



Wednesday, January 23, 2013

12:00 Noon

(Lunch Provided for Board Members)

**Kelly Board Room
32-505 Harry Oliver Trail
Thousand Palms, CA 92276**

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**
Vice Chairman Yvonne Parks
2. **Flag Salute**
3. **Roll Call**
4. **Presentations**
 - a) Employees of the Quarter (Donald A. Bradburn)
 - b) Presentation to Stater Bros. & Ralphs (Donald A. Bradburn)
5. **Finalization of Agenda**
6. **Correspondence**
None.

7. Public Comments**Receive Comments**

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

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**Receive Comments**

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

-----**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 December 5, 2012 Board of Directors Meeting (Pages 1-13)
- b) Checks over \$1,000 for November, December, 2012 (Pages 14-17)
- c) Credit card statement for November, December, 2012 (Pages 18-23)
- d) Monthly Budget Report for October, 2012 (Page 24)
- e) Contract Report – nothing to report.
- f) Ridership Report for November, December, 2012 (Pages 25-28)
- g) SunDial Operational Notes for November, December, 2012 (Pages 29-30)

10. FY 2012/13 Short Range Transit Plan (S RTP) Amendment (Joseph Forgiarini)**Approve**

Request to the Board to approve the second amendment to the Short Range Transit Plan for FY 2012/13 to update funding allocated for the project for replacement and purchase of new solar panels. (Pages 31-32)

- 11. Purchase of Replacement Paratransit Vehicles** **Approve**
(Mike Morrow)
Request to the Board of Directors to grant authorization to the General Manager to approve award of contract for the purchase of 14 replacement CNG paratransit vehicles. (Page 33)
- 12. Award of Contract for Security Perimeter Fencing and Gates for Division 1 and Division 2** **Approve**
(Tommy Edwards)
Request to the Board of Directors to grant authorization to the General Manager to execute a contract for construction of the security perimeter fencing and gates for Division 1 and Division 2. (Pages 34-35)
- 13. Award of Contract for Construction of Bus Shelter Shed Pads** **Approve**
(Joseph Forgiarini)
Request to the Board of Directors to grant authorization to the General Manager to execute a contract for construction of twenty three (23) bus shelter pads. (Pages 36-37)
- 14. Amendment to the Public Entity Risk Management Authority (PERMA) Joint Powers Agreement (JPA)** **Approve**
(Donald A. Bradburn)
Request to the Board of Directors to approve the amendment to the PERMA JPA and authorize the General Manager to sign the amendment. (Pages 38-41)
- 15. Amendment to the SunLine Employees Non-Union Restated Retirement System Plan Document** **Approve**
(Donald A. Bradburn)
Request to the Board of Directors to approve the amendment to the SunLine Employees Non-Union Restated Retirement System plan document and authorize the General Manager to sign the amendment. (Pages 42-50)
- 16. Resolution Updating Signatories on Bank Accounts** **Approve**
(C. Mikel Oglesby)
Request to the Board to approve the attached Resolution updating bank signature cards to reflect addition of Director of Finance. (Pages 51-53)
- 17. Amendment of SunLine Transit Agency JPA** **Approve**
(Jeffrey Goldfarb)
Request review and approval of the proposed Joint Powers Agreement (“JPA Agreement”) amendment, direct General Counsel to circulate the proposed Joint Powers Agreement (“JPA Agreement”) amendment to SunLine’s member agencies for approval. (Pages 54-60)

18. Resolution-Board Members Discuss Certain Closed Session Items with City Council & City Attorneys (Jeffrey Goldfarb)

Approve

Discuss and give direction concerning recent approval of Resolution authorizing Board Members to disclose certain limited circumstances items discussed in closed sessions to their City Councils or Board of Supervisors and to their respective City Attorneys or County Counsel. (Pages 61-69)

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

19. Litigation Policy (C. Mikel Oglesby)

Discussion

Discuss moving forward with the creation of a litigation policy to clarify the role of the Board, General Manager and staff in litigation strategy and management. (Page 70)

20. Appointment of Advisory Committees (C. Mikel Oglesby)

Discussion

Discussion and request for direction regarding the following current Board Committees: Finance Committee, Taxicab Committee, Personnel Loss Review Committee, Marketing Committee, Chairman Executive Committee, Taxi Appeal Committee. (Pages 71-101)

21. General Manager's Report (C. Mikel Oglesby)

22. Next Meeting Date

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

23. Closed Session

- a) 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))

24. Adjourn

MINUTES
SunLine Transit Agency
Board of Directors Meeting
December 5, 2012

A regular meeting of the SunLine Transit Agency Board of Directors was held at 12:00pm on Wednesday, December 5, 2012 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 Chairman Robert Spiegel.

2. Flag Salute

Councilmember Bud England and Mayor Pro Tem Bill Powers led all in a salute to our flag.

3. Roll Call

Completed.

Members Present

Robert Spiegel, Chairman, Mayor, City of Palm Desert
Yvonne Parks, Vice Chairman, Mayor, City of Desert Hot Springs
Rick Hutcheson, Councilmember, City of Palm Springs
Bud England, Councilmember, City of Cathedral City
G. Dana Hobart, Councilmember, City of Rancho Mirage
Bill Powers, Mayor Pro Tem, City of Indian Wells
Don Adolph, Mayor, City of La Quinta
Glenn Miller, Mayor, City of Indio
Eduardo Garcia, Mayor, City of Coachella

Members Absent

John J. Benoit, Supervisor, County of Riverside

Guests:

Kathleen Bennett, Resort Marketing
Mabu Hossein, Desert City Cab
Michal Brock, Yellow Ca of the Desert
Harmon Singh, Assistant Cab Administrator
Scott Russo, Legal Counsel American Cab
Harry Incs, American Cab
Kimberly Webb, Public
Rochelle Esther, Public

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
Tommy Edwards, Contracting Officer Technical Representative
Rudy LeFlore, Procurement Consultant
Mannie Thomas, Manager of Operations and Safety Training
Manny Garcia, Operations Senior Supervisor
Michael Jones, Manager Taxicab Administration
Ivanna Samokish, Safety and Security Coordinator
David Manriquez, Facilities Maintenance Assistant
Karen Thomas, Senior Administrative Assistant
Francine DePalo, Administrative Assistant
Anita Petke, Transit Planning Assistant
Mike Jones, Taxi Cab Manager
Diann Chumney, Marketing Specialist II

4. **Presentations**

Transit Agencies Mutual Assistance Project. General Manager, C. Mikel Oglesby, addressed the Board. He provided an overview of how the project was created. He stated that he receives various requests to provide special services, such as the Funerals for President Ford. In order to move forward and provide the transportation when you don't have enough vehicles, you talk to sister agencies and go through the FTA process for approval. In the past, it was completed unofficially. Mr. Oglesby called various agencies and asked for resources. Under this project creates the ability to move forward more easily. Mr. Oglesby stated that a presentation will be given now and we will be coming back to the Board in the future. Ivanna Samokish, Safety and Security Coordinator, addressed the Board and gave a presentation. Below are highlights:

- ▶ Initially Providers in: Los Angeles County, Orange County, Riverside County, San Bernardino County; recent invitations to Ventura and San Diego Counties.
- ▶ Prospects of growth
Potential for coordination with the Bay Area and a State-wide initiative

Sponsors:

Metro, California Emergency Management Agency, Foothill Transit, Omnitrans, OCTA, Long Beach Transit, SunLine Transit Agency, County of Orange – Emergency Management Bureau, County of Los Angeles – Office of Emergency Management.

Philosophy:

- ▶ Broad involvement of transit providers
- ▶ Build upon successful programs
- ▶ Respect existing protocols and standards
 - SEMS
 - NIMS
- ▶ Involve Emergency Management
- ▶ Sustain the momentum

- Clear deadlines and deliverables

Transit Responsibilities:

- ▶ Maintain routes and typical service
- ▶ Support emergency services
 - Provide realistic transportation expertise to the Incident Command
 - Transport emergency services personnel
 - Support evacuations or relocations
 - Transport special populations

Mutual Assistance:

- ▶ Mutual Assistance
 - Agreements between transit agencies, organizations or jurisdictions
 - Emergency assistance
 - Personnel, equipment, materials and other associated services
 - Facilitate rapid, short-term deployment of emergency support prior to, during, and/or after an incident
 - Costs born by the recipient/requestor (lender reimbursed) or negotiated by both parties

Program Benefits:

- ▶ Provides a degree of resiliency to ensure continuity of service and operations
- ▶ Complements and enhances your community's capabilities to prepare for and respond to emergencies
- ▶ Enhances quick access to specialized and/or interoperable resources
- ▶ Reduces administrative and operational conflicts
- ▶ Resources "typed" to better identify capabilities and facilitate communications and resource sharing
- ▶ Establish transit "seats" or mutual assistance representation in EOCs
- ▶ Creates a united and strong transit voice before emergency services counterparts
- ▶ Increases joint planning, exercising and coordination

Other Mutual Aid/Assistance Programs:

- ▶ State-wide
 - Emergency Managers
 - Fire and Rescue
 - Health and Medical
 - Law Enforcement and Coroner
 - Water and Wastewater (Cal WARN)
 - Public Works/Construction & Engineering
 - Other
 - California Disaster and Civil Defense Master Mutual Aid Agreement
- ▶ Inter-State

- Emergency Management Assistance Compact (EMAC)
- ▶ Other
 - American Public Transportation Association (APTA)

Trigger Points:

- ▶ Resources of one or more transit agencies are anticipated to be depleted or are depleted because of an incident
- ▶ A transit provider is in need of a specialized resource to which it may not have access

Preliminary Key Concepts:

- ▶ Voluntary
 - Provide support if you can
 - Provide support to the degree you can
 - Pull back resources as necessary
- ▶ Scalable
 - Participants from across the region can provide support to a single or multiple recipients
 - Burden on any one agency is reduced
 - "Dilution Effect"

Chairman Spiegel stated the following: "Before we finalize the agenda, I had Carolyn pass out an email that was sent to myself and Vice Chairman Parks from the Desert Sun asking for certain information. When I get emails like this, I make sure that everybody gets them. You need to know more than I need to know in many cases. So that is what it is."

5. **Finalization of Agenda**
No changes were made.
6. **Correspondence**
None.
7. **Public Comments**
NON AGENDA ITEMS:

Rochelle Esser addressed the Board stating that she purchased a pass, for the first time, via phone. She stated that she paid for it October 9th and was told it was sent out October 10th. She has not received the pass. When she called the office, she was told that SunLine policy is that we do not replace lost or stolen bus passes. She asked if something could be done. She paid \$17 for the monthly pass. Mr. Oglesby stated that he was not familiar with the situation, but he will look into it and is sure we can come to some kind of agreement. Mr. Oglesby stated that staff can track the number of the pass and take care of the situation.

