

MINUTES OF THE NOVEMBER 7, 2022 ZOOM TELECONFERENCE
LAVTA BOARD OF DIRECTORS MEETING

1. Call to Order

Meeting was called to order by Chair David Haubert at 4:06pm.

2. Roll Call of Members

Members Present

Gina Bonanno – City of Livermore

Brittini Kiick – City of Livermore (arrived at 4:47pm)

Jean Josey – City of Dublin

Karla Brown – City of Pleasanton

Kathy Narum – City of Pleasanton

Melissa Hernandez – City of Dublin

David Haubert – County of Alameda

3. Meeting Open to Public

No comments.

4. Consent Agenda

Recommend approval of all items on Consent Agenda as follows:

A. Minutes of the October 3, 2022 Board of Directors meeting, October 7, 2022 Special Board of Directors meeting, and October 28, 2022 Special Board of Directors meeting.

B. Treasurer’s Report for September 2022

The Board of Directors approved the September 2022 Treasurer’s Report.

C. Adoption of a Resolution Declaring that Agency Meetings Will Continue to Be Held Via Teleconference

The Board of Directors adopted Resolution 41-2022 declaring that LAVTA meetings will continue to be held via teleconference.

Director Jean Josey inquired on Agenda Item 4b and asked why there was a different amount shown on the balance sheet for the LAIF account versus the Treasurer’s Report overall budget statement on the beginning and ending balance. Staff and David Alvey of Maze and Associates provided an explanation on why there was a difference.

Approved: Narum/Brown

Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez

No: None

Abstain: None

Absent: Kiick

5. Fiscal Year 2022 Annual Comprehensive Financial Report (ACFR)

David Alvey of Maze and Associates highlighted select pages of the FY2022 Draft ACFR noting that there were no findings. David Alvey pointed out the movement on LAVTAs net pension liability and the net OPEB, which is liability and explained that it’s actually an asset this year. David Alvey explained that a single audit is in the report, because LAVTA received more than \$750,000 expenditures of federal funds.

The Board of Directors discussed this agenda item with staff and the presenter. Director Karla Brown inquired if there should be concern that Tamara Edwards is the Interim Executive Director for LAVTA and signed as Director of Finance. David Alvey informed that in transition it is not a red flag, because they look at internal control environment when conducting the interim phase of the audit.

The Board of Directors accepted the Annual Comprehensive Financial Report (ACFR), and direct staff to submit the ACFR to the Government Finance Officers Association (GFOA) for award.

Approved: Bonanno/Brown
Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez
No: None
Abstain: None
Absent: Kiick

6. Atlantis Transit Operations and Maintenance Facility Update

[Brittini Kiick, from City of Livermore, arrived during Atlantis Transit Operations and Maintenance Facility Update.]

Staff reported a recap of the Atlantis Transit Operations and Maintenance facility and introduced Mike Mowery of Kimley-Horn and Associates (KHA). Mike Mowery provided the Board of Directors a presentation that overviewed the site features and advancements on the Atlantis Transit Operations and Maintenance Facility.

The Board of Directors discussed this agenda item with staff and the presenter. The Board of Directors inquired about shade in the court yard areas, if the building is all electric and what aspects will be natural gas, using permeable surfaces, low carbon concrete, and drought tolerate landscaping. Mike Mowery provided answers to the Board of Directors questions.

This was an informational item only.

7. LAVTA Rutan Landscaping Maintenance Project

Staff reported that LAVTA issued a Request for Quotes (RFQ) for the Rutan Landscaping Maintenance to maintain the landscape at Rutan Facility, Transit Center, and Atlantis Property. The RFQ was issued to prospective bidders on September 14, 2022 and LAVTA opened three bids received on October 11, 2022. The three vendors that provided bids were, RMT Landscape Contractors, Inc., Ogreena, and Pacheco Landscape Management. This RFQ is for three years with two option years and the lowest bid came from RMT Landscape Contractors, Inc. The

contract will start on December 10, 2022.

