



Connecting Our Community.

AGENDA

EXECUTIVE COMMITTEE MEETING

FRIDAY, JUNE 10, 2016, 8:00 A.M.

OMNITRANS METRO FACILITY

1700 WEST 5TH STREET

SAN BERNARDINO, CA 92411

The meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or Limited English Proficiency services are needed in order to participate in the public meeting, requests should be made through the Board Secretary at least three (3) business days prior to the Committee Meeting. The Board Secretary's telephone number is 909-379-7110 (voice) or 909-384-9351 (TTY). If you have comments about items on the agenda or other general concerns and are not able to attend the meeting, please mail them to Omnitrans at 1700 West Fifth Street, San Bernardino, California, Attention Board Secretary. Comments may also be submitted by email to BoardSecretary@omnitrans.org.

THIS MEETING IS AVAILABLE BY TELECONFERENCE AT THE FOLLOWING LOCATIONS AND WILL BE CONDUCTED IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(B).

CITY OF CHINO HILLS, 14000 CITY CENTER DRIVE, CHINO HILLS, CA 91709

DOUBLETREE HOTEL, 201 EAST MACARTHUR BOULEVARD, SANTA ANA, CA 92707

THESE LOCATIONS ARE ACCESSIBLE TO THE PUBLIC AND MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMITTEE FROM THESE TELECONFERENCE LOCATIONS.

A. CALL TO ORDER

B. ANNOUNCEMENTS/PRESENTATIONS

1. Next Committee Meeting: Friday, July 1, 2016, 9:00 a.m.
Omnitrans Metro Facility

C. COMMUNICATIONS FROM THE PUBLIC

This is the time and place for the general public to address the Board for items that are not on the agenda. In accordance with rules applicable to meetings of the Executive Committee, comments on items not on the agenda and on items on the agenda are to be limited to a total of three (3) minutes per individual.

D. POSSIBLE CONFLICT OF INTEREST ISSUES

E. DISCUSSION ITEMS

1. Approve Executive Committee Minutes – April 5, 2016
2. Recommend to Move Forward to Board, First Responder Recognition at San Bernardino Transit Center
3. Update on VTrans Transition
4. General Counsel for Omnitrans - Selection Process

F. BOARD BUSINESS

There is no Closed Session item scheduled.

G. REMARKS AND ANNOUNCEMENTS

H. ADJOURNMENT

N/A

2



1700 W. Fifth St.
San Bernardino, CA 92411
909-379-7100
www.omnitrans.org

ITEM # E1

**EXECUTIVE COMMITTEE MEETING
MINUTES
APRIL 5, 2016**

A. CALL TO ORDER

The Executive Committee Meeting was called to order by Chair Sam Spagnolo at 8:04 a.m., Tuesday, April 5, 2016.

COMMITTEE MEMBERS ATTENDING

Mayor Pro Tem Sam Spagnolo, City of Rancho Cucamonga – Board Chair
Council Member Ron Dailey, City of Loma Linda – Board Vice Chair
Council Member Ed Graham, City of Chino Hills – via Teleconference
Council Member Penny Lilburn, City of Highland
Council Member John Roberts, City of Fontana
Mayor Pro Tem Alan Wapner, City of Ontario

OTHERS ATTENDING

Carol Greene, Deputy County Counsel

OMNITRANS STAFF ATTENDING

P. Scott Graham, CEO/General Manager
Marge Ewing, Director of Human Resources/Safety & Security
Jeremiah Bryant, Service Planning Manager
Vicki Dennett, Executive Assistant to CEO/General Manager

B. ANNOUNCEMENTS/PRESENTATIONS

Next Committee Meeting: Friday, May 6, 2016, 9:00 a.m.
 Omnitrans Metro Facility

C. COMMUNICATIONS FROM THE PUBLIC

There were no communications from the public.

D. POSSIBLE CONFLICT OF INTEREST ISSUES

There were no Conflict of Interest Issues.

E. DISCUSSION ITEMS

1. Approve Executive Committee Minutes – January 8, 2016

M/S (Graham/Roberts) that approved the Executive Committee Minutes of January 8, 2016. Motion was unanimous by Members present.

Member Dailey arrived at 8:06 a.m.