AGENDA ITEMS:

None.

8. Board Member Comments

Councilmember Member Bud England stated the following: "As many of you already know, this is going to be my last meeting with SunLine. I just wanted to express my gratitude to the employees of SunLine first. It's been a long time – I have been on the Board for about eight or nine years. I wanted to say that this organization is successful not because of the members that sit around this table, but because of you (employees) that do this day in and day out. It is because of your hard work and dedication that allow us to come up with the policies and procedures to allow SunLine a reasonable amount of success here in the Desert as far as a transportation agency. I wanted to recognize that and to reaffirm that to you because sometimes you don't get that from the Board. Sometimes you see bickering and sometimes you see other things that may take place amongst us while we try to sort things out. Sometimes you kind of get caught up into it. It is not of anything that you have done incorrectly, sometimes it's just hard to get some politicians to agree upon things. I wanted to re-encourage you, to re-affirm your good works. It's not because of us, it is because of you. I will use the "Fill-the-Bus" program that is successful every year – you choose to do it. You are the ones that make the impact in this Valley. You are the ones that work day in and day out to make good things take place here. You are the ones that provide the leadership and the service out there. You make it happen. It's to your credit that I want to acknowledge why SunLine is in the position that it is in. It is all about you. It has been my pleasure and my honor to work with you and to help you do the best that you possibly can do in this organization. And while I won't be sitting here, I am still out there cheering SunLine on. Many of you know or don't know that I do a lot of cycling here in the Desert. I still have my SunLine jersey. I wear that jersey because it is exciting to be a part of an organization like this. I appreciate your continued excitement even though it is a job, it is a career, a ball and chain depending on what day of the week it is - you do a great job. I want to say thank you for allowing me to work with you and to serve you as we move SunLine forward. I appreciate everything that you have done. The second set of comments is for all of us that sit here on this Board around this table. Many of you know that I don't like politics; I have never liked politics. I am just not wired that way – I am a regular guy. And so sometimes I might use coarse words instead of the delicate words that we all like to use in order to get a point across. That is just how I am wired. We all bring a certain set of skill sets to the table. Within that skill set, hopefully we move this ball forward – this organization forward, in a correct manner so that the other folks have some good leadership. They are not doing a "fix and start" because one week we are doing thing and the next week the Board is saying something else – that we always give a clear message as to what we are doing and why we are doing it. It is sometimes unfortunate that when we use our skill sets, that we don't use them in a positive manner, we use them as a negative – in a negative aspect. Not to move the organization forward in a positive direction, but to either confuse the staff and employees of what division is, what the focus is, what their end goal is – we

confuse them with other things that really don't just matter in what this organization is all about. I just wanted to take a moment to say that I appreciate the Board members that I have worked with in the past and in the present because it takes a team to make this thing work. And if we have individuals that are outside of the team – that have their own specific agenda, and I will use football as a great analogy. You have a tight end – the tight end is very important. And you have a tight end that wants to do his own deal or her own deal, they are not going to be a benefit to the team. The team is not going to win in the overall game. We all have specific skill sets; we all have specific ideas and understandings of what we want to do in order to move this organization forward and when we work as a team and we don't get distracted with our own personal agendas, then we can move the team forward because we are not distracted. In our distraction, we distract the people that work here. This is their livelihood. I have spent eight years here. It has been a vapor to me. I remember the first time I walked through the door and said 'hey everybody', and it has been a brief moment in time. I'm sure all of you can recognize that. It's them that need to have the focus and vision and maintain that without distractions from the Board. So I would ask each one of you – and you guys don't have to agree with me or disagree with me – but please, for the sake of the organization, I ask that you continue to use your skill set that you bring to this table in a positive manner. Stay focused without personal agendas because it is really not about us. It is about SunLine and providing transportation to the Valley – to each community; taxi service; all of the things that we talked about. Mutual Assistance projects – it's about moving this organization and we are the managers of this team, and we need to continue to operate above the fray, above the personal agendas and we need to be honorable in the task that we were elected to. I think you for giving me the moment to talk to you, to address each one of you. Thank you for your time and your service to your communities and to SunLine. I wish you all well and I wish that when we look at SunLine from yester-year and of today and into the future, that we can all say that we have had positive influences – positive influences – without distraction and that we move this organization forward in a manner that reflects who we are and the positions that we are elected to. Thank you Mr. Chairman”

Mayor Pro Tem Bill Powers stated the following: “Thank you. A lot of folks around here don't know that I go way back with SunLine. Tommy knows. We took a ride up to Fort Irwin at one time and did military excursions up there. We have a great time. But also, I have been involved, if you recall – if you have been around long enough – and seen the commercial with my bank when I was driving the SunLine bus and asking customers to get on the bus, and things like that. I always had a fond spot in my heart for SunLine because of all the things that you guys have done. I remember way back when we started the process of converting the buses. We got a grant through CVEP. We really spearheaded the effort to Congress to get the money to go to C.O.D. to train the mechanics and everybody else on CNG. It continued to grow and grow and grow. I want to echo Bud's comments about all of you. You made this place absolutely spectacular. Even now, when you look around at the things that we are doing, it is phenomenal. It's probably, in my opinion, and I travel a lot, I can't think of a

better bus company – transit company - in the world. It is just incredible what you guys have built. Again, leads me to the other part. I have only been on here (the Board) two or three years. I replaced Hanson. I don't have a mean bone in my body. I never have. I like to quote that great philosopher, Rodney King, 'Can't we just get along?' It really bothers me when I see stuff going on behind – agendas – behind – and everything else. Some folks get off on a tangent and they forget about who they work for. They are working for SunLine. They are working for the Coachella Valley. And they are working for the residents that live here and ride our buses. I too, along with Bud, would implore you to stop, absolutely stop. Just because we have disagreements doesn't mean you can take it out at the next meeting on somebody you disagreed with. I would like to see – personally see – the personal, selfish, the vindictive agendas that some people seem to have, just get over it. Just get over it and move on because it is destroying this organization. You can feel the tension. You can almost cut it with a knife at times. That's not healthy. It does not create creativity; it doesn't create teamwork. It just always leaves people 'damn...what can we do now? What is next? When is the next shoe going to drop?' In leaving, I would certainly hope and pray for you guys to be able to do that because it would be so meaningful for our Desert and our transit agency."

Mayor Eduardo Garcia stated the following: "Thank you gentleman, for your service to the Agency. It has been a pleasure working with both of you. I'm sure that although you will not sit on this Board, we will have many other interactions in the community and the other activities and responsibly that you take on in our community. So thank you again. I have two items of business, one is on your (Mr. Oglesby's) comments - you can give us an update. I think about six months ago we talked about a series of shelters that would be going out sometime at the end of this year or the beginning of 2013. Perhaps we can get an update to bring back to our communities. For the most part, we all know more or less how many shelters are going up in our cities, but we want to give a brief update to our Council and our community. The second item of business is the e-mail that is before you that the Chairman has asked to be distributed. It has to do with a decision that was made on September 26th to award a contract to Doug Wall Construction. I received an inquiry from Keith Matheny in relation to why I abstained. I want to make sure that I disclose that reason now so that it does not create any perception of a conflict. The reason why I decided to abstain was because I was uncertain whether or not I had received a campaign contribution or was in the process of getting something from Mr. Doug Wall. It is defined by the Fair Political Practices Commission that a campaign contribution isn't an economic interest, but I think in the interest of public perception and any problems that could arise from that, I, at the last minute, decided to abstain and just wanted to disclose and make it public for the record as I have in my 460 forms that we file for political contributions that I did receive a contribution and that's the purpose for abstaining on the matter. I just wanted to make it known for the record publicly and hopefully that is suffice for the public inquiry from Keith Matheny and I provided that information to him. I just wanted to make that clear in full disclosure."

Chairman Spiegel stated the following: "You guys are going to be missed. Bud and Bill, you are good friends. I know that I will see you around."

9. Consent Calendar

Mayor Adolph moved for approval of the consent calendar. The motion was seconded by Mayor Miller and was approved by a unanimous vote.

10. Second Reading of New Conflict of Interest Code

SunLine Legal Counsel, Jeffrey Goldfarb, stated the following: "At the last meeting, we introduced the Conflict of Interest Code. There were some minor changes. There are some changes to positions, and as well, we were required to modify one of the exhibits to the Conflict of Interest Code. This is the second reading." Mayor Pro Tem Powers moved for approval. The motion was seconded by Mayor Adolph and was approved by a unanimous vote.

11. Award of Contract for Trapeze Software – PLAN

Director of Operations, Apolonio Del Toro, addressed the Board requesting authorization be given to the General Manager to approve award of a contract for a Trapeze software upgrade, upon review as to form and legality by Legal Counsel, to existing software to include the PLAN module. A new Trapeze module PLAN will be implemented. This module will be incorporated with the SunLine ITS system and will be integrated with the APC system, the Fare Box system and will overlay GIS system Mapping and US Census data demographics to allow for enhanced service improvements. This module will also allow for improved data mining from the entire ITS system for the Planning Department, which will allow for improved service changes where warranted. The PLAN module also allows for Section 15 reporting to be completed every three years; next report to take place in 2013. SunLine's estimated cost for this new system is \$171,000. This contract is a sole source and will be paid using existing capital grant funding that is currently available. Mayor Pro Tem Powers moved for approval. The motion was seconded by Mayor Adolph and was approved by a unanimous vote.

12. Video Surveillance Equipment Policy

General Manager, Mikel Oglesby, addressed the Board requesting approval of the proposed Video Surveillance Equipment Policy # B-220212 responsive to California Government Code § 53162 Requirements. Mr. Oglesby stated that there is no immediate purchase under consideration that would provide a basis for a determination of a fiscal impact. However, as with all capital projects, any costs associated with compliance with the Government Code will be included in the estimated cost of the equipment. Legal Counsel further commented: "The reason that we are bringing this to you is two-fold. One is there is a permission of the government code that specifically relates to retention policy of videos by transit agencies-just transit agencies. So we did not have a policy that addressed that. The concern is, this is a situation where perhaps Sacramento might have gotten out ahead of itself. My understanding is, and Rudy can help me with this one, we have looked into the cost of trying to comply with this. The cost of trying to get the equipment that is necessary to store videos for a full year and that's

not just videos that are objectively thought would be of importance to store, but all videos. The cost of that is very, very high and I think that the thought is that that cost is simply infeasible at this point in time. Now that is not to say that the cost is not going to come down. But as it stands right now it is extremely expensive." Rudy LeFlore stated: "Chairman, members of the Board, one of the aspects of the laws says that under certain conditions you can be exempted. We did an analysis of those situations. One, it talks about – we made a diligent effort to find a system capable of recording such equipment. We went through our IT Department and did an assessment and would require two terabytes of data. It's analogue data. It is \$700,000 cost. We said that doesn't really fit into the budget right now. That is the startup costs and additional drives as we go along. So that would be an issue of storage capability to satisfy the requirement. So we made those efforts that are required under the law and we made a determination that today, it is not feasible. But maybe as technology advances, we want to make sure that we have procedures in place to do that due diligence as we purchase that equipment." Councilmember England asked how long we store the data. Mr. Oglesby stated that it depends on the incident. Ivanna Samokish stated that currently we are holding it indefinitely as there is not too many. Mr. Goldfarb further stated: "There are two situations where we will take the analogue video and retain it. One is when it is obvious to somebody, presumably the bus driver, that an incident has occurred on the vehicle that could potentially create liability, or it is important to save it for some other reason. The video is then called out and then that portion of the video is saved. The other situation where a video is called out and saved is when we get a written request from somebody within a short period of time that they request that particular video is to be saved." Ivanna Samokish stated that the DVR capacity currently can only store up to five days of data provided the bus is on the road every single day. Vice Chairman Parks moved for approval. The motion was seconded by Councilmember England and was approved by a unanimous vote.