The Board of Directors discussed this agenda item with staff. The Board of Directors inquired why LAVTA did not receive any local bids and requested LAVTA to call local vendors to see why they did not bid on the RFQ. Legal Counsel Michael Conneran noted that LAVTA can inquire with local firms why they didn't bid and bring the same matter back in December with an explanation. Michael Conneran also explained that if LAVTA awards the bid to anybody other than the 3 vendors on the list, and anyone other than the lowest bidder, unless we had reason to deviate from that you're going to rebuild the RFQ and that takes time. Staff informed that LAVTA could rebid the RFQ, but that would require going one month without landscape maintenance or request the current landscape company to assist with maintaining all sites as a temporary solution. Director Jean Josey advocated that LAVTA received a responsible and responsive bidder that came in at our budget and recommended accepting the bidder to have a smooth process going forward.

The Board of Directors approved Resolution 42-2022, authorizing the Interim Executive Director to execute an agreement with RMT Landscape Contractors, Inc. for three years plus two option years for the landscape maintenance at LAVTA's three properties.

Approved: Josey/Narum

Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez, Kiick

No: None

Abstain: None

Absent: None

8. Set Board of Director Meeting Dates for 2023

Director Brittini Kiick suggested that the meeting dates be reviewed again at the beginning of the year when new Board of Directors are appointed, since some may have fulltime jobs that could interfere with them attending meetings

The Board of Directors adopted the meeting calendar for 2023.

Approved: Hernandez/Josey

Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez, Kiick

No: None

Abstain: None

Absent: None

9. Interim Executive Director's Report

Interim Executive Director Tamara Edwards reported that ridership is steadily increasing, but we are still not up to pre-COVID levels and pointed out that LAVTA does not have all the routes running. Interim Executive Director Tamara Edwards also highlighted the Transit Center rehabilitation project, replacement of the polycarbonate on the Hacienda Business Park shelters, an update on the Shared Autonomous Vehicle (SAV), and the Dublin Parking Garage project. Interim Executive Director Tamara Edwards also acknowledged that Jennifer Yeaman is back at work part-time and our new Capital Projects Manager will start in a couple of weeks.

10. Report from Closed Session of October 7, 2022

Legal Counsel Michael Conneran reported on recorded that there was no reportable action from the closed session at the October 7, 2022 meeting.

11. Adjourn to CLOSED SESSION

Meeting adjourned to closed session at 5:13pm.

**12. Closed Session pursuant to Government Code Section 54957(b):
PUBLIC EMPLOYMENT APPOINTMENT Title: Executive Director**

**13. Closed Session pursuant to Government Code Section 54957.6 CONFERENCE WITH
LABOR NEGOTIATOR Agency Representative: Michael Conneran, Legal Counsel
Unrepresented Employee: Executive Director**

14. Reconvene to OPEN SESSION

Meeting reconvened at 5:25pm.

Legal Counsel Michael Conneran reported that the Board met in closed session and discussed the Agreement of Executive Director of the agency and suggested that the Board of Directors entertain a motion to approve Christy Wegener as the next Executive Director of LAVTA.

15. Possible Appointment of Executive Director and Approval of Associated Employment Agreement

Legal Counsel Michael Conneran noted that the starting salary is \$215,000.00 and that he asked staff to post the Agreement on LAVTAs website for viewing.

The Board approved the Employment Agreement appointing Christin Wegener as Executive Director with starting salary at \$215,000.00.

Approved: Bonanno/Josey

Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez, Kiick

No: None

Abstain: None

Absent: None

Christi Wegener thanked the Board of Directors for this amazing opportunity and is looking forward to working with LAVTAs wonderful staff.

16. Matters Initiated by the Board of Directors

Director Brittni Kiick thanked Interim Executive Director Tamara Edwards for her time and welcomed Christy Wegener.

