G & K SERVICES	Uniform service	656716	1/24/2013	\$5,231.21
HOME DEPOT CARD SRVS	Facility Maintenance	656591	1/7/2013	\$5,004.90
MOORE MAINTENANCE & JANITORIAL	Janitorial Services	656665	1/11/2013	\$4,678.00
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656638	1/11/2013	\$4,321.49
STRICKLAND KENNY INC.	Lubricants & Oils	656761	1/24/2013	\$3,969.75
WOODRUFF, SPRADLIN & SMART,	Legal Services	656684	1/11/2013	\$3,805.50
NYHART COMPANY	Pension Consultant	656598	1/7/2013	\$3,299.89
NEW FLYER	Bus Parts	656597	1/7/2013	\$3,148.51
CAL-TEST, INC.	D&A Onsite Testing	656698	1/24/2013	\$2,722.40
NEW FLYER	Bus Parts	656741	1/24/2013	\$2,708.33
A.C. PROPANE CO.	Propane Service	656689	1/24/2013	\$2,649.22
WESTGATE CENTER FOR	Staff Development	656827	1/31/2013	\$2,590.00
BRENDA WALKER	Employee Reimbursement	656695	1/24/2013	\$2,500.00
ALLIED BARTON SECURITY SERVICES	Security Services	656619	1/11/2013	\$2,484.72
KIMCO STAFFING SERVICES, INC.	Temporary Services	656731	1/24/2013	\$2,450.00
BROADLUX, INC.	Repair Parts CNG	656624	1/11/2013	\$2,312.72
EYE MED	Employee Benefits	656795	1/31/2013	\$2,278.64
VERIZON WIRELESS	Wireless Cell Service	656774	1/24/2013	\$2,195.19
MAGELLAN BEHAVIORAL HEALTH	Employee Assistance Program	656736	1/24/2013	\$2,170.74
BURRTEC WASTE & RECYCLING	Facility Trash Removal	656696	1/24/2013	\$2,081.78
TOTAL FUNDS BY HASLER	Postage Supplies	656766	1/24/2013	\$2,057.11
IVANNA SAMOKISH	Education Reimbursement	656656	1/11/2013	\$2,000.00
JOSEPH FRIEND	Education Reimbursement	656803	1/31/2013	\$2,000.00
DESERT AIR CONDITIONING, INC.	A/C Contracted Services	656640	1/11/2013	\$1,896.00
FLEET-NET CORPORATION	Software & Licenses	656647	1/11/2013	\$1,770.00
FRANKLIN TRUCK PARTS, INC	Bus Repair Parts	656714	1/24/2013	\$1,744.62
OFFICE TEAM	Temporary Services	656670	1/11/2013	\$1,707.68
RESORT MARKETING	Public Relations Mgmt	656603	1/7/2013	\$1,690.00
VERIZON	Communications	656773	1/24/2013	\$1,558.10
HOME DEPOT CARD SRVS	Facility Maintenance	656728	1/24/2013	\$1,539.10
RAPID LEARNING INSTITUTE	Subscription for 2013	656601	1/7/2013	\$1,499.00
TELEPHONE DOCTOR, INC.	Staff Development - Customer Svc	656823	1/31/2013	\$1,490.00

SunLine Transit Agency  
Checks \$1,000 and Over  
For the month - January 2013

Vendor Name	Item Description	Check No.	Date	Amount
CARQUEST OF THE DESERT	Repair Parts	656701	1/24/2013	\$1,454.86
HAYWARD TILTON & ROLAPP	Auto Physical Damage	656720	1/24/2013	\$1,408.33
BROADLUX, INC.	Gas Card Readers	656783	1/31/2013	\$1,397.59
SWRCB ACCOUNTING OFFICE	Annual Storm Water Fee	656822	1/31/2013	\$1,359.00
VALLEY OFFICE EQUIPMENT, INC.	Fax/Copier Supplies	656772	1/24/2013	\$1,314.88
OPW FUELING COMPONENTS	CNG/Hydrogen Station Parts	656671	1/11/2013	\$1,277.22
DESERT SUN PUBLISHING CO., THE	Public Notice	656706	1/24/2013	\$1,267.70
ALLIED BARTON SECURITY SERVICES	Security Services	656691	1/24/2013	\$1,242.32
ST. BOARD OF EQUALIZATION	Use Tax 99-246185	656820	1/31/2013	\$1,206.00
TECH DEPOT	Computer Supplies	656764	1/24/2013	\$1,182.46
GRAINGER	Facility Maintenance	656652	1/11/2013	\$1,138.08
OFFICE DEPOT	Office Supplies	656745	1/24/2013	\$1,102.61
ELLSWORTH TRUCK & AUTO	Repair Parts	656708	1/24/2013	\$1,101.21
RANCHO LAS PALMAS RESORT	State of Public Luncheon (Dep)	656754	1/24/2013	\$1,050.00
CIRCOR INSTRUMENTATION	Fittings	656633	1/11/2013	\$1,022.58
CALIFORNIA TRANSIT ASSOCIATION	Annual Conference	656785	1/31/2013	\$1,000.00
	<b>Subtotal</b>			<b>\$1,144,548.94</b>