13. Revenue Vehicle Fleet Replacement

Director of Transit Planning, Joe Forgiarini, addressed the Board. He provided the following information:

SunLine has a revenue vehicle fleet as follows:

- 66 fixed route CNG buses, delivered 2006 (15), 2008-2009 (51)
- 3 Hydrogen fuel cell buses, delivered 2004, 2008, 2011
- 31 SunDial paratransit vans, delivered 2008 (14), 2010 (4), 2012 (13)

Mr. Forgiarini stated that we bought quite a few buses in a short period of time. Consequently, as they age, we will be confronted with a similar situation in approximately five years, of having to replace the entire fleet. In order to better plan for the process, we wanted to give you early notice that we are trying to spread the purchase over a period of time.

Table 1 – SunBus CNG Fixed Route Fleet Replacement

Year	2015	2016	2017	2018	2019	2020	2021
	-	-	-	-	-	-	-
	2016	2017	2018	2019	2020	2021	2022
Replace	10	10	10	11	8	7	10

The above replacement buses are yet to be funded. The annual costs of around \$5 million can only be partly (10%) addressed by the new annual FTA formula funding (Section 5339), but is decimated compared to past funding levels under discretionary Section 5309. State STA and PTMISEA funding are the most likely other options.

SunDial: Table 2 below outlines the proposed replacement of the SunDial paratransit van fleet (31 vehicles).

Table 2 – SunDial Paratransit Fleet Replacement

Year	2012- 2013	2013- 2014	2014- 2015	2015- 2016	2016 – 2017
Vans	15	3	11	11	11

The SunDial fleet is a much small investment required for those. We have 31 vehicles at the moment. Thirteen were replaced this year. Grant funding is available for 15 paratransit vans, replacing all remaining 2008 vans and one 2010 van. This will occur in first half of 2013. Three more vans will need to be ordered in FY 2013/14 to replace the remaining 2010 vehicles. Fleet is likely to grow from 31 to at least 33 soon due to more ridership. In FY 2014/15 and beyond, SunLine will need to order 11 new vehicles to replace existing vans each year. Funding will most likely come from FTA Section 5307 formula funds, as well as State match. Revised Section 5310 may also provide a stable funding source for some of this fleet.

Minimum vehicle lifespan (FTA ruling):

- Fixed Route: 12 years or 500,000 miles.
Based on current average mile per bus trends, the New Flyer fleet will reach 150,000 miles sooner than 12 years (Orion, El Dorado 12 years).
- Paratransit: 4 years or 150,000 miles.
SunLine vans usually reach 150,000 miles in three years, and are relatively expensive to maintain after reaching 150,000 miles.

14. **Weighted Voting – Raw Data**

General Manager, Mikel Oglesby, addressed the Board stating the following: "Board member, Mr. Hobart, requested that I provide the raw data responding to the following question. 'What is the number of each city's (and county's) requested 'annual transit service hours' that have been budgeted for this fiscal year.' SunLine receives funding for its operations primarily from state, federal, and local funds. The state funds come from Transportation Development Act funds in the form of Local Transportation Fund and State Transportation Assistance. These funds have a fare box recovery rate requirement associated with them. Federal funds are primarily from Urbanized Area Formula Grants. These funds are allocated to SunLine as an Urbanized Area. Local funds consist primarily of Measure "A" funds allocated to the Coachella Valley as a region.

Regional funding requires regional planning relative to service hours provided by SunLine. The requested analysis would be anachronous with the operations of SunLine Transit Agency. Staff could find no substantive basis to support the requested analysis. Therefore, SunLine currently votes consistent with the one-entity funding scenario mentioned above, which is one vote per member.” Mr. Oglesby stated that he would appreciate additional guidance from the Board on this matter. Board member Hobart stated the following: “The reason that I raised the issue is because the Joint Powers Agreement that we are all operating under calls for weighted voting whenever demanded. I never understood what it was and I was hoping to find out what it was. I gather that what it amounts to, if I am picking out the right sentence. ‘This framework would have supported the notion that the entity that paid the most money for its transit services received a greater weight in the decisions by the SunLine Board...’ Is that what weighted voting is? Mr. Oglesby stated, yes, that is what weighted voting is. And based on the way that we do it now, it does not apply.” Councilmember Hobart stated: “I think that it would make sense to eliminate it because you are saying the way we do it now does not make sense, but the document provides for it and anybody can call for it at any time even though we have not been doing it. I just thought I would raise an anachronism to quote you.” Chairman Spiegel asked to agendaize this item to change the JPA.” Councilmember Hobart stated: “I think we need to go through the JPA process to do that.” Mr. Goldfarb stated that: “That in order to do that, you guys could approve a recommendation to each of your own governmental entities that it would make sense to revise the JPA to get that weighted voting out. I think it would be the third JPA amendment. It doesn’t have to be amended or restated, it could just actually be an amendment with that provision.” Mayor Miller asked the following: “It is a simple majority vote of the Board to approve? Mr. Goldfarb stated that he was not quite sure. Mayor Miller further stated that if people do not vote in favor, it could not pass. And he wanted to know if advance.”

15. General Manager’s Report

Mikel Oglesby addressed the Board: “First I would like to start off by saying two things. One, the SunLine family will truly miss long time Board member, Bud England and former chairman, and also long time supporter Mr. Bill Powers. I remember when I first came here and I was riddled with a lot of issues that I was told by the Board to fix. One in particular was dealing with purchasing taxis in a wacky, \$1 million bank loan. When I tried to go and try and fix it, the guy sitting across from me was Mr. Bill Powers - with his poker face. We ended up working it out, the Board was happy and we moved forward. That is the best way to deal with things. Not dwell on the past. Next before I move forward with my comments there was a question about the shelters. I want Joe Forgiarini to give an update. In short, we had a few cities, in particular, I talked to Glenn Miller recently, and he is wondering when shelters will be in his city. We try to take care of every city simultaneously when we try and find windows where we can.

Mr. Forgiarini stated that the current status of the project is in two parts. The first part is the concrete pads installation. A suitable concrete pad location needs to

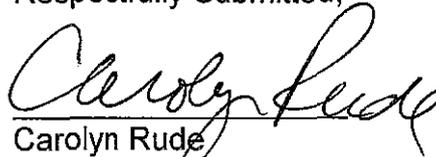
be ready for a shelter. There are 24 sites ready with space to accommodate the shelter. Another 24 are about to have that concrete work done. We are in the process of receiving bids. It should be a relatively short turn around appoint a contractor. We need engineering drawings for the remaining sites that are a little more complex. The shelters themselves, the RFP is being drafted for those. He stated that he hopes to have that out by the New Year. The installation should be completed by the middle of next year. That is the current status. Mr. Oglesby stated that the RSP process needs to be completed. He stated that our goals are to always get them completed quickly before it gets hot.

Mr. Oglesby continued by stating the following: "Let me wish all of you very Happy Holidays! As you are all aware, on November 1st we held the dedication of the SunLine Learning Center. I would like to thank those of you who attended, as well as Chairman Spiegel and Supervisor Benoit for their participation in the event. The dedication was well attended. We look forward to future attendees to the Center who will gain knowledge from our interactive Learning Center. As I mentioned at the last Board meeting, we were the host agency for the California Transit Association's 47th Annual Fall Conference and Expo held here in the Coachella Valley. As a side note, I had to work about five years to get CTA into the Valley. In addition to the many informative sessions by leaders in the transit industry, a tour of SunLine Learning Center was provided to conference attendees. The tour was a big success with over 100 attendees! They said that was a record for attending a tour. In addition, at the Conference Welcome Session, Vice Chairman Mayor Yvonne Parks joined me in welcoming the Conference participants to the Valley. I thank you, Mayor Parks, for your participation! In addition, I would like to thank our staff who worked hard with the staff of the CTA to make this event a success. We continue to be winners and innovators as staff came together to once again win a trophy at the annual Palm Desert Golf Cart parade. The theme this year, American Pride, was a great fit for SunLine as we recently put into service our American Made Fuel Cell Bus. The golf cart that we have used for many years was re-wrapped with the same graphics as the American Fuel Cell Bus. With the help of staff, we decorated the golf cart, sported patriotic attire and proudly walked the parade route! Thanks to all staff who participated either by demonstrating their creativity of decorating the golf cart, or participating in the parade. Once again the community responded to our annual "Fill the Bus" charity food drive. We collected approximately 13 tons of non-perishable food items, frozen turkeys with all the trimmings, packaged toiletries, and other household products, setting a new record. The donations benefited Well in the Desert located in Palm Springs and the Fish Food Bank located in Coachella. The organizations were thrilled with the generosity of the community! I would like to thank all staff who participated in this successful event, as well as Ralphs in Bermuda Dunes, Ralphs at the Smoke tree Village in Palm Springs and Stater Bros. in La Quinta. Staff looks forward to our annual Holiday Gala taking place this Friday at the Rancho Las Palmas Resort in Rancho Mirage celebrating the accomplishments of this year, as well as the past 35 years as our 35th anniversary year comes to an end. I have been told that you have all replied and most of you plan to attend. I can assure you it will be a festive evening!"

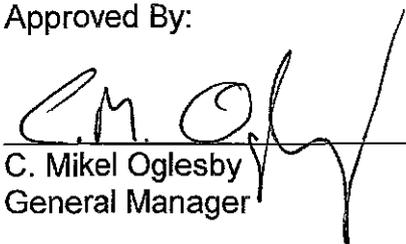
- 16. **Next Meeting Date**
January 23, 2013
12 o'clock Noon – Kelly Board Room
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

- 17. **Adjourn**
Chairman Spiegel adjourned the meeting at 12:50p.m.