Director Karla Brown also thanked Interim Executive Director Tamara Edwards and stated that she will be very helpful as LAVTA transitions to a new Executive Director. Director Karla Brown requested that the Atlantis Transit Operations and Maintenance Facility staff report come back to the Board of Directors to allow feedback and discussion regarding water penetrating

surfaces and low water usage plants, so they can vote on these items and stated that she will allow the Chair to decide what the best method is for doing that. Chair David Haubert requested staff to bring back at the discretion of the Executive Director, an item that will discuss procedures, standards, and desires for future capital projects. Legal Counsel Michael Conneran stated that the Board of Directors can request LAVTA to incorporate some sustainability in the Atlantis Project and that the new Executive Director Christy Wegener can make note of this and work on it. Director Jean Josey also requested that specific costs and differentials be included on those specific features in the Atlantis agenda item.

17. Next Meeting Date is Scheduled for: December 5, 2022

18. Adjournment

Meeting adjourned at 5:33pm.

MINUTES OF THE DECEMBER 5, 2022 ZOOM TELECONFERENCE
LAVTA BOARD OF DIRECTORS MEETING

1. Call to Order

Meeting was called to order by Vice Chair Melissa Hernandez at 4:06pm.

2. Roll Call of Members

Members Present

Gina Bonanno – City of Livermore

Jean Josey – City of Dublin

Karla Brown – City of Pleasanton

Kathy Narum – City of Pleasanton

Melissa Hernandez – City of Dublin

David Haubert – County of Alameda (arrived at 4:12pm)

Members Absent

Brittini Kiick – City of Livermore

3. Meeting Open to Public

No comments.

4. November Tri-Valley Accessible Advisory Committee Minutes

Chair Herb Hastings of the Tri-Valley Accessible Advisory Committee (TAAC) reported on the minutes of the November 8, 2022 TAAC Zoom teleconference meeting. Discussed at the TAAC meeting were the TAAC Recruitment for Pleasanton’s Alternate Position, Dial-A-Ride Satisfaction Survey, Update on October PAPCO Meeting, Chair Report, and Service Updates and Concerns. Chair Herb Hastings welcomed LAVTAs new Executive Director Christy Wegener.

5. Consent Agenda

Recommend approval of all items on Consent Agenda as follows:

A. Minutes of the November 7, 2022 Board of Directors meeting.

B. Treasurer’s Report for October 2022

Recommendation: Staff recommends that the Board of Directors approve the October 2022 Treasurer’s Report.

C. Adoption of a Resolution Declaring that Agency Meetings Will Continue to Be Held Via Teleconference

Recommendation: Staff recommends that the Board of Directors adopt Resolution 47-2022 declaring that LAVTA meetings will continue to be held via teleconference.

D. Special MTC FY24-28 Short Range Transit Plan

Recommendation: The Projects and Services Committee recommends that the Board approve the Special MTC FY24-28 Short Range Transit Plan (SRTP).

E. TAAC Appointment for the Pleasanton Alternate Member Position

Recommendation: Staff recommends the LAVTA board appoints Jennifer White for the Tri-Valley Accessible Advisory Committee (TAAC) Pleasanton Alternate member position for term expiring on June 30, 2023.

[David Haubert, from County of Alameda, arrived during Consent Agenda.]

Executive Director Christy Wegener informed the Board of Directors that the minutes had an error on page 4 of 5 and requested that the salary be corrected. Vice Chair Melissa Hernandez requested for the November 7, 2022 minutes to be pulled from the agenda and brought back to the next meeting revised.

Approved: Josey/Brown

Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez

No: None

Abstain: None

Absent: Kiick

Chair David Haubert requested that Vice Chair Melissa Hernandez continue Chairing the meeting.

6. Resolution Authorizing Investment of Livermore Amador Valley Transit Authority (LAVTA) Monies in the State of California Local Agency Investment Fund (LAIF)

The Board of Directors adopted Resolution 44-2022 reauthorizing investment of LAVTA monies in LAIF.