**Section II - Check payments subject to the provisions of Grants, Contracts, Capital Projects or "Pass-through"**

PERMA - Insurance	LAWCX (Workers Comp)	656749	1/24/2013	\$123,870.76
TURBO IMAGES INC.	Bus Decals/Logos	656687	1/22/2013	\$95,724.70
SOFTCHOICE CORP.	Software - Microsoft	656688	1/22/2013	\$39,552.33
ARCADIS U.S., INC.	Construction Management Services	656781	1/31/2013	\$20,035.22
LEFLORE GROUP LLC, THE	Project Management	656661	1/11/2013	\$15,102.53
CMG	Grants & Audits	656631	1/11/2013	\$13,602.54
RCTC	Federal JARC Funding	656602	1/7/2013	\$13,316.31
C.V.A.G.	Federal JARC Funding	656566	1/7/2013	\$8,167.70
COLONIAL LIFE & ACCIDENT	Employee Supplemental Insurance	656787	1/31/2013	\$6,121.45
RIVERSIDE COUNTY FLOOD CONTROL	Administration Building Fees	656810	1/31/2013	\$5,000.00
AMALGAMATED TRANSIT UNION	Union Dues (Per Pay Period)	656692	1/24/2013	\$4,516.13
AMALGAMATED TRANSIT UNION	Union Dues (Per Pay Period)	656561	1/7/2013	\$4,493.84
AMALGAMATED TRANSIT UNION	Union Dues (Per Pay Period)	656779	1/31/2013	\$4,488.42
AMERICAN CAB	Taxi Voucher Program	656780	1/31/2013	\$4,013.02
AMERICAN CAB	Taxi Voucher Program	656562	1/7/2013	\$3,741.00
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656567	1/7/2013	\$3,357.34
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656697	1/24/2013	\$3,357.34
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656784	1/31/2013	\$3,357.34
AMERICAN CAB	Taxi Voucher Program	656693	1/24/2013	\$3,166.81
YELLOW CAB OF THE DESERT	Taxi Voucher Program	656615	1/7/2013	\$2,349.00
YELLOW CAB OF THE DESERT	Taxi Voucher Program	656828	1/31/2013	\$2,296.86
YELLOW CAB OF THE DESERT	Taxi Voucher Program	656777	1/24/2013	\$1,714.24
	<b>SubTotal</b>			<b>\$381,344.88</b>
	<b>Total Checks Over \$1000</b>			<b>\$1,525,893.82</b>

**Summary**

Total of Checks Over \$1,000	\$1,525,893.82
Total of Checks Under \$1,000	\$52,026.35
Total of All Checks for the Month	\$1,577,920.17
Total Amount of Checks Prior Year - Same Month	\$1,169,382.92


January 2013 Statement



Open Date: 12/21/2012 Closing Date: 01/18/2013

Account:

 **Visa® Business Card**  
 SUNLINE TRANSIT  
 C MIKEL OGLESBY

Cardmember Service  1-866-552-8855  
 BUS 13

<b>New Balance</b>	<b>\$1,802.40</b>
<b>Minimum Payment Due</b>	<b>\$19.00</b>
<b>Payment Due Date</b>	<b>02/17/2013</b>
Late Payment Warning: If we do not receive your minimum payment by the date listed above, you may have to pay up to a \$39.00 Late Fee and your APRs may be increased up to the Penalty APR of 28.99%.	