Respectfully Submitted,


Carolyn Rude
Clerk of the Board

Approved By:


C. Mikel Oglesby
General Manager

Date: 1/14/13

SunLine Transit Agency
 Checks \$1,000 and Over
 For the month of November 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
HEALTH NET	Group Health Ins Prem	656237	11/20/2012	\$206,898.20
U.S. BANK	Pension Deposits	656322	11/30/2012	\$86,779.33
U.S. BANK	Pension Deposits	656139	11/8/2012	\$86,593.62
PERMA - Insurance	Gen Lib/WC	656255	11/20/2012	\$76,920.41
SO CAL GAS CO.	Utilities	656267	11/20/2012	\$75,674.79
<u>LEFLORE GROUP LLC, THE</u>	<u>Project Management</u>	<u>656125</u>	<u>11/8/2012</u>	<u>\$16,582.22</u>
GOODYEAR TIRE	Bus Tire Lease	656234	11/20/2012	\$15,021.82
IMPERIAL IRRIGATION DIST	Utilities	656168	11/15/2012	\$14,688.57
<u>GRAINGER</u>	<u>F/A-Maint Equipment</u>	<u>656236</u>	<u>11/20/2012</u>	<u>\$11,311.72</u>
HARTFORD LIFE	Employee Benefits	656121	11/8/2012	\$10,325.75
<u>TOLAR MFG. CO., INC</u>	<u>WIP-Bus Stop Shelters</u>	<u>656274</u>	<u>11/20/2012</u>	<u>\$8,775.20</u>
<u>GRAPHTEK INTERACTIVE</u>	<u>WIP-ZWEIG Learning Center</u>	<u>656077</u>	<u>11/2/2012</u>	<u>\$7,500.00</u>
NEW FLYER	Bus Parts	656173	11/15/2012	\$7,382.57
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656217	11/20/2012	\$7,193.34
COLONIAL LIFE & ACCIDENT	Supplemental Insurance	656109	11/8/2012	\$6,468.31
G & K SERVICES	Uniform service	656164	11/15/2012	\$6,364.21
RUTAN & TUCKER, LLP	Legal fees	656316	11/30/2012	\$6,345.50
METLIFE SBC	Dental Insurance	656126	11/8/2012	\$6,264.27
CREATIVE BUS SALES, INC.	Bus Repair Parts	656068	11/2/2012	\$6,097.15
IMPERIAL IRRIGATION DIST	Utilities	656239	11/20/2012	\$6,007.49
<u>DESERT FIRE EXTINGUISHER CO</u>	<u>WIP-Fac Improvement Projects</u>	<u>656156</u>	<u>11/15/2012</u>	<u>\$5,950.00</u>
<u>CHAGALA JOY SMITH</u>	<u>Project Management</u>	<u>656209</u>	<u>11/20/2012</u>	<u>\$5,906.25</u>
NEW FLYER	Bus Parts	656248	11/20/2012	\$5,513.74
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	656306	11/30/2012	\$5,250.00
OFFICETEAM	Temporary Services	656132	11/8/2012	\$5,207.41
MOORE MAINTENANCE & JANITORIAL	Janitorial Servs	656243	11/20/2012	\$4,678.00
AMALGAMATED TRANSIT UNION	Union Dues	656292	11/30/2012	\$4,509.05
AMALGAMATED TRANSIT UNION	Union Dues	656105	11/8/2012	\$4,467.18
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656150	11/15/2012	\$4,213.87
ST. BOARD OF EQUALIZATION	Sales Tax Self Assessed	656094	11/2/2012	\$4,125.00
TELEPACIFIC COMMUNICATIONS	Telephone Service	656270	11/20/2012	\$3,499.57
TRANSIT PRODUCTS & SERVICES	Repair Parts	656099	11/2/2012	\$3,206.54
<u>ADRHYTHM ADVERTISING & DESIGN</u>	<u>Zweig Education Center</u>	<u>656289</u>	<u>11/30/2012</u>	<u>\$3,150.00</u>
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656107	11/8/2012	\$2,985.96
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656298	11/30/2012	\$2,985.96
ALLIEDBARTON SECURITY SERVICES	Security Services	656193	11/20/2012	\$2,935.81
RESORT MARKETING	Public Relations Mgmt	656259	11/20/2012	\$2,762.50
OFFICETEAM	Temporary Services	656253	11/20/2012	\$2,573.17
CABCONNECT, INC.	Taxi Voucher Program	656066	11/2/2012	\$2,500.00

SunLine Transit Agency
Checks \$1,000 and Over
For the month of November 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
<u>GRAINGER</u>	<u>F/A-Maint Equipment</u>	<u>656166</u>	<u>11/15/2012</u>	<u>\$2,287.15</u>
VERIZON WIRELESS	Wireless Cell Service	656189	11/15/2012	\$2,276.85
<u>EYE MED</u>	<u>Employee Benefits</u>	<u>656116</u>	<u>11/8/2012</u>	<u>\$2,262.96</u>
ELLSWORTH TRUCK & AUTO	Repair Parts	656224	11/20/2012	\$2,202.42
KAMAN INDUSTRIAL TECHNOLOGIES	Wheel Bearings & Seals	656240	11/20/2012	\$2,062.16
TOTALFUNDS BY HASLER	Postage Supplies	656276	11/20/2012	\$2,061.49
TRANSIT PRODUCTS & SERVICES	Repair Parts	656186	11/15/2012	\$2,050.28
BURRTEC WASTE & RECYCLING	Facility Trash Removal	656198	11/20/2012	\$2,043.37
ALEXANDER COHN, ESQ	Legal Services	656192	11/20/2012	\$2,025.00
STRICKLAND KENNY INC.	Lubricants & Oils	656095	11/2/2012	\$1,961.60
CARQUEST OF THE DESERT	Repair Parts	656206	11/20/2012	\$1,907.26
VALLEY OFFICE EQUIPMENT, INC.	Fax/Copier Supplies	656283	11/20/2012	\$1,904.05
NGVi	Staff Development	656084	11/2/2012	\$1,890.00
TURBO IMAGES INC.	Bus Decals/Logos	656100	11/2/2012	\$1,869.37
FLEET-NET CORPORATION	Software & Licenses	656118	11/8/2012	\$1,770.00
<u>COMPLETE COACH WORKS</u>	<u>WIP-Rehab 4 Busses R/C</u>	<u>656067</u>	<u>11/2/2012</u>	<u>\$1,618.60</u>
STRICKLAND KENNY INC.	Lubricants & Oils	656181	11/15/2012	\$1,590.79
ASAEI REYES	Education Reimbursement	656194	11/20/2012	\$1,590.00
CREATIVE BUS SALES, INC.	Bus Repair Parts	656214	11/20/2012	\$1,570.57
ROBERT BERGESON	Labor Counsel	656089	11/2/2012	\$1,500.00
CAL-TEST, INC.	D&A Onsite Testing	656200	11/20/2012	\$1,410.95
VERIZON	Communications	656284	11/20/2012	\$1,391.26
SWRCB ACCOUNTING OFFICE	Annual Storm Water Fee	656097	11/2/2012	\$1,359.00
GFI GENFARE	Farebox	656165	11/15/2012	\$1,332.29
DESERT SUN PUBLISHING CO., THE	Public Notice	656222	11/20/2012	\$1,260.18
SMARTDRIVE SYSTEMS, INC.	Security Equipment	656266	11/20/2012	\$1,240.00
SIGNATURE PARTY RENTALS	Learning Ctr. Dedication	656265	11/20/2012	\$1,187.31
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656111	11/8/2012	\$1,156.50
OFFICETEAM	Temporary Services	656085	11/2/2012	\$1,149.42
OFFICE DEPOT	Office Supplies	656174	11/15/2012	\$1,145.41
PLAZA TOWING, INC.	Towing Service	656177	11/15/2012	\$1,125.00
STRICKLAND KENNY INC.	Lubricants & Oils	656269	11/20/2012	\$1,074.81
SUN CHEMICAL	Bus & Facility Cleaner	656182	11/15/2012	\$1,045.17
FRANKLIN TRUCK PARTS, INC	Bus Repair Parts	656162	11/15/2012	\$1,042.24
DESERT ALARM, INC.	Security Services	656155	11/15/2012	\$1,000.00
APPLEBEE'S	Holiday Gift Cert	656293	11/30/2012	\$1,000.00

Total of Checks Over \$1,000	\$802,977.94
Total of Checks Under \$1,000	\$53,602.78
Total of All Checks for the Month	\$856,580.72
Total Amount of Checks Prior Years Same Month	\$5,170,403.75

SunLine Transit Agency
Checks \$1,000 and Over
For the month of December 2012

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Vendor Name	Description	Check #	Check	Amount
<u>U.S. BANK INSTITUTIONAL TRUST-</u>	Pension Deposits	656553	12/26/2012	\$86,568.59
<u>U.S. BANK INSTITUTIONAL TRUST-</u>	Pension Deposits	656391	12/7/2012	\$86,204.25
PERMA - Insurance	Gen Lib/WC	656532	12/26/2012	\$76,897.16
SO CAL GAS CO.	Utilities	656541	12/26/2012	\$75,010.79
IMPERIAL IRRIGATION DIST	Utilities	656510	12/26/2012	\$22,153.14
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	656418	12/17/2012	\$21,470.15
<u>LEFLORE GROUP LLC, THE</u>	<u>Project Management</u>	<u>656371</u>	<u>12/7/2012</u>	<u>\$19,932.52</u>
<u>SIMME LLC</u>	<u>WIP-Shelter Enhancements</u>	<u>656451</u>	<u>12/17/2012</u>	<u>\$14,894.00</u>
<u>CHAGALA JOY SMITH</u>	<u>Project Management</u>	<u>656337</u>	<u>12/7/2012</u>	<u>\$12,840.87</u>
RANCHO LAS PALMAS RESORT	Holiday Gala	656379	12/7/2012	\$12,395.03
OFFICETEAM	Temporary Services	656531	12/26/2012	\$11,726.44
HARTFORD LIFE	Employee Benefits	656508	12/26/2012	\$10,445.89
<u>METLIFE SBC</u>	Dental Insurance	656517	12/26/2012	\$6,349.81
FLEET-NET CORPORATION	Software & Licenses	656358	12/7/2012	\$6,300.00
COLONIAL LIFE & ACCIDENT	Supplemental Insurance	656481	12/26/2012	\$6,203.09
COLONIAL LIFE & ACCIDENT	Supplemental Insurance	656340	12/7/2012	\$6,203.09
NEW FLYER	Bus Parts	656437	12/17/2012	\$5,981.55
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656407	12/17/2012	\$5,583.32
STRICKLAND KENNY INC.	Lubricants & Oils	656452	12/17/2012	\$5,400.82
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656346	12/7/2012	\$5,343.27
G & K SERVICES	Uniform service	656505	12/26/2012	\$5,197.11
CASH (US Treasury)	Bank Service Fees	656335	12/7/2012	\$5,000.00
MOORE MAINTENANCE & JANITORIAL	Janitorial Servs	656519	12/26/2012	\$4,678.00
AMALGAMATED TRANSIT UNION	Union Dues	656330	12/7/2012	\$4,531.34
AMALGAMATED TRANSIT UNION	Union Dues	656468	12/26/2012	\$4,509.05
RESORT MARKETING	Public Relations Mgmt	656380	12/7/2012	\$4,030.00
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656486	12/26/2012	\$3,945.52
<u>AMERICAN CAB</u>	<u>Taxi Voucher Program</u>	<u>656331</u>	<u>12/7/2012</u>	<u>\$3,698.00</u>
ALLIEDBARTON SECURITY SERVICES	Security Services	656467	12/26/2012	\$3,549.60
TELEPACIFIC COMMUNICATIONS	Telephone Service	656550	12/26/2012	\$3,404.39
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656474	12/26/2012	\$3,357.34
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656334	12/7/2012	\$3,334.26
KIMCO STAFFING SERVICES, INC.	Temp. Emp Serv	656515	12/26/2012	\$3,091.88
VALLEY SANITARY DISTRICT	Annual Sewer Charge	656462	12/17/2012	\$2,970.00
NAPA AUTO PARTS	Vehicle Repair Parts	656376	12/7/2012	\$2,701.31
FACTORY MOTOR PARTS COMPANY	Repair Parts	656498	12/26/2012	\$2,693.90
FACTORY MOTOR PARTS COMPANY	Repair Parts	656355	12/7/2012	\$2,563.32
NAPA AUTO PARTS	Vehicle Repair Parts	656524	12/26/2012	\$2,451.15
BURRTEC WASTE & RECYCLING	Facility Trash Removal	656402	12/17/2012	\$2,343.69