Approved: Brown/Narum

Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez

No: None

Abstain: None

Absent: Kiick

7. Adoption of a Resolution Establishing an Unfunded Liability Management Policy

Staff reported that for the last couple of months staff and the Finance and Administration (F&A) Committee have been working with Andrew Flynn, from Cal Muni, to develop an investment policy for LAVTAs unfunded accrued liability. Staff explained that with this policy they hope it allows for easier management and it will be in addition to LAVTAs 115 Trust Policy. Staff noted that the F&A Committee recommended setting the goal at 83% for the Unfunded Accrued Liability and Andrew Flynn is in attendance to answer questions the Board of Directors may have.

The Board of Directors asked questions and discussed this agenda item with staff and Andrew

Flynn. Director Kathy Narum inquired if the F&A Committee discussed the ability to issue debt to take care of refinancing the unfunded liability. Staff informed that it was discussed briefly and that due to LAVTA's large reserve the agency could pay it down all in one year, so it seemed like a better option than accruing debt to cover it. Director Kathy Narum requested attachment 1, page 4, number 6 of the Policy to have the wording changed from "shall consider issuing taxable municipal debt" to "may consider issuing taxable municipal debt." Staff acknowledge this can be changed.

The Board of Directors adopted Resolution 45-2022 establishing a UAL Pension Management Policy.

Approved: Bonanno/Josey

Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez

No: None

Abstain: None

Absent: Kiick

8. Funding Agreement with the City of Pleasanton for ADA Transportation Services

Executive Director Christy Wegener reported that the revenue transfer of ADA transportation services from Pleasanton to LAVTA are part of the 2019 Mobility Forward Study and represents a major step forward in the provision of ADA services in the Tri-Valley. Executive Director Christy Wegener pointed out that the revenue split of TDA 4.5 and Measure BB funds represents a compromise and staff intends to monitor ridership and performance for the duration of the agreement. Executive Director Christy Wegener informed that LAVTA will receive 100% of the City of Pleasanton's MTC TDA 4.5 funds and an increasing portion of their Measure BB funds from 25% to 35% per year over the duration of the agreement, which is proposed to end in June 2025.

The Board of Directors approved Resolution 46-2022 allowing the Executive Director to enter into a Memorandum of Understanding (MOU) with the City of Pleasanton to relinquish their TDA 4.5 funds and a percentage of the ACTC Measure BB funds and to complete the transfer of ADA transportation services from Pleasanton to LAVTA.

Approved: Josey/Brown

Aye: Brown, Josey, Narum, Bonanno, Haubert, Hernandez

No: None

Abstain: None

Absent: Kiick

9. Executive Director's Report

Executive Director Christy Wegener thanked the Board of Directors for the opportunity to serve as LAVTA's Executive Director and thanked the staff for welcoming her very warmly today. Executive Director Christy Wegener noted that she will return a comprehensive plan for her first 90 days at the January Board meeting.

Executive Director Christy Wegener announced that Director of Operations and Innovation Toan Tran accepted a job at Tri Delta Transit as their Chief Operating Officer and his last day at LAVTA will be December 8th. Executive Director Christy Wegener also acknowledged that

Director Kathy Narum and Gina Bonanno will be leaving the Board of Directors at the end of the calendar year.

Executive Director Christy Wegener reported that ridership is currently at about 62% of pre-covid on weekdays and LAVTA is seeing a faster recovery on weekends where it is about 24% below pre-covid numbers. Executive Director Christy Wegener also highlighted the Dublin Parking Garage, Hacienda Business Park Shelters, and Shared Autonomous Vehicle (SAV) update.

The Board of Directors asked questions and discussed this agenda item with the Executive Director. Director Karla Brown asked that the SAV update include a timeline, so the Board knows when it will be fully functional to provide rides. The Board of Directors welcomed Executive Director Christy Wegener and acknowledged Director Kathy Narum, Director Gina Bonanno, and Toan Tran leaving LAVTA.

10. Matters Initiated by the Board of Directors

None.

11. Next Meeting Date is Scheduled for: January 9, 2023

12. Adjournment

Meeting adjourned at 4:43pm.