

EASTERN SIERRA TRANSIT AUTHORITY

Minutes of Friday, June 19, 2009

The Board of Directors of the Eastern Sierra Transit Authority, State of California, met at 11:30 a.m. on Friday, June 19, 2009, at the City of Bishop Council Chambers, 301 West Line Street, Bishop, California. The following members were present: Jeff Griffiths, Skip Harvey, Vikki Bauer, David Stottlemire, Linda Arcularius and John Eastman. Directors Susan Cash and Byng Hunt were absent. Director Eastman led the pledge of allegiance.

- Public Comment** The Chairperson opened the public comment period at 11:35 a.m. Selma Calnan read comments to the Board. There was no one else from the public wishing to address the Board. Public Comment was closed.
- Consent Agenda** Moved by Director Eastman and seconded by Director Arcularius to approve the minutes of the ESTA Board of Directors meetings of May 15, 2009, May 18, 2009 and the Special meeting of May 18, 2009. Motion carried 6-0, with Directors Cash and Hunt absent.
- Board Meeting Dates & Times** The Board continued the discussion begun at the April meeting regarding possible adjustments to the dates and times for the ESTA Board meetings. The Board agreed to leave the schedule as is and possibly look to have one evening meeting in Mammoth before the end of the calendar year with a date to be determined.
- Special Transportation to Board Meetings** Executive Director John Helm reported to the Board regarding a request for special transit service from Bishop to Mammoth when Board Meetings are held in Mammoth. Mr. Helm did not recommend additional transit services be provided at this time due to the fact that this expense would detract from other existing transit services and that current routes provide a means for individuals to travel using public transit. The Board suggested a long-term goal of looking into teleconference centers to enable easier public participation in Board meetings.
- Mammoth Express Schedule** Mr. Helm reported that comments have been received by ESTA staff requesting additional service between Bishop and Mammoth. Staff is suggesting eliminating the 4:00 p.m. run from Bishop to Mammoth and the 7:35 p.m. trip from Mammoth to Bishop, with the addition of a midday route. The Board directed staff to conduct public hearings on the modification of the Mammoth Express schedule, and bring back to the Board cost estimates of the new

service and needs of the public.

Charter Service

Transit Analyst Jill Batchelder reported that a local pack outfitter had requested that ESTA provide charter service. Ms. Batchelder reported that a total of five hours of administrative staff time was spent completing the steps required to comply with the federal Charter Regulations. None of the registered charter providers expressed an interest in providing the service for the local pack operator. When the pack outfitter was notified that ESTA was able to provide the service; he was no longer in need of ESTA's services as he was able to use a local private charter provider. Moved by Director Eastman and seconded by Director Arcularius to direct staff to continue to respond to charter service requests on a case specific basis in compliance with the FTA charter regulations, and to adjust the private charter rates to a minimum of four hours at \$350, and \$80 for each additional hour and, for Section 5310 charter groups, charge \$80 per hour with a one hour minimum and \$25 per hour for time at destination. Chairperson Griffiths reported that he had contacted representatives from Buck McKeon's office and they will make contact with the FTA regarding declaring a hardship. Staff was directed not to encourage the use of charters when contacted and to clearly explain the rules that must be followed and give other possible options. Motion carried 6-0 with Directors Cash and Hunt absent.

Operations Report

Transit Director Monicka Watterson gave the Operations Report for the month of May. Ms. Watterson reported that there has been an increase in ridership on the south CREST route.

Treasurer's Report

Mr. Helm reported that there are sufficient funds to meet the next 30 days of obligations. All lines of credit have been fully repaid to the four jurisdictions. Letters requesting additional lines of credit have been sent, and the Inyo County Financial Advisory Committee is set to meet in July to discuss the issue. Mr. Helm reported that an additional page was added to the Treasurer's Report displaying a description of projected significant revenue variances.

FY 2009/10 Budget

Mr. Helm presented to the Board the proposed fiscal year 2009/10 budget, including an overview of the factors used in the development of the budget. Mr. Helm reported that the big assumption for the budget is the anticipation of \$200,000 from 5311(f) Local In-kind Match program funds. It is anticipated to be finalized near the end of the summer. Staff is proceeding to file the necessary paperwork. Mr. Helm is cautiously optimistic these funds will be approved; however, if this funding does not come

about, it will have a significant impact on the budget. The Red's Meadow Shuttle is expected to be fully self-funded. The budget includes a contingency line item of approximately 1% of total expenses. The Board requested a policy of how to use reserve funds. Moved by Director Eastman and seconded by Director Harvey to approve and adopt the fiscal year 2009/10 operating and capital budget. Motion carried 6-0, with Directors Cash and Hunt absent.

Recess/Reconvene

The Chairperson recessed the meeting at 1:05 p.m. The meeting reconvened at 1:15 p.m. with all Board Members present except Directors Cash and Hunt.

Clarification of Mission, Values, and Goals

The Board had an extensive discussion regarding the clarification of ESTA's mission and values. Mono County Assistant Legal Counsel, Mark Magit, brought to the Board research regarding the liability for services provided. The American With Disabilities Act (ADA) requires that a minimum of curb- to-curb service be provided to disabled customers. No regulations have been set by CJPIA regarding liability insurance. Mr. Magit reported that it is a policy decision that needs to be made whether to provide curb-to-curb, door-to-door, or door-thru-door service. If there is no policy then practice is considered policy, and ESTA must decide how much risk the Authority is willing to accept. There was an extensive discussion by the Board on ESTA's Mission and Values, which included level of service, balance between visitors and transit dependent services, a seamless system in the Eastern Sierra region, levels of acceptable risk, and safety. There was a consensus that ESTA should provide the highest quality of service possible with the level of funding that is available. Further discussion of the clarification of ESTA's mission, values and goals will take place at the July Board meeting.

Reports

Director Bauer gave an update on her trip to Washington D.C.

Mr. Helm reported that the Red's Meadow Shuttle service began on Saturday. Mr. Helm reported that proposed cuts to school transportation budgets could have an impact on ESTA. Mr. Helm updated the Board on communication with ESTA employees, which took the form of a written memo recapping the meeting with Terry Gooch Ross. He indicated that there will continue to be an increased emphasis on enhancing communication with employees. The Board requested that a copy of the letter be forwarded.

Closed Session

The Chairperson recessed open session at 2:40 p.m. to convene

in closed session with all Board Members present except Directors Cash and Hunt to consider agenda items:

16 a) Conference with Labor Negotiators. (Pursuant to Government Code Section 54957.6) – Authority designated representatives; John Helm, Rick Pucci, and Mark Magit. Bargaining group; ESTA Management & Confidential Employees Association.

16 b) Conference with Legal Counsel. – Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code.

Report on Closed Session

Closed session was recessed at 3:55 p.m. to reconvene in open session to receive a report on closed session with all Board Members present except Susan Cash and Byng Hunt. There were no items discussed in closed session, which were required by law to be reported on in open session.

Adjournment

The Chairperson adjourned the meeting at 3:55 p.m. The next regular meeting will be held Friday, July 17, 2009 at 10:00 a.m. in the Town of Mammoth Lakes.

Recorded & Prepared by:



Susan Rottner
Board Clerk
Eastern Sierra Transit Authority

Minutes approved: **October 16, 2009**