SunLine Transit Agency
Checks \$1,000 and Over
For the month of December 2012

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<u>EYE MED</u>	Employee Benefits	656494	12/26/2012	\$2,292.48
VERIZON WIRELESS	Wireless Cell Service	656558	12/26/2012	\$2,275.32
TRANSIT RESOURCES, INC.	Bus wheel chair parts	656459	12/17/2012	\$2,146.72
PETERSON HYDRAULICS, INC.	Security Equipment	656445	12/17/2012	\$2,060.00
<u>YELLOW CAB OF THE DESERT</u>	Taxi Voucher Program	656394	12/7/2012	\$1,914.00
PERMA - Insurance	Workers Comp	656444	12/17/2012	\$1,813.50
DESERT AIR CONDITIONING, INC.	A/C REPAIR AND SALES	656409	12/17/2012	\$1,771.00
FLEET-NET CORPORATION	Software & Licenses	656502	12/26/2012	\$1,770.00
<u>RBF / MICHAEL BAKER CORP</u>	<u>Perimeter Fencing</u>	<u>656448</u>	<u>12/17/2012</u>	<u>\$1,766.10</u>
HOME DEPOT CRD SRVS	Facility Maintenance	656426	12/17/2012	\$1,662.40
CARQUEST OF THE DESERT	Repair Parts	656406	12/17/2012	\$1,562.80
VERIZON	Communications	656557	12/26/2012	\$1,556.77
OFFICE DEPOT	Office Supplies	656528	12/26/2012	\$1,486.03
CREATIVE BUS SALES, INC.	Bus Repair Parts	656343	12/7/2012	\$1,392.92
<u>HYDRO TEK SYSTEMS INC.</u>	<u>WIP-Fac Improvement Project</u>	<u>656365</u>	<u>12/7/2012</u>	<u>\$1,386.63</u>
DESERT SUN PUBLISHING CO., THE	Public Notice	656489	12/26/2012	\$1,342.90
TOXGUARD FLUID	Coolant Recycling	656456	12/17/2012	\$1,341.24
KIMCO STAFFING SERVICES, INC.	Temp. Emp Serv	656431	12/17/2012	\$1,306.25
MARY BORDERS	Holiday Gala	656325	12/4/2012	\$1,300.00
FRANKLIN TRUCK PARTS, INC	Bus Repair Parts	656414	12/17/2012	\$1,270.29
APTA	Annual Membership Dues	656470	12/26/2012	\$1,257.00
ALLIEDBARTON SECURITY SERVICES	Security Services	656329	12/7/2012	\$1,242.36
SMARTDRIVE SYSTEMS, INC.	Security Equipment	656540	12/26/2012	\$1,240.00
VALLEY OFFICE EQUIPMENT, INC.	Fax/Copier Supplies	656556	12/26/2012	\$1,189.92
TRANSIT PRODUCTS & SERVICES	Repair Parts	656457	12/17/2012	\$1,181.38
TECH DEPOT	COMPUTER SUPPLIES	656453	12/17/2012	\$1,098.53
OFFICETEAM	Temporary Services	656440	12/17/2012	\$1,083.92
CENTURY FORMS, INC.	Printing Supplies	00656477	12/26/2012	\$1,079.09
<u>CDW GOVERNMENT, INC</u>	<u>WIP-ITS Equipment</u>	<u>00656476</u>	<u>12/26/2012</u>	<u>\$1,038.16</u>
<u>GRAINGER</u>	<u>WIP-Fac Improvement Project</u>	<u>00656419</u>	<u>12/17/2012</u>	<u>\$1,000.30</u>
TOTALFUNDS BY HASLER	Postage Supplies	00656552	12/26/2012	\$1,000.00
DESERT ALARM, INC.	Security Services	00656488	12/26/2012	\$1,000.00

Total of Checks Over \$1,000	\$612,781.65
Total of Checks Under \$1,000	\$42,321.43
Total of All Checks for the Month	\$655,103.08
Total Amount of Checks Prior Years Same Month	\$1,109,252.06

November 2012 Statement



Open Date: 10/24/2012 Closing Date: 11/20/2012

Account:

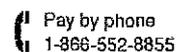
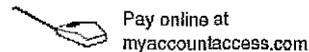
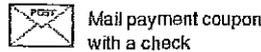
Visa® Business Card
 SUNLINE TRANSIT
 C MIKEL OGLESBY

Cardmember Service ☎ 1-866-552-8855
 BUS 5 13

New Balance	\$424.52
Minimum Payment Due	\$10.00
Payment Due Date	12/17/2012
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	+	\$1,090.66
Payments	-	\$1,090.66CR
Other Credits		\$0.00
Purchases	+	\$424.52
Balance Transfers		\$0.00
Advances		\$0.00
Other Debits		\$0.00
Fees Charged		\$0.00
Interest Charged		\$0.00
New Balance	=	\$424.52
Past Due		\$0.00
Minimum Payment Due		\$10.00
Credit Line		\$37,000.00
Available Credit		\$36,575.48
Days in Billing Period		28

Payment Options:



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 \$424.52 will be automatically deducted from your account on 12/04/12.

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 \$424.52 will be automatically deducted from your bank account on 12/04/2012. Please refer to your AutoPay Terms and Conditions for further information regarding this account feature.

You asked; we listened. Your New Statement Design is Here! Simply Stated, we want to keep you informed about your account with clear and useful information. The new design is easier to read with important information available at a glance. Please see the enclosed insert for more details. Thank you for your business and your feedback.

Save time and money by consolidating your debt into one monthly payment. Check your mail for a great offer or call Cardmember Service today for information on a great rate.

Transactions

Payments and Other Credits

Post Date	Trans Date	Ref #	Transaction Description	Amount	Notation
11/05	11/05		PAYMENT THANK YOU	\$1,090.66CR	
TOTAL THIS PERIOD				\$1,090.66CR	

Purchases and Other Debits

Post Date	Trans Date	Ref #	Transaction Description	Amount	Notation
10/26	10/26	4727	APL*APPLE ITUNES STORE 866-712-7753 CA	\$54.89	
10/26	10/26	6677	APL*APPLE ITUNES STORE 866-712-7753 CA	\$79.92	
10/26	10/26	8901	APL*APPLE ITUNES STORE 866-712-7753 CA	\$109.89	
11/01	11/01	7598	APL*APPLE ITUNES STORE 866-712-7753 CA	\$99.90	
11/01	11/01	5185	APL*APPLE ITUNES STORE 866-712-7753 CA	\$79.92	
TOTAL THIS PERIOD				\$424.52	

2012 Totals Year-to-Date

Total Fees Charged in 2012	\$0.00
Total Interest Charged in 2012	\$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: November 20, 2012

Detail:

10/26/12	Apple Itunes Store	IT Department - File Browser for Agency computer system	\$ 54.89
10/26/12	Apple Itunes Store	IT Department – “Numbers” spreadsheet application	\$ 79.92
10/26/12	Apple Itunes Store	IT Department – “PDF Expert” software application	\$ 109.89
11/01/12	Apple Itunes Store	IT Department – “Keynote” software application	\$ 99.90
11/01/12	Apple Itunes Store	IT Department – “Pages” word processing software	\$ 79.92

Payments/Credits

11/05/12	Payment	\$1,090.66 CR
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Note: All travel is included in the Board approved FY 2013 budget.

December 2012 Statement



Open Date: 11/21/2012 Closing Date: 12/20/2012

Account

Visa® Business Card
SUNLINE TRANSIT
C MIKEL OGLESBY

Cardmember Service ☎ 1-866-552-8855
BUS 13

New Balance	\$0.00
Minimum Payment Due	\$0.00
Payment Due Date	01/17/2013
<p>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%.</p>	

Previous Balance	+	\$424.52
Payments	-	\$424.52 ^{CR}
Other Credits		\$0.00
Purchases		\$0.00
Balance Transfers		\$0.00
Advances		\$0.00
Other Debits		\$0.00
Fees Charged		\$0.00
Interest Charged		\$0.00
New Balance	=	\$0.00
Past Due		\$0.00
Minimum Payment Due		\$0.00
Credit Line		\$37,000.00
Available Credit		\$37,000.00
Days in Billing Period		30

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

Zero Balance

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

- ☎ to pay by phone
- ☎ to change your address

Account Number: _____

Your account has a zero balance, but please remember that your available credit is \$37,000.00.

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

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.

Save time and money by consolidating your debt into one monthly payment. Check your mail for a great offer or call Cardmember Service today for information on a great rate.