Activity Summary	
Previous Balance	\$0.00
Payments	\$0.00
Other Credits	\$0.00
Purchases	+ \$1,802.40
Balance Transfers	\$0.00
Advances	\$0.00
Other Debits	\$0.00
Fees Charged	\$0.00
Interest Charged	\$0.00
<b>New Balance</b>	<b>= \$1,802.40</b>
Past Due	\$0.00
Minimum Payment Due	\$19.00
Credit Line	\$37,000.00
Available Credit	\$35,197.60
Days in Billing Period	29

Payment Options:



Mail payment coupon with a check



Pay online at myaccountaccess.com





Pay by phone 1-866-552-8855

No payment is required, however please use coupon when making additional payments. CPN 000648533

Automatic Payment

24-Hour Cardmember Service: 1-866-552-8855

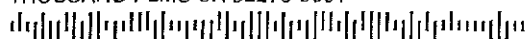
-  to pay by phone
-  to change your address

Account Number:

Your new full balance of \$1,802.40 will be automatically deducted from your account on 02/16/13.

000038808 1 MB 0.404 106481976116286 P

SUNLINE TRANSIT  
 C MIKEL OGLESBY  
 32505 HARRY OLIVER TRL  
 THOUSAND PLMS CA 92276-3501





SUNLINE TRANSIT  
C MIKEL OGLESBY

Cardmember Service 1-866-552-8855

**Important Messages**

Your payment of \$1802.40 will be automatically deducted from your bank account on 02/16/2013. Please refer to your AutoPay Terms and Conditions for further information regarding this account feature.

Receive Email Updates. Sign up for important updates and special offers for your credit card account to be delivered to your inbox. Provide your email address at email.myaccountaccess.com.

**Transactions**

**Purchases and Other Debits**

Post Date	Trans Date	Ref #	Transaction Description	Amount	Notation
01/04	01/03	7777	AMERICAN PUBLIC TRANS 202-4964800 DC	\$695.00	_____
01/14	01/11	2776	UNITED 0167171608673 713-324-5000 TX GARCIA/MANUEL 01/27/13 PALMSPRINGS TO LOS ANGELES LOS ANGELES TO SAN FRANCISC SAN FRANCISC TO PALMSPRINGS	\$228.70	_____
01/14	01/11	2784	UNITED 0167171608674 713-324-5000 TX GREGOR/PETER 01/27/13 PALMSPRINGS TO LOS ANGELES LOS ANGELES TO SAN FRANCISC SAN FRANCISC TO PALMSPRINGS	\$228.70	_____
01/14	01/11	5274	AMERICAN PUBLIC TRANS 202-4964800 DC	\$650.00	_____
<b>TOTAL THIS PERIOD</b>				<b>\$1,802.40</b>	

2013 Totals Year-to-Date	
Total Fees Charged in 2013	\$0.00
Total Interest Charged in 2013	\$0.00

**Company Approval** *(This area for use by your company)*

Signature/Approval: \_\_\_\_\_

Accounting Code: \_\_\_\_\_

Pacific Western Bank  
SunLine Transit Agency Visa Credit Card Statement  
Closing Date: January 18, 2013

Detail:			
01/04	APTA	Registration – G.M. CEO Seminar	\$ 695.00
01/14	United Airlines	Airfare – Operations Supervisor – Training – Bus Safety	\$ 228.70
01/14	United Airlines	Airfare – Operations Supervisor – Training – Bus Safety	\$ 228.70
01/14	APTA	Registration –G.M. Legislative Conference – Washington, D.C.	\$ 650.00

Note: All travel is included in the Board approved FY 2013 budget.

