



AGENDA
BOARD OPERATIONS COMMITTEE
June 28, 2017
11:30 a.m. – 12:00 p.m.
Conference Room 2
SunLine Transit Agency
Thousand Palms, CA

Public Comments will be accepted on each Agenda item upon the conclusion of the staff report on that item. Public comments on non-agendized items will be accepted during the Public comments section. Comments may be limited to 3 minutes in length. Please notify the Committee Chair if you wish to comment.)

1. **Call to Order**
2. **Roll Call**
3. **Confirmation of Agenda**
4. **Presentations**
5. **Public Comments**
Anyone wishing to address the Board Operations Committee on items not on the Agenda should do so at this time. Each presentation is limited to three minutes.
6. **Committee Member Comments**

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

7. **[Investment Policy Revision B-090298\(a\) & B-090298\(b\)](#)**
(Greg Pettis, Chair of Board Operations Committee;
Staff: Luis Garcia)
The revised investment policies were brought before the Board on May 24, 2017 for approval. During the Board Operations Committee meeting, it was decided to carry the item forward to the June 2017 meeting for further discussion and review of redlined policies.
(page 1)

----- ACTION -----

8. [Election of Uniform Public Construction Cost Accounting Procedures by Ordinance #17-01 and Resolution #0764](#) **Approve**
(Greg Pettis, Chair of Board Operations Committee;
Staff: Eric Taylor)
Recommend that the Board of Directors adopt Resolution No. 0764 and Ordinance No. 17-01 to allow the Agency additional flexibility for public works contracting as authorized by the Uniform Public Construction Cost Accounting Act (“Act”). (pages 2-9)

9. [CEO/General Manager’s Job Description](#) **Approve**
(Greg Pettis, Chair of Board Operations Committee;
Staff: Lauren Skiver)
Recommend that the Board of Directors approve the updated job description for CEO/General Manager. (pages 10-14)

10. [Adjourn](#)

SunLine Transit Agency

DATE: June 28, 2017 **INFORMATION**

TO: Board Operations Committee
Board of Directors

FROM: Deputy Chief Financial Officer

RE: Investment Policy Revision B-090298(a) & B-090298(b)

Background

The revised investment policies were brought before the Board on May 24, 2017 for approval. During the Board Operations Committee meeting, it was decided to carry the item forward to the June 2017 meeting for further discussion.

The current investment policy was last reviewed and approved by the Board in January 2006. The intent of the revised investment policies is to reflect a more comprehensive policy statement while updating guidelines regarding asset allocation. Key assumptions such as the time horizon, return objective and target asset weightings remain the same. Although the target asset weighting remains at a 60/40/0 percentage for equities/fixed income/cash, the range of the assets have been updated to maximize returns within the approved guidelines.

Status

Staff is currently working with legal counsel to review the draft for presentation to the Board at the July 26, 2017 meeting.

Luis Garcia



SunLine Transit Agency

DATE: June 28, 2017 **ACTION**

TO: Board Operations Committee
Board of Directors

FROM: Financial Services & Support Manager

RE: Election of Uniform Public Construction Cost Accounting
Procedures by [Ordinance #17-01](#) and [Resolution #0764](#)

Recommendation

Recommend that the Board of Directors adopt Resolution No. 0764 and Ordinance No. 17-01 to allow the Agency additional flexibility for public works contracting as authorized by the Uniform Public Construction Cost Accounting Act ("Act").

Background

In general local agencies must competitively bid all public projects (as defined by California Public Contract Code Section 20162) in excess of \$5,000 in accordance with the requirements set forth in the Public Contract Code, commencing with Section 20160. In 1983, the California Legislature adopted Assembly Bill 1666 which added Chapter 2 to Part 3 of Division 2 of the Public Contract Code, which provides for a uniform cost accounting standard for construction work performed or contracted by local agencies and further provides for an alternative method for bidding public projects. In order to implement these alternative bidding procedures, SunLine must (1) adopt a resolution explaining the Board of Director's decision to become subject to the Act, (2) adopt an ordinance stabling an informal bidding procedure, and (3) inform the State Controller of the Board of Director's decision.