Transactions

Payments and Other Credits

Post Date	Trans Date	Ref #	Transaction Description	Amount	Notation
12/04	12/04		PAYMENT THANK YOU	\$424.52CR	
TOTAL THIS PERIOD				\$424.52CR	

2012 Totals Year-to-Date	
Total Fees Charged in 2012	\$0.00
Total Interest Charged in 2012	\$0.00

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

Signature/Approval: _____ Accounting Code: _____

Interest Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

** APR for current and future transactions.

Balance Type	Balance By Type	Balance Subject to Interest Rate	Variable	Interest Charge	Annual Percentage Rate	Expires with Statement	Interest Free Period
**BALANCE TRANSFER	\$0.00	\$0.00	YES	\$0.00	13.99%		NO
**PURCHASES	\$0.00	\$0.00	YES	\$0.00	13.99%		YES
**ADVANCES	\$0.00	\$0.00	YES	\$0.00	20.99%		NO

Contact Us

☎ Phone

Voice: 1-866-552-8855
TDD: 1-888-352-6455
Fax: 1-866-807-9053

❓ Questions

Cardmember Service
P.O. Box 6353
 Fargo, ND 58125-6353



Mail payment coupon with a check

Cardmember Service
P.O. Box 790408
St. Louis, MO 63179-0408



Online

myaccountaccess.com

Pacific Western Bank
SunLine Transit Agency Visa Credit Card Statement
Closing Date: December 20, 2012

Detail:

Payments/Credits

12/04/12	Payment	\$ 424.52 CR
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Note: All travel is included in the Board approved FY 2013 budget.

SunLine Transit Agency
Statement of Activities
October 31, 2012

Description	FY 12/13 Total Budget	Current Month			Year to Date		
		Actual	Budget	Favorable (Unfavorable)	YTD Actual	FY 12/13 YTD Budget	Favorable (Unfavorable)
Revenues:							
Local Transportation Funds (LTF)	10,718,420	893,202	893,202	0	3,572,807	3,572,807	0
Measure A	4,500,000	375,000	375,000	0	1,500,000	1,500,000	0
FIA Section 5307	2,724,804	0	227,067	(227,067)	6,738	908,268	(901,530)
FIA Section 5311	264,566	0	22,047	(22,047)	0	88,189	(88,189)
FIA Section 5316	125,310	0	10,443	(10,443)	0	41,770	(41,770)
FIA Section 5317	101,951	2,873	8,496	(5,623)	2,873	33,984	(31,111)
Fare Box Revenue (Fixed Route)	3,070,000	358,122	255,833	102,289	946,373	1,023,333	(76,960)
Fare Box Revenue (Demand Response)	280,000	32,289	23,333	8,956	113,717	93,333	20,384
Taxi Vouchers	21,724	2,170	1,810	360	11,215	7,241	3,974
Interest and Other Revenue	470,218	60,655	39,185	21,470	157,731	156,739	992
Total Operating Revenue	22,276,993	1,724,311	1,856,416	(132,105)	6,311,454	7,425,664	(1,114,210)
Expenses:							
SunFuels (10)	289,540	63,281	24,128	(39,153)	195,463	96,513	(38,950)
Operations-Fixed Route (11 & 12)	9,067,431	728,535	755,619	27,084	2,934,653	3,022,477	87,824
Operations-Dial-A-Ride (13 & 14)	2,478,560	226,360	206,547	(19,813)	889,459	826,187	(63,272)
Risk Management (15)	836,136	183,282	69,678	(113,604)	423,640	278,712	(144,928)
Maintenance (21 & 22)	4,713,527	403,861	392,794	(11,067)	1,432,675	1,571,176	138,501
Facility Maintenance-T.P. (23)	598,415	51,025	49,868	(1,157)	162,500	199,472	36,972
Facility Maintenance-Indio (24)	66,623	9,332	5,552	(3,780)	24,192	22,208	(1,984)
Stops & Zones Maintenance (25)	464,297	35,108	38,691	3,583	129,198	154,766	25,568
Marketing (31)	320,961	24,309	26,747	2,438	100,832	106,987	6,155
Human Resources (32)	382,828	12,178	31,902	19,724	72,397	127,609	55,212
General Administration (40)	1,352,837	97,136	112,736	15,600	410,213	450,946	40,733
Finance (41)	945,398	90,924	78,783	(12,141)	313,957	315,133	1,176
Information Technology (42)	271,790	28,989	22,649	(6,340)	101,245	90,597	(10,648)
Planning & Agency Development (49)	488,651	77,315	40,721	(36,594)	250,769	162,884	(87,885)
Total Expenses	22,276,993	2,031,635	1,856,416	(175,219)	7,381,193	7,425,664	44,471



**SunLine Transit Agency
Monthly Ridership Report
November - 2012**

FY
2012 & 2013

Fixed Route Line	Description	Nov 2012	Nov 2011	Oct 2012	Month Var.	% Var.	FY 2013 YTD	FY 2012 YTD	YTD Var.	% Var.	Bikes		Wheelchairs	
											Monthly	YTD	Monthly	YTD
14	DHS/PS	46,238	44,430	52,599	1,808	4.1%	222,075	212,092	9,983	4.7%	1,184	6,513	294	1,277
15	DHS	9,362	8,280	10,429	1,082	13.1%	41,869	38,392	3,477	9.1%	130	548	26	152
24	PS/CC	17,380	16,763	20,077	617	3.7%	79,836	77,742	2,094	2.7%	368	2,003	146	592
30	CC/PS	67,263	67,242	75,159	21	0.0%	317,644	318,249	(605)	-0.2%	1,668	9,256	630	3,049
32	PD/RM/TP/PS	25,130	21,193	26,931	3,937	18.6%	109,562	97,050	12,512	12.9%	1,174	5,279	217	942
53	PD/IW	5,801	4,601	6,061	1,200	26.1%	24,361	19,609	4,752	24.2%	218	1,079	12	62
70	LQ/BD	23,460	22,924	26,855	536	2.3%	99,156	96,910	2,246	2.3%	561	2,856	99	396
80	Indio	11,814	20,259	14,142	(8,445)	-41.7%	61,279	97,333	(36,054)	-37.0%	122	756	120	603
81	Indio	8,968		10,334	8,968	0.0%	42,839	-	42,839	0.0%	101	670	97	461
90	Coachella/Indio	21,142	19,049	22,681	2,093	11.0%	95,811	91,231	4,580	5.0%	450	2,211	134	796
91	Cch/Th/Mecca	19,117	20,143	22,049	(1,026)	-5.1%	88,144	91,607	(3,463)	-3.8%	418	1,921	37	266
111	PS/Indio	145,607	136,716	156,431	8,891	6.5%	672,415	648,413	24,002	3.7%	4,464	22,169	981	4,695
220	PD to Riverside	1,344		1,551	1,344	0.0%	3,659	-	3,659	0.0%	26	65	15	33
Fixed route total		402,626	381,600	445,299	21,026	5.5%	1,858,650	1,788,628	70,022	3.9%	10,884	55,326	2,808	13,324
Demand Response														
SunDial		11,014	10,051	12,888	963	9.6%	56,303	50,266	6,037	12.0%				
System total		413,640	391,651	458,187	21,989	5.6%	1,914,953	1,838,894	76,059	4.1%				

	Nov. 2012	Nov. 2011
Weekdays:	21	21
Saturdays:	4	4
Sundays:	4	4
Total Days:	29	29

Please note:

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

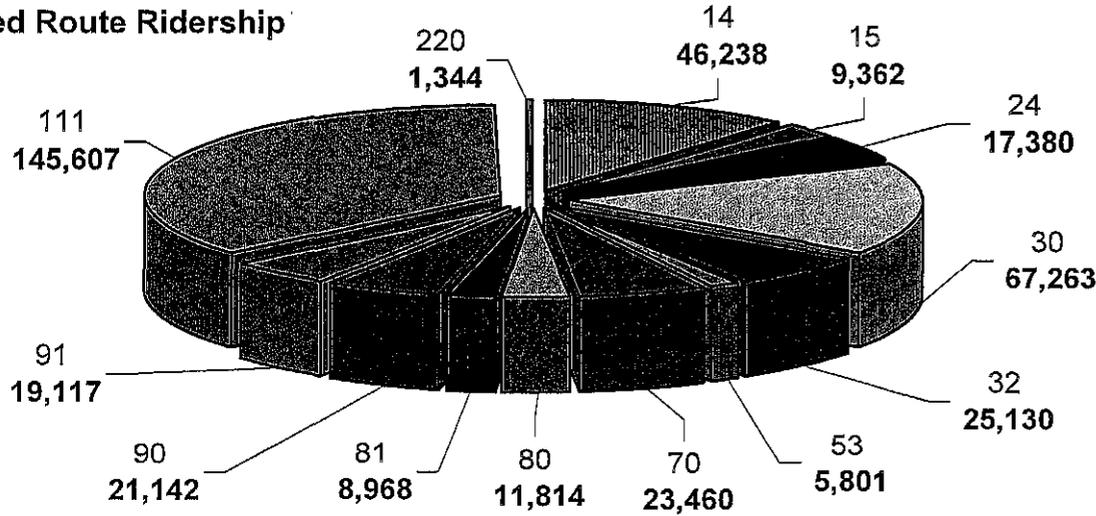
Line 80 was separated into Lines 80 and 81 in January 2012. The percentage variances for Line 80 is calculating ridership before the routes where separated.