2. Overview of Proposed Administrative Agent Agreement between Valley Transportation Services and Omnitrans presented by Omnitrans Legal Counsel

Deputy County Counsel Carol Greene presented this proposed agreement for discussion. She explained that because she was concerned that not all issues had been identified with regard to settling VTrans' matters, she worked with VTrans' legal counsel, and developed the proposed Administrative Agent Agreement. The template used for the agreement is the same one used by the San Bernardino County Schools. The agreement gives Omnitrans authority over VTrans, but allows them to continue to operate until all matters are handled, such as the closeout of the Caltrans grant, which cannot be transferred to Omnitrans, since VTrans is the entity that applied for and was awarded the funds. The agreement gives Omnitrans the authority to run VTrans, but leaves the liability with VTrans until everything is closed out. The proposed Administrative Agent Agreement has been approved by VTrans Board of Directors, and also has to be approved by the Omnitrans Board of Directors. However, prior to presenting to the Omnitrans Board of Directors, CEO/General Manager Scott Graham will work with legal counsel to revise language in the agreement to ensure that all issues are addressed. Once the agreement is approved by the Omnitrans Board of Directors (scheduled for May 2016), the VTrans Board will appoint Scott Graham as the CEO/General Manager. Once approved, those VTrans employees who received offer letters from Omnitrans will become Omnitrans employees (projected for May 11, 2016). VTrans legal counsel will continue to perform close-out procedures during the transition, as well as handle the non-profit status transfer from VTrans to Omnitrans.

3. Support and Move Forward, Adopt Proposed Change to Personnel Policy #603 – Retirement Plan

This item will be moved forward to the Administrative and Finance Committee seeking its recommendation to the Board of Directors, to adopt proposed revision to the Personnel Policy #603, Retirement Plan, whereby requiring Management/Confidential employees to pay the entire seven percent (7%) employee contribution to the California Public Employees Retirement System (PERS) through payroll deduction beginning July 1, 2016, along with a corresponding seven percent (7%) increase in wages to offset the deduction. Motion was unanimous by Members present.

4. Support and Move Forward, Approve Three New Positions and Adopt Proposed Revision to Personnel Policy #402 – Salary Ranges – Management Confidential Classifications

CEO/General Manager P. Scott Graham explained that the two rail positions would be funded by the Redlands Rail Project Measure I funds through SANBAG. It is anticipated the positions would come on board March 2017, which would be at least 12-18 months before Redlands Rail would go operational. Mr. Graham explained that in February 2016, County Counsel Jean-Rene Basle sent a letter to Omnitrans and the Board of Directors that, after July 1, 2016, the County would no longer provide legal services to the Agency. Therefore, staff has proposed in-house legal counsel beginning July 1, 2016. The Committee discussed the legal position and whether additional clerical support would be necessary to support the attorney. Mr. Graham indicated that he had a plan to provide clerical assistance to the attorney, and Legal Counsel Greene confirmed that part-time clerical support was sufficient and there was no need for legal experience.

The Committee also discussed the need to establish a combined Rail and CTSA Board Committee; however, legal counsel advised against that because the two subjects are vastly different. Instead, at this point, the Committee agreed that matters on these issues would be addressed with the Executive Committee for the time being.

M/S (Wapner/Lilburn) to support and move forward to the Board of Directors, to adopt proposed revisions to Personnel Policy #402, Salary Ranges, Management Confidential Classifications for non-represented employees, effective July 1, 2016, as follows:

- 1.) New Classifications – Approve three (3) new positions to be effective July 1, 2016: Director of Rail Operations, Rail Compliance Officer and In-House Legal Counsel at an annual cost of \$501,511.18 for wages and benefits.
- 2.) Salary Ranges – Increase salary levels I through IX by seven percent (7%) to cover the PERS Employee contribution that will be deducted from Management Confidential employees through payroll deduction. Note: Applies only if the Board of Directors approves proposed changes to Personnel Policy #603 – Retirement Plan.

F. BOARD BUSINESS

The Board Executive Committee adjourned to Closed Session at 8:45 a.m. concerning labor negotiations with Amalgamated Transit Union Local No. 1704 regarding the Coach Operator Unit, pursuant to Government Code Section 54957.6.

The Executive Committee reconvened to Open Session at 9:20 a.m., with no reportable action.

G. REMARKS AND ANNOUNCEMENTS

There were no Remarks or Announcements.

H. ADJOURNMENT

The Executive Committee adjourned at 9:20 a.m. The next Executive Committee Meeting is scheduled Friday, May 6, 2016, at 9:00 a.m., with location posted on the Omnitrans website and at the Omnitrans San Bernardino Metro Facility.

Prepared by:

Christine Vega, Administrative Secretary