On May 24, 2017 the first reading of Ordinance No. 17-01 was presented to and approved by the Board of Directors.

Provisions of the Public Contracting Code require very specific competitive bidding procedures which are intended to ensure that entities obtain good values while ensuring equality among contractors. Unfortunately, for some smaller projects, these very specific competitive bidding procedures can be overly cumbersome and end up draining entity resources. The Act provides a set of procedures which are more closely tailored to smaller projects and still allow for equality among contractors throughout the bidding process.

The Uniform Public Construction Cost Accounting Act allows for the following:

- (1) For projects valued at up to \$45,000, the Agency can use its own employees or serve as its own general contractor; and
- (2) For projects valued at up to \$175,000, the Agency can use informal bidding procedures which require the Agency to maintain a list of contractors by category of work and send notices to contractors on the list, listed trade journals, or both; and
- (3) For projects valued at above \$175,000, the Agency must use the very specific formal bidding procedures which require publication in a newspaper of general circulation and trade journals.

To take advantage of these higher bidding floor amounts and the resulting streamlining of the bidding process and cost savings associated with that streamlining, the Agency will have to comply with the uniform cost accounting procedures promulgated by the State. This will require a bit more work by the Agency's finance staff, particularly in learning the new procedures and beginning the compliance process. But it is the conclusion of SunLine Staff that the savings that will be realized over the long term by adoption of the ordinance and compliance with the uniform cost accounting procedures will outweigh any short-term burdens.

A resolution and ordinance are attached for consideration and approval. The Resolution states that the Agency elects to be subject to the Act and authorizes notification to the State Controller by the Clerk of the Board. The Ordinance identifies the process for bidding construction projects under the Act, the adoption of which is required by the Act.

Financial Impact

Avoiding complex bidding procedures on small projects will save staff time. It will also allow SunLine additional flexibility in awarding smaller public works contracts to those bidders who most closely meet the Agency's needs. There will be short-term costs associated with ensuring that the Agency's finance staff is set to comply with the uniform cost accounting procedures.

Eric Taylor



ORDINANCE NO. 17-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF SUNLINE TRANSIT AGENCY ADOPTING PUBLIC WORKS BIDDING PROCEDURES

THE SUNLINE TRANSIT AGENCY ("Agency") BOARD OF DIRECTORS
ORDAINS AS FOLLOWS:

SECTION 1. Purpose

This ordinance is enacted for the purpose of implementing the Uniform Public Construction Cost Accounting Act ("Act") (Public Contract Code section 22000 and following) and the policies and procedures of the California Uniform Construction Cost Accounting Commission ("Commission").

SECTION 2. Public project bidding requirements.

The cost limitations and circumstances for determining whether a public project (as defined in the Act) may be performed by force account, negotiated contract, purchase order, informal bidding, or formal bidding are those set forth in Act.

SECTION 3. Informal bidding procedures.

Public projects subject to informal bid procedures may be let to contract as follows:

- A. Contractors List. The Agency will develop and maintain a list of contractors in accordance with the Act and the criteria established by the Commission.
- B. Notice to Contractors. The Agency will solicit bids by written request to contractors licensed and experienced for the type of public work to be performed from the Agency's list of qualified contractors established pursuant to this section. Qualified contractors on the list for the category of work to be performed and all construction trade journals specified by the Commission will be mailed a notice inviting informal bids unless the product or service is proprietary.
- C. Form of Notice. The notice inviting informal bids must describe (1) the project in general terms, (2) how to obtain more detailed information concerning the project, and (3) state the time and place for the submission of bids.
- D. The mailing of notices to such qualified contractors and construction trade journals will be done in accordance with the procedures specified in the Act.
- E. Award of Contract. The award of contract may be made to the lowest responsible bidder.