Revised: 12/21/2012

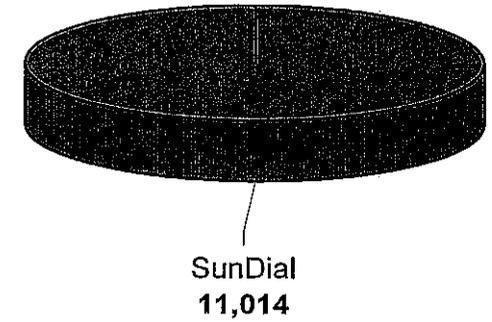
25

SunLine Transit Agency Monthly Ridership Report November - 2012

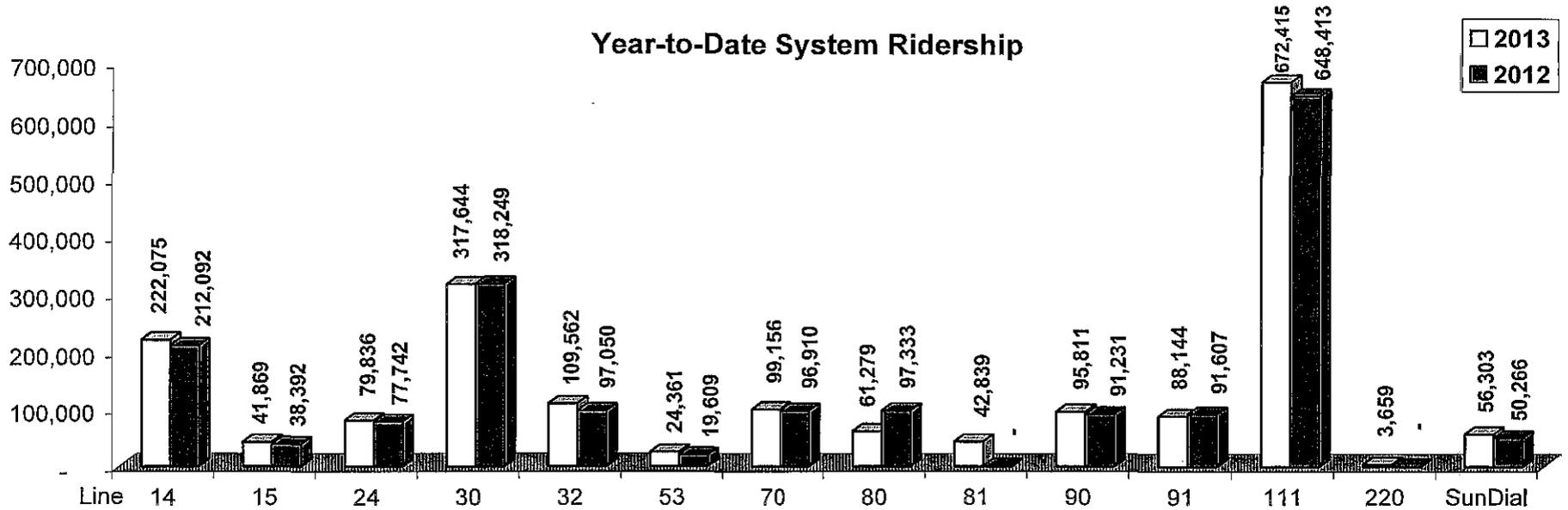
Fixed Route Ridership



Demand Response Ridership



Year-to-Date System Ridership





SunLine Transit Agency Monthly Ridership Report December - 2012

		FY 2012 & 2013												
		Dec 2012	Dec 2011	Nov 2012	Month Var.	% Var.	FY 2013 YTD	FY 2012 YTD	YTD Var.	% Var.	Bikes		Wheelchairs	
Line	Fixed Route Description										Monthly	YTD	Monthly	YTD
14	DHS/PS	43,840	42,160	46,238	1,680	4.0%	265,915	254,252	11,663	4.6%	1,075	7,588	259	1,536
15	DHS	8,939	7,550	9,362	1,389	18.4%	50,808	45,942	4,866	10.6%	104	652	30	182
24	PS/CC	15,803	15,228	17,380	575	3.8%	95,639	92,970	2,669	2.9%	327	2,330	141	733
30	CC/PS	63,525	63,763	67,263	(238)	-0.4%	381,169	382,012	(843)	-0.2%	1,589	10,845	630	3,679
32	PD/RM/TP/PS	22,770	19,380	25,130	3,390	17.5%	132,332	116,430	15,902	13.7%	1,041	6,320	196	1,138
53	PD/IW	5,075	4,095	5,801	980	23.9%	29,436	23,704	5,732	24.2%	205	1,284	21	83
70	LQ/BD	20,588	19,527	23,460	1,061	5.4%	119,744	116,437	3,307	2.8%	511	3,367	93	489
80	Indio	11,036	17,419	11,814	(6,383)	-36.6%	72,315	114,752	(42,437)	-37.0%	100	856	104	707
81	Indio	8,575	-	8,968	8,575	0.0%	51,414	-	51,414	0.0%	95	765	95	556
90	Coachella/Indio	20,059	18,872	21,142	1,187	6.3%	115,870	110,103	5,767	5.2%	410	2,621	128	924
91	Cch/Th/Mecca	17,499	18,610	19,117	(1,111)	-6.0%	105,643	110,217	(4,574)	-4.1%	351	2,272	43	309
111	PS/Indio	139,968	134,206	145,607	5,762	4.3%	812,383	782,619	29,764	3.8%	4,269	26,438	959	5,654
220	PD to Riverside	1,028	-	1,344	1,028	0.0%	4,687	-	4,687	0.0%	18	83	5	38
Fixed route total		378,705	360,810	402,626	17,895	5.0%	2,237,355	2,149,438	87,917	4.1%	10,095	65,421	2,704	16,028
Demand Response														
SunDial		10,088	9,610	11,014	478	5.0%	66,391	59,876	6,515	10.9%				
System total		388,793	370,420	413,640	18,373	5.0%	2,303,746	2,209,314	94,432	4.3%				
		Dec. 2012	Dec. 2011	Nov. 2012										
Weekdays:		20	22	21										
Saturdays:		5	3	4										
Sundays:		5	5	4										
Total Days:		* 30	* 30	* 29										

Please note:

* No service on Thanksgiving and Christmas Day.

Schools out of session for Christmas vacation.

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

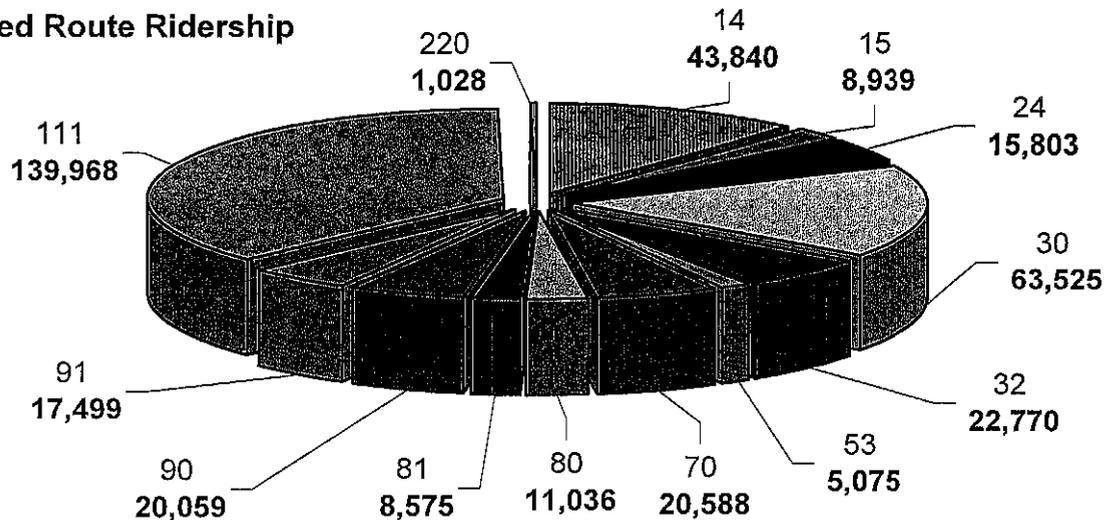
Line 80 was separated into Lines 80 and 81 in January 2012. The percentage variances for Line 80 is calculating ridership before the routes where separated.

Issued 1/9/2013

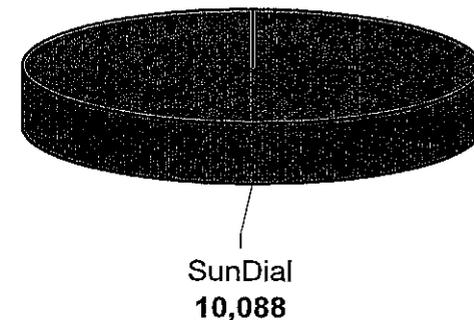
7

SunLine Transit Agency Monthly Ridership Report December - 2012

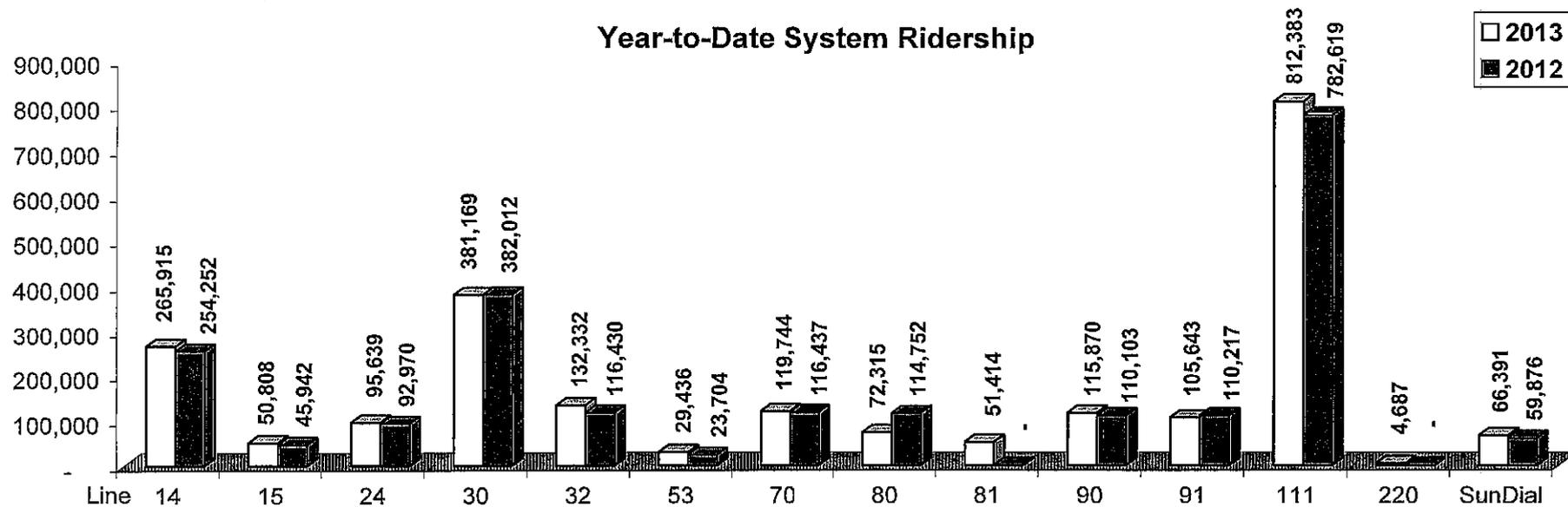
Fixed Route Ridership



Demand Response Ridership



Year-to-Date System Ridership





Complimentary Paratransit Service
Serving Persons with Disabilities Throughout the Coachella Valley

SunDial Operational Notes
November 2012

1. ON-TIME PERFORMANCE

<u>Last Year</u>	<u>This Year</u>	
88.7%	89.5%	Total trips carried in the on-time window
1,177	1,126	Total trips late during the month
9,870	10,788	Total trips

2. RIDERSHIP and MILEAGE

<u>Last Year</u>	<u>This Year</u>	
10,051	11,014	Total passengers for the month
85,346	91,164	Total miles traveled for the month

3. SAFETY

<u>Last Year</u>	<u>This Year</u>	
0	0	Total preventable accidents

4. RIDE-A-LONG & ONBOARD EVALUATIONS

<u>Last Year</u>	<u>This Year</u>	
0	0	Total ride-a-long evaluations
7	0	Total onboard inspections
3	0	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>	
1,606	1,510	Total mobility device boarding's

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



Complimentary Paratransit Service
Serving Persons with Disabilities Throughout the Coachella Valley

SunDial Operational Notes
December 2012

1. ON-TIME PERFORMANCE

<u>Last Year</u>	<u>This Year</u>	
90.4	90.4	Total trips carried in the on-time window
898	940	Total trips late during the month
9,439	9,886	Total trips

2. RIDERSHIP and MILEAGE

<u>Last Year</u>	<u>This Year</u>	
9,610	10,088	Total passengers for the month
84,524	86,015	Total miles traveled for the month

3. SAFETY

<u>Last Year</u>	<u>This Year</u>	
0	0	Total preventable accidents

4. RIDE-A-LONG & ONBOARD EVALUATIONS

<u>Last Year</u>	<u>This Year</u>	
0	12	Total ride-a-long evaluations
2	0	Total onboard inspections
2	0	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>	
1,456	1,390	Total mobility device boarding's

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

SunLine Transit Agency

DATE: January 23, 2013 **Action**
TO: Finance Committee
Board of Directors
FROM: Director of Transit Planning
RE: FY 2012/13 Short Range Transit Plan (SRTP) Amendment

Recommendation

Recommend that the Board approve the second amendment to the SunLine Transit Agency Short Range Transit Plan for FY 2012/13 to update funding allocated for the project for replacement and new solar panels.