SunLine Transit Agency  
Statement of Activities  
November 30, 2012

Description	Total Budget	Current Month			Year to Date		
		Actual	Budget	(Unfavorable)	YTD Actual	FY 12/13 YTD Budget	Favorable (Unfavorable)
<b>Revenues:</b>							
Local Transportation Funds (LTF)	10,718,420	893,202	893,202	0	4,466,008	4,466,008	0
Measure A	4,500,000	375,000	375,000	0	1,875,000	1,875,000	0
FTA Section 5307	2,724,804	0	227,067	(227,067)	6,738	1,135,335	(1,128,597)
FTA Section 5311	264,566	0	22,047	(22,047)	0	110,236	(110,236)
FTA Section 5316	125,310	0	10,443	(10,443)	0	52,213	(52,213)
FTA Section 5317	101,951	0	8,496	(8,496)	2,873	42,480	(39,607)
Fare Box Revenue (Fixed Route)	3,070,000	264,588	255,833	8,755	1,210,966	1,279,167	(68,201)
Fare Box Revenue (Demand Response)	280,000	23,095	23,333	(238)	136,811	116,667	20,144
Taxi Vouchers	21,724	5,265	1,810	3,455	16,480	9,052	7,428
Interest and Other Revenue	470,218	42,282	39,185	3,097	200,368	195,924	4,444
<b>Total Operating Revenue</b>	<b>22,276,993</b>	<b>1,603,432</b>	<b>1,856,416</b>	<b>(252,984)</b>	<b>7,915,244</b>	<b>9,282,080</b>	<b>(1,366,836)</b>
<b>Expenses:</b>							
SunFuels (10)	289,540	101,289	24,128	(77,161)	89,624	120,642	31,018
Operations-Fixed Route (11 & 12)	9,067,431	679,852	755,619	75,767	3,614,505	3,778,096	163,591
Operations-Dial-A-Ride (13 & 14)	2,478,560	230,700	206,547	(24,153)	1,141,555	1,032,733	(108,822)
Risk Management (15)	836,136	117,330	69,678	(47,652)	540,971	348,390	(192,581)
Maintenance (21 & 22)	4,713,527	366,965	392,794	25,829	1,925,211	1,963,970	38,759
Facility Maintenance-T.P. (23)	598,415	46,293	49,868	3,575	208,793	249,340	40,547
Facility Maintenance-Indio (24)	66,623	7,288	5,552	(1,736)	31,480	27,760	(3,720)
Stops & Zones Maintenance (25)	464,297	37,921	38,691	770	167,119	193,457	26,338
Marketing (31)	320,961	18,664	26,747	8,083	119,496	133,734	14,238
Human Resources (32)	382,828	20,644	31,902	11,258	93,041	159,512	66,471
General Administration (40)	1,352,837	99,270	112,736	13,466	509,483	563,682	54,199
Finance (41)	945,398	64,378	78,783	14,405	378,335	393,916	15,581
Information Technology (42)	271,790	25,891	22,649	(3,242)	127,136	113,246	(13,890)
Planning & Agency Development	488,651	67,677	40,721	(26,956)	318,447	203,605	(114,842)
<b>Total Expenses</b>	<b>22,276,993</b>	<b>1,884,162</b>	<b>1,856,416</b>	<b>(27,746)</b>	<b>9,265,196</b>	<b>9,282,080</b>	<b>16,884</b>

SunLine Transit Agency  
Statement of Activities  
December 31, 2012

Description	Total Budget	Current Month			Year to Date		
		Actual	Budget	(Unfavorable)	YTD Actual	FY 12/13 YTD Budget	Favorable (Unfavorable)
<b>Revenues:</b>							
Local Transportation Funds (LTF) Measure A	10,718,420	893,202	893,202	0	5,359,210	5,359,210	0
FTA Section 5307	4,500,000	375,000	375,000	0	2,250,000	2,250,000	0
FTA Section 5311	2,724,804	0	227,067	(227,067)	6,738	1,362,402	(1,355,664)
FTA Section 5316	264,566	0	22,047	(22,047)	0	132,283	(132,283)
FTA Section 5317	125,310	0	10,443	(10,443)	0	62,655	(62,655)
Fare Box Revenue (Fixed Route)	101,951	0	8,496	(8,496)	2,873	50,976	(48,103)
Fare Box Revenue (Demand Resp)	3,070,000	293,747	255,833	37,914	1,504,713	1,535,000	(30,287)
Taxi Vouchers	280,000	24,582	23,333	1,249	161,393	140,000	21,393
Interest and Other Revenue	21,724	4,267	1,810	2,457	20,747	10,862	9,885
<b>Total Operating Revenue</b>	<b>470,218</b>	<b>134,052</b>	<b>39,185</b>	<b>94,867</b>	<b>334,419</b>	<b>235,109</b>	<b>99,310</b>
	<b>22,276,993</b>	<b>1,724,850</b>	<b>1,856,416</b>	<b>(131,566)</b>	<b>9,640,093</b>	<b>11,138,497</b>	<b>(1,498,404)</b>
<b>Expenses:</b>							
SunFuels (10)	289,540	126,268	24,128	(102,140)	215,893	144,770	(71,123)
Operations-Fixed Route (11 & 12)	9,067,431	735,494	755,619	20,125	4,349,999	4,533,716	183,717
Operations-Dial-A-Ride (13 & 14)	2,478,560	191,384	206,547	15,163	1,332,940	1,239,280	(93,660)
Risk Management (15)	836,136	32,916	69,678	36,762	573,887	418,068	(155,819)
Maintenance (21 & 22)	4,713,527	314,571	392,794	78,223	2,239,782	2,356,764	116,982
Facility Maintenance-T.P. (23)	598,415	32,576	49,868	17,292	241,369	299,208	57,839
Facility Maintenance-Indio (24)	66,623	4,761	5,552	791	36,241	33,312	(2,930)
Stops & Zones Maintenance (25)	464,297	37,370	38,691	1,321	204,488	232,149	27,661
Marketing (31)	320,961	46,860	26,747	(20,113)	166,356	160,481	(5,876)
Human Resources (32)	382,828	47,707	31,902	(15,805)	140,747	191,414	50,667
General Administration (40)	1,352,837	91,353	112,736	21,383	600,837	676,419	75,582
Finance (41)	945,398	63,425	78,783	15,358	441,759	472,699	30,940
Information Technology (42)	271,790	18,933	22,649	3,716	146,069	135,895	(10,174)
Planning & Agency Development	488,651	61,289	40,721	(20,568)	379,736	244,326	(135,411)
<b>Total Expenses</b>	<b>22,276,993</b>	<b>1,804,907</b>	<b>1,856,416</b>	<b>51,509</b>	<b>11,070,103</b>	<b>11,138,497</b>	<b>68,394</b>