F. Rejection or Absence of Bids. The Agency reserves the right to reject any and all bids presented. If no bids are received, the public project may be performed by Agency employees by force account or by negotiated contract.

G. If all bids received are in excess of the maximum dollar amount for contracts let through informal bidding under the Act, the governing body of the public agency may, by adoption of a resolution by a four-fifths vote, award the contract, at an amount no more than the amount stated in Section 22034(d) of the Act, to the lowest responsible bidder, if it determines the cost estimate of the public agency was reasonable.

SECTION 4. Formal bidding procedures.

Public projects that exceed the maximum permitted amount under the Act for informal bidding and are not otherwise exempt must be let to contract by formal bidding procedures in accordance with the Act and other applicable provisions of the Public Contracts Code.

SECTION 5. Delegation of authority to award contracts.

The CEO/General Manager is authorized to award informal contracts pursuant to this Ordinance.

SECTION 6. Federal Requirements

The procedures authorized by this Ordinance shall be followed to the extent that they are consistent with federal procurement and contracting laws and regulations applicable to the subject public project. If there are any inconsistencies between the procedures herein and any federal requirements, the federal requirements shall control.

SECTION 7. Environmental Findings.

The Board of Directors exercises its independent judgment and finds that the enactment of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") under the CEQA Guidelines (Chapter 3 of Title 14 of the California Code of Regulations beginning at Section 15000), specifically, Section 15061(b)(3), because the adoption of this Ordinance will implement a regulatory process that will not foreseeably result in construction or other physical activities, either directly or indirectly, and that therefore the enactment of this Ordinance does not have the potential to result in any significant effects on the environment.

SECTION 8. Publication The Clerk of the Board of Directors is directed to cause this ordinance to be published in the manner required by law.

PASSED, APPROVED AND ADOPTED by the Board of Directors of SunLine Transit Agency on this 28th day of June, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Isabel Acosta
Interim Clerk of the Board
SunLine Transit Agency

Russell Betts,
Chairperson of the Board
SunLine Transit Agency

APPROVED AS TO FORM

Eric Vail,
General Counsel
SunLine Transit Agency



SUNLINE TRANSIT AGENCY

RESOLUTION No. 0764

**RESOLUTION AUTHORIZING SUNLINE
TRANSIT AGENCY TO BECOME SUBJECT
TO THE UNIFORM PUBLIC CONSTRUCTION
COST ACCOUNTING ACT**

WHEREAS, local agencies must as a general rule competitively bid all public projects (as defined by California Public Contract Code section 20162) in excess of \$5,000 in accordance with the requirements set forth in the Public Contract Code, commencing with Section 20160; and

WHEREAS, the California Legislature adopted Assembly Bill 1666, Chapter 1054, Statutes of 1983, which added Chapter 2, commencing with Section 22000, to Part 3 of Division 2 of the Public Contract Code, which provides uniform cost accounting standards for construction work performed or contracted by local agencies and further provides for an alternative methods for bidding public projects that allows for informal procedures to be used to let public projects up to \$175,000; and

WHEREAS, Public Contract Code section 22030 provides that any entity that wishes to use the alternative procedures for bidding and contracting for public projects must elect, by resolution, to become subject to the uniform construction cost accounting procedures set forth in the Public Contract Code and must notify the State Controller of its election; and

WHEREAS, the SunLine Transit Agency Board of Directors wishes for the SunLine Transit Agency to become subject to the uniform construction and cost accounting procedures set forth in the Public Contract Code, commencing with Section 22000 in order that the Agency also be able to utilize the alternative bidding methods for public projects; and

WHEREAS, Public Contract Code Section 22034 further requires each public agency that elects to become subject to the uniform construction cost accounting procedures to enact an informal bidding policy that complies with the requirements set forth in Section 22034; and

WHEREAS, concurrently herewith, the Board of Directors has introduced Ordinance No. 17-01 which enacts procedures governing public works contracts and establishes, among other things, informal bidding procedures in accordance with the requirements of Public Contract Code section 22034.