**SunLine Transit Agency**

**DATE:** February 27, 2013 **ACTION**  
**TO:** Finance Committee  
Board of Directors  
**FROM:** Director of Transit Planning  
**RE:** Award Contract for Purchase and Installation of Bus Shelters

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**Recommendation**

Recommend that the Board of Directors grant authorization to the General Manager to award contract to ND Electrical Construction, Incorporated for the purchase and installation of bus shelters throughout SunLine's service area. SunLine's General Manager will execute a contract upon approval as to form and legality by Legal Counsel.

**Background**

SunLine staff has issued a Request for Proposal to purchase 70 bus shelters with options for more pending funding over the next five years. Staff advertised the RFP through local newspaper and on the internet and received two proposals. Using the evaluation criteria as stated in the RFP, staff selected ND Electrical Construction, Incorporated as the most responsive and responsible vendor. Please refer to the list of bidders on the pricing sheet on page two.

This project is a result of recommendations from the Comprehensive Operational Analysis to improve and enhance bus stops located throughout the Valley. SunLine's objective is to add more amenities at bus stops with the goal of installing additional bus shelters for the comfort of passengers using the bus service.

**Fiscal Impact**

Cost for the 70 shelters of this immediate project is \$871,204.00 based on the recommended bid. Funding is provided from already available Federal Section 5307 grant funds and matching local funds.

  
Joe Forgiarini

BID AND PROPOSAL OPENING/ TABULATION RECORD  
Furnish & Install Bus Stop shelters  
RFP 13-003

POTENTIAL BIDDERS (INFORMATION DOWNLOADED)  
FULLNAME/ EMAIL/ COMPANY ADDRESS/ CITY STATE/ PHONE

- Jim Rittenhouse govbids@bidclerk.com BidClerk 28 N Clark Ste 450 Chicago Illinois 877-737-6482
- Laurie Melnick bids1@prime-vendor.com Prime Vendor Inc. 4622 Cedar Avenue Wilmington North Carolina 800-746-9554
- Lovely Banquill lovely@bidocean.biz Bid Ocean Inc. PO Box 40445 Grand Junction Colorado 866-347-9657
- Damon Harper harperdamon@ymail.com 9821 Business Park Drive Sacramento California
- Nick Martin nick@ndcompanies.com ND Electrical Construction Inc. 2201 E Winston Rd Suite M Anaheim California 9494981799
- Terrah Cox Estimating@atomengconst.com AToM Engineering Construction Inc. 40410 Vista Rd. Hemet California 951-766-2806
- Mike Sullivan mjsconst1@aol.com MJS Construction Inc. 38348 9th Street East Palmdale California 661-273-8565
- Theresa Roth theresa@LNIsigns.com LNI Signs 12536 Chadron Avenue HAWTHORNE California 310-505-7432
- nathan varnold nvarnold@mcsins.com 5530 trabuco irvine California