NOW, THEREFORE, the Board of Directors for the SunLine Transit Agency does hereby resolves as follows:

SECTION 1. The Board of Directors for the SunLine Transit Agency hereby elects under Public Contract Code section 22030 to become subject to the uniform construction cost accounting procedures set forth in the Uniform Public Construction Cost Accounting Act, commencing with Public Contract Code section 22000, and to the policies and procedures manual and cost accounting review procedures promulgated by the California Uniform Public Construction Cost Accounting Commission, as each may be amended from time to time. The Clerk of the Board is hereby directed to notify the State Controller of this election.

SECTION 2. This Resolution shall be effective as of the date that Ordinance No. 17-01 becomes effective.

SECTION 3. The Chairman of the Board is hereby authorized to affix his signature to this Resolution signifying its adoption and the Clerk of the Board is directed to attest thereto.

SECTION 4. The Clerk of the Board shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED on this 28th day of June, 2017.

ATTEST:

Isabel Acosta
Interim CLERK OF THE BOARD
SunLine Transit Agency

Russell Betts
CHAIRMAN of the Board
SunLine Transit Agency

APPROVED AS TO FORM:

General Counsel
Eric Vail

SunLine Transit Agency

DATE: June 28, 2017 **ACTION**

TO: Board Operations Committee
Board of Directors

FROM: Lauren Skiver
CEO\General Manager

RE: [CEO\General Manager Job Description](#)

Recommendation

Recommend that the Board of Directors approve the updated job description for the CEO\General Manager.

Background

A review and update has been performed to SunLine's CEO\General Manager's job description. The new job description incorporates industry standards and best practice information guiding the selection, performance and duties of the CEO\General Manager.

Fiscal Impact

The is no fiscal impact on these changes.

Lauren Skiver





Date Adopted: _____

CEO/GENERAL MANAGER

Classification: Exempt
Department: Executive
Reports To: SunLine Board of Directors

JOB DESCRIPTION SUMMARY:

Under the direction of the Board of Directors, the CEO/General Manager is responsible for planning, organizing and directing the activities of SunLine Transit Agency to achieve an overall efficient operation of the Coachella Valley public transportation system organized under a Joint Powers Agreement, as well as carrying out other duties assigned by the Board of Directors. The CEO/General Manager serves as the administrative head of all Sunline departments other than the office of General Counsel.

PRIMARY DUTIES AND RESPONSIBILITIES:

1. Provide direction to the Executive team regarding operations, finance, and administrative activities of the Agency.
2. Provide leadership, guidelines and direction to ensure that policies related to the service, delivery, personnel, budget and business affairs of the Agency are executed.
3. Oversee the Agency's annual budget and adherence thereto, as well as short and long range transit system planning, including equipment maintenance and capital expenditures. Develop for Board approval plans and strategies for the Agency's development. Prepare and submit to the Board annual administrative, operation and capital expenditure budgets. Provide periodic financial reports to the Board. Approve for payment under procedures adopted by the Board valid demands against the Agency.
4. Select, direct and evaluate the Director of Maintenance, Director of Operations, Chief Financial Officer and Director of Human Resources, as well as provide direction, through directors, of daily operations of the Agency. Appoint, assign, direct, discipline and remove Agency employees subject to personnel rules adopted by the Board. Assume responsibility for negotiation and implementation for contracts for services.
5. Develop Agency policies and implement those policies throughout the Agency

- consistent with the directives of the Board of Directors as well as make recommendations to the Board consistent with efficient and economic operations.
6. Responsible for assuring compliance with Federal, State and local regulations regarding labor, employment, and the health and safety of employees.
 7. Serve as primary spokesperson for the Agency in legal matters, including relations with the Amalgamated Transit Union.
 8. Reports regularly to the Board regarding Agency progress and general "health" of the Agency.
 9. Makes presentations to the Board, City Managers/Councils, county representatives, citizens and other related entities in matters relative to Agency operations, programs and plans to assure funding support.
 10. Performs related duties as necessary or special assignments as directed.
 11. Assume responsibility for public relations, including promoting fixed routes in the Coachella Valley as well as demand service available to the elderly and disabled and communicating with the public concerning these services.
 12. Supports and enforces a work environment free of workplace harassment, discrimination and violence in concert with all Agency policies and procedures.