BIDS RECEIVED: BIDDER/ PROPOSER NAME AMOUNT COMMENTS

- ND Electrical \$ 871,204.00 All Certs Completed
- Humphrey Consrction \$ 920,760.00 All Certs Completed

RFP 13-003 Furnish & Installation of Bus Stop Shelters  
RFP was advertised with The Desert Sun,  
Govbids.com and SunLine.org

## SunLine Transit Agency

**DATE:** February 27, 2013 **ACTION**

**TO:** Board of Directors

**FROM:** General Manager

**RE:** Approval of FY 13-14 Overview of Budget Process & Schedule

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### Recommendation

Discuss and request approval for *general* budgetary procedures that will be used as guiding principles to develop the FY 13-14 SunLine Transit Agency. Examples of general and broad guidance include focusing the budget on the following services & programs:

- Transit Services – New/Expansions
- Transit Fleet – New/Rehab/Replacements
- Facility Improvements – Operating and Maintenance
- Planning Studies – Transit (Bus/Rail) Integration
- Sun Fuels – Services and Fueling Stations
- Information Technology/Intelligent Transit Systems/Management Systems
- Safety/Security Programs
- Customer/Passenger Services & Facilities
- Employee Morale

Based upon the Board's general procedure guidance, staff will develop *specific* budgetary line items and new initiatives (projects/programs) to support the guiding principles. (See attachment for examples of new initiatives)

### Background

During FY 13-14 budget preparation, Finance staff will incorporate various technical and procedural concepts into the budget process. Many of these concepts include:

- Soliciting Board input and guidance early in the budget preparation process
- Developing a budget schedule to better manage the process Agency-wide
- Effectively allocating grant funds to support operating and capital budgets
- Performing a comprehensive analysis of salary savings
- Enhancing the position control processes for tracking vacancies & positions
- Developing a comprehensive capital budgeting process (5-Year CIP)
- Implementing a process for developing new initiatives program/projects

The changes to the budget process will foster a collaborative, systematic and streamlined- approach to developing the Agency's FY 13-14 Budget.

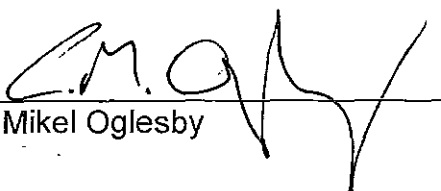
In addition to the various technical changes to the budget process, there are several budgetary challenges facing the Agency for FY 13-14 which requires review and consideration by the Board of Directors. Some of these challenges include:

- Potential reductions in Federal, State and Local revenues (*STA funding*)
- Cost of Living Adjustments (COLA) for contracts and maintenance agreements
- Rising costs of fuel, lubricants and oils
- Salary and Wages increases (2%) for Union employees per MOU
- COLA for unrepresented employees
- Impact of Union negotiations on the budget (*current contracts end March 2014*)
- Vehicle Replacements

As the budget progresses through the attached Budget Schedule, staff will inform the Board of major budget challenges for FY 13-14.

#### **Fiscal Implications**

None.

  
C. Mikel Oglesby

**SUNLINE TRANSIT AGENCY**  
*Joint Powers Transportation Authority*

**OVERVIEW OF BUDGET PROCESS & SCHEDULE - FY 13/14**

**Overview of Budget Process – 4 Phases**

The Budget will flow through the following four (4) phases:

- I. Phase A - Baseline Budget: Baseline budget with cost of living adjustments (COLA), contracts, fringe benefits adjustments, labor concessions, structural budget changes, position control, and revenue analysis.
- II. Phase B - Department's Budget Proposal: Department requests/budget worksheets, reallocations and new initiatives.
- III. Phase C - General Manager's Budget Proposal: Combination of baseline budget w/adjustments, department requests, new initiatives, salary savings analysis and position control review.
- IV. Phase D - Board of Director's Budget: GM's budget proposal, policy decisions, and Board approval.