COMPETENCY

To perform the job successfully, an individual should demonstrate the following competencies:

Analytical - Synthesizes complex or diverse information; collects and researches data; Uses intuition and experience to complement data.

Problem Solving - Identifies and resolves problems in a timely manner; gathers and analyzes information skillfully; develops alternative solutions; works well in group problem solving situations; Uses reason even when dealing with emotional topics.

Project Management - Develops project plans; coordinates projects; communicates changes and progress; completes projects on time and budget; manages project team activities.

Interpersonal - Focuses on solving conflicts; maintains confidentiality when appropriate; listens to others without interrupting; keeps emotions under control; remains open to others' ideas and tries new things.

Team Work - balances team and individual responsibilities; exhibits objectivity and openness to others' views; gives and welcomes feedback; contributes to building a positive team spirit; able to build morale and group commitments to goals and objectives; supports efforts to succeed; recognizes accomplishments of other team members.

Change Management - Develops workable implementation plans; communicates changes effectively; builds commitment and overcomes resistance; prepares and supports those affected by change; monitors transition and evaluates results.

Leadership - Exhibits confidence in self and others; inspires and motivates others to perform well; inspires respect and trust; accepts feedback from others; provides vision and inspiration to peers and subordinates; gives appropriate recognition to others; displays passion and optimism; mobilizes others to fulfill the vision .

Managing People - Includes team planning, decision-making, facilitating and process improvement; takes responsibility for subordinates' activities; makes self-available to staff; provides regular performance feedback; develops subordinates' skills and encourages growth.

Visionary Leadership - Displays passion and optimism; inspires respect and trust; mobilizes others to fulfill the vision; provides vision and inspiration to peers and subordinates. Business Acumen - Understands business implications of decisions; displays orientation to profitability; aligns work with strategic goals.

Fiscal Management - Works within approved budget; develops and implements cost saving measures; contributes to profits and revenue; conserves and manages agency resources.

Ethics - Treats people with respect; keeps commitments; inspires the trust of others; works with integrity and ethically; upholds agency values.

Strategic Thinking - Develops strategies to achieve agency goals; understands agency's strengths & weaknesses; identifies external threats and opportunities; adapts strategy to changing conditions.

Judgment - Displays willingness to make decisions; exhibits sound and accurate judgment; supports and explains reasoning for decisions; includes appropriate people in decision-making processes; makes timely decisions.

Motivation - Sets and achieves challenging goals; demonstrates persistence and overcomes obstacles; measures self against standard of excellence; takes calculated risks to accomplish goals.

Professionalism - Approaches others in a tactful manner; reacts well under pressure; treats others with respect and consideration regardless of their status or position; accepts responsibility for own actions; follows through on commitments.

MINIMUM REQUIREMENTS

- a. Educational requirements:
 - o Master's degree (M.A.); a minimum of 15 years of related experience; to include progressive executive leadership positions, or equivalent combination of education and experience.
- b. Work experience:
 - o Prior transit agency experience as a Deputy General Manager, Operations Director or Director of Administrative Services.

PHYSICAL DEMANDS

The physical and mental demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Physical Demands

This is a high-stress position based on full responsibility for Agency operations. Position requires sufficient mobility to work in an office setting; stand and sit for prolonged periods of time; operate office equipment including computer keyboard; light lifting and carrying; ability to verbally communicate to exchange information; use of hand repetitively to operate, finger, handle or feel office equipment and reach with hands and arms. Frequently required to stand and walk. May lift 5 to 10 pounds when required.