**Technical Aspects of the Budget**

The following are technical concepts to be incorporated into the Budget process:

- Budget Policy Directives – Solicit the Board of Director's general policy directives and guidance early in the budget process. General policy guidance include the following services & programs:
  - Transit Services – New/Expansions/Enhancements
  - Transit Fleet - New/Rehab/Replacements
  - Facility – Operating and Maintenance
  - Planning Studies – Bus/Rail Integration
  - Sun Fuels - Enhancements/Services/Fueling Stations
  - Information Technology/Intelligent Transit Systems/Management Systems
  - Safety/Security Programs
  - Customer/Passenger Services & Facilities
  - Employee Morale
- Budget Schedule – Develop a budget schedule to better manage the process agency-wide
- Grant Funds – Effectively allocate grant funds to support operating and capital budgets
- Salary Savings – Comprehensive analysis of salary savings

- Position Control – Enhance position control processes for tracking vacancies & positions
- Capital Budget – Comprehensive capital budgeting process (5-Year CIP)
- New Initiatives – Implement process for developing new program/projects for the agency

### **New Initiatives**

Based upon the general and broad procedure guidelines from the Board, Staff will develop New Initiatives (programs/projects) that can be funded with grant funds, existing operating funds and/or new revenue sources. Examples include:

- New transit services (including Bus Rapid Transit type initiatives)
- New transit vehicles (alternative fuel)
- Transit fleet rehabilitation
- Passenger facility improvements (new shelters, restrooms at Indio hub, etc.)
- Operating and Maintenance facility improvements
- Maintenance system enhancements (new equipment, new management system, etc.)
- Fueling system upgrades, expansion, and rehabilitation
- Information technology enhancements such as electronic/digital document management
- Management system upgrades (new enterprise resource management system (ERMS))
- Intelligent transportation system enhancement and expansion (new operations management tools, new customer service tools, new customer information systems, communication system enhancements)

### **Budget Layout**

The following is a list of new items that will be incorporated into the Budget layout.

- Agency Overview (history/background, service plan/routes, etc.)
- Division Organizational Charts
- Personnel Summary
- Functions & Responsibilities of each Department
- Prior Year Accomplishments by Department
- FY 13/14 Goals and Objectives by Department (5 major goals/objectives)
- Revenue Analysis (operating and special revenues)
- 5-Year Capital Improvement Plan (CIP)
- Annual Capital Improvement Budget FY 13/14

## BUDGET SCHEDULE

<b>Item</b>	<b>Due Date</b>	<b>Action</b>	<b>Responsible Party</b>
Overview of budget policy and process w/GM	February 4, 2013	Discuss the process w/GM	Brenda Walker
Overview of budget policy and process with Directors/Departments	February 11, 2013	Review process w/Directors	Brenda Walker
Board Report – Board Secretary	February 17, 2013	Prepare Board Report and provide to Clerk of the Board	Brenda Walker & Carolyn Rude
Overview of budget policy and process with Board	February 27, 2013 (Board meeting)	Provide an overview of the budget process, solicit policy directives, and discussions	Mikel Oglesby
Budget Instructions and Worksheets	March 4, 2013	Disseminate budget instructions and worksheets to directors/departments	Brenda Walker
Department Budget Proposals & Negotiations	April 1, 2013	Submit budget proposals to Finance (Due to Finance)  Table 4 - SRTP	Brenda Walker Polo Del Toro Mike Morrow Joe Forgiarini Donald Bradburn Rudy LeFlore Naomi Nightingale Rick Barone Joseph Friend Tommy Edwards CJ Smith
Department Budget Proposal Review by Finance & Negotiations	April 2, 2013	Analyze and compile department budget proposal for GM Review/Approval	Brenda Walker
GM's Budget Proposal	April 23, 2013	Submit budget proposals to GM for Review/Approval	Brenda Walker
Board Report – Clerk of the Board	May 10, 2013 (Tentative Date)	Prepare Board Report and provide to Clerk of the Board	Brenda Walker & Carolyn Rude
Agency Budget (GM's Budget) presented to Board	May 27, 2013 (Tentative Date)	Presentation of SunLine Budget to Board of Directors	Mikel Oglesby
SunLine Budget Review with Finance Committee & Board	May 27 – June 14, 2013 (Tentative Dates)	Board of Directors Q&A/clarification of budget proposal with GM/Finance	Mikel Oglesby & Brenda Walker
Board Report – Clerk of the Board	June 17, 2013 (Tentative Date)	Prepare Board Report and provide to Clerk of the Board	Brenda Walker & Carolyn Rude
SunLine Budget	June 27, 2013 (Tentative Date)	Recommend Board approval of Budget	Mikel Oglesby