Background

The Board 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.

Financial Impact

The replacement and new solar panels project remains fully funded and is the same total project cost. This amendment is to show the new match funding made available to Renova from AQMD. The attached SRTP Table 4 update shows the change in funding.


Joe Forgiarini

SUNLINE TRANSIT AGENCY
FY 2012/13 SRTP - TABLE 4 - AMENDMENT 2 (012313)
FY 2012/13 OPERATING and CAPITAL ASSISTANCE BY FUNDING SOURCE

Operating Assistance		Total Amount Including Carryover	Total Amount Without Carryover Funds	Total Carryover Amount	LTF	Carryover LTF	Measure A	Federal Sec 5307	Carryover Federal Sec 5307	Federal Sec 5308	Federal Sec 5311	Federal Sec 5316	Federal Sec 5317	Carryover Federal Sec 5316	Carryover Federal Sec 5317	Other Revenue	Farebox	
Operating Assistance		\$ 20,475,893	\$ 20,319,091	\$ 180,802	\$ 10,718,420	\$ -	\$ 4,500,000	\$ 824,804	\$ -	\$ -	\$ 284,565	\$ 6,253	\$ 60,106	\$ 119,057	\$ 41,845	\$ 491,842	\$ 3,350,000	
Preventive Maintenance		1,800,000	\$ 1,800,000	0			0	1,800,000		0	0	0	0	0	0			
Total: Operating		22,275,893	\$ 22,116,091	180,802	10,718,420	0	4,500,000	2,724,804	0	0	284,565	6,253	\$ 80,106	119,057	41,845	491,842	3,350,000	
Capital Assistance		Capital Project #	Total Amount Including Carryover	Total Amount Without Carryover Funds	Total Carryover Amount	LTF	Carryover STA Funds	STA	Federal Section 5307	Carryover Federal Sec 5307	Federal Sec 5308	Prop 1B Transit Security Funds	Prop 1B Capital Transit (PTMISEA)	Federal Sec 5316	Federal Sec 5317	Federal Sec 5309	AQMD	
Bus Rehabilitation		SL-13-01	\$ 60,000	\$ 50,000	\$ -			\$ 10,000	\$ 40,000									
Replacement Service Vehicles (incl. 2 trucks, 4 relief cars)		SL-13-02	\$ 220,000	\$ 220,000	\$ -			\$ 44,000	\$ 176,000									
Thousand Palms Yard Repaving		SL-13-03	\$ 900,000	\$ 900,000	\$ -			\$ 180,000	\$ 720,000									
Transit Stop Enhancements		SL-13-04	\$ 384,714	\$ 384,714	\$ -			\$ -	\$ -			\$ 384,714						
Facility Improvement		SL-13-05	\$ 200,000	\$ 200,000	\$ -			\$ 40,000	\$ 160,000									
Office Furniture		SL-13-06	\$ 100,000	\$ 100,000	\$ -			\$ 20,000	\$ 80,000									
IT Projects		SL-13-07	\$ 105,000	\$ 105,000	\$ -			\$ 21,000	\$ 84,000									
New Agency Phone System		SL-13-08	\$ 115,000	\$ 115,000	\$ -			\$ 23,000	\$ 92,000									
Spare Fareboxes (5)		SL-13-09	\$ 80,000	\$ 80,000	\$ -			\$ 12,000	\$ 68,000									
Rider Survey Study		SL-13-10	\$ 100,000	\$ 100,000	\$ -			\$ 20,000	\$ 80,000									
Maintenance Tools & Equipment		SL-13-11	\$ 50,000	\$ 50,000	\$ -			\$ 10,000	\$ 40,000									
Special Fuel Provision - Capital Maintenance		SL-13-12	\$ 439,324	\$ 439,324	\$ -			\$ 87,865	\$ 351,459									
Solar Panels Replacement and New Installations		SL-13-13	\$ 1,820,000	\$ 1,820,000	\$ -			\$ 49,416	\$ -							1,456,000	314,584	
Total: Capital			\$ 4,554,038	\$ 4,554,038	\$ -	\$ -	\$ -	\$ 517,281	\$ 1,871,459	\$ -	\$ -	\$ 384,714	\$ -	\$ -	\$ -	\$ 1,456,000	\$ 314,584	
Grand Total:			\$ 26,831,031	\$ 26,831,031	\$ -	\$ -	\$ -	\$ 5,217,281	\$ 4,743,318	\$ -	\$ -	\$ 669,279	\$ -	\$ -	\$ -	\$ 1,456,000	\$ 3,664,584	

Capital Assistance - New FY 11-12 Project (SRTP Amendment 1)	Capital Project #	Total Amount Including Carryover	Total Amount Without Carryover Funds	Total Carryover Amount	LTF	Carryover STA Funds	STA	Federal Section 5307	Carryover Federal Sec 5307	Federal Sec 5308	Prop 1B Transit Security Funds	Prop 1B Capital Transit (PTMISEA)	Federal Sec 5316	Federal Sec 5317	Federal Sec 5309	AQMD
Fuel Cell Buses (2)	SL-12-13	\$ 5,484,306	\$ 5,484,306	\$ -			\$ 548,430			\$ 4,917,876						

Notes:

Total Revenue for PIP calculation include: Farebox of \$3,300,000 + \$50,000 for new/extra service fare revenue.

Other Revenue is \$491,842, including \$117,993 advertising on-bus, shelters, ride guide, \$17,743 for warranty, interest, recycle/vacuum revenue, \$272,885 for outside fuel sales, \$81,597 RTA contribution to commuter express, and \$21,724 for taxi voucher sales.

\$123,000 of the Measure A funds is needed to meet 17.8% farebox recovery.

Section 5316 carryover is \$119,057 unused from FY11-12 due to Riverside Commuter Express Project not having launched. New 5316 is SunLine Admin. costs. The Riverside Commuter Express funding is in the carryover of both 5316, 5317.

Section 5317 carryover is \$41,845, that being 4/12 of one year of funding for Taxi Voucher Program due to project starting in November 2011, plus full \$15,000 of first year funding for Riverside Commuter Express Project.

The new 5317 funds are one year of Admin. fee plus 8/12 of Taxi Voucher Program, which together with carryover provides one year of operation.

These amounts do not include RCTC Rideshare of CVAG Roy Center/Mobility Management pass throughs (See Table 4.1)

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**
TO: Finance Committee
Board of Directors
FROM: Director of Maintenance
RE: Purchase of Replacement Paratransit Vehicles

Recommendation

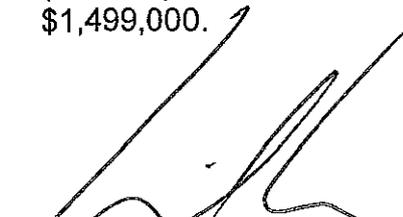
Recommend that the Board of Directors authorize SunLine General Manager to approve award of contract for the purchase of 14 replacement CNG paratransit, ADA accessible, vehicles for SunLine's SunDial service upon approval as to form and legality by Legal Counsel.

Background

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 service, with associated higher maintenance costs and customer disruption. There is therefore a need to replace these 14 vehicles in the first half of 2013.

Fiscal Impact

The total estimated cost per vehicle will be \$96,000, plus tax. This procurement will be paid for using a 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 decals and radio installation is not to exceed \$1,499,000.


Mike Morrow

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Contracting Officers Technical Representative

RE: Award of Contract for Security Perimeter Fencing and Gates
for Division 1 and Division 2

Recommendation

Recommend that the Board of Directors grant authorization to the General Manager to execute a contract for construction of the security perimeter fencing and gates for Division 1 and Division 2 in the amount of \$482,648 to Alvarez Construction subject to review and approval as to form by SunLine Counsel and to authorize changes within a ten percent change contingency.

Background

SunLine has completed the design of the security perimeter fencing and gates for Division 1 and Division 2. An Invitation For Bid was issued on November 6, 2012. SunLine publicized the bid on its website and advertised the bid in newspapers of general circulation, including the Desert Sun in November, 2012. SunLine received bids on December 21, 2012. The low bidder, Alvarez Quality Construction INC, submitted the lowest responsible bid.

Financial Impact

This project is within the approved project budget. Funding for this project consists of approximately 90 percent Proposition 1B Transit Security Improvements funds and approximately 10 percent Federal Transit Administration Funds.


Tommy D Edwards



BID AND PROPOSAL OPENING/ TABULATION RECORD

RFP 12-038 Perimeter Fence

BIDDER/ PROPOSER NAME	ADDRESS, CITY, STATE, ZIP	AMOUNT (BIDS ONLY)	Comments
Atom Engineering	40410 Vista Rd, Hemet, CA 92544	\$498,398.00	
Alvarez Quality Constructions	11991 Perris Blvd, Moreno Valley, CA	\$482,648.00	
Dalke & Sons			Bid was turned in 20 minutes late and not accepted.

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Director of Transit Planning

RE: Award of Contract for Construction of Bus Shelter Shed Pads

Recommendation

Recommend that the Board of Directors grant authorization to the General Manager to execute a contract for construction of twenty three (23) bus shelter pads in the amount of \$65,940.40 to ND Electrical Construction, Inc., subject to review and approval as to form by SunLine Counsel. This company was the lowest cost responsive bidder. Subject to performance, this company will also receive further contracts for similar pads.

Background

As approved by the Board in 2012, SunLine is providing seventy (70) new bus shelters at SunLine bus stops throughout the Coachella Valley. In order to complete installation of these shelters, a concrete pad is required to accommodate the shelter. This contract is for the first batch (23) of such new concrete pads.

SunLine publicized the bid on its website and advertised the bid in newspapers of general circulation, including the Desert Sun in November 2012. SunLine received three bids by the closing date of December 12, 2012. ND Electrical Construction, Inc. was the lowest cost responsive bidder (see attached summary of bids received).

Financial Impact

This project is within the approved project budget. Funding for this project consists of 80 percent Federal Transit Administration Section 5307 Funds with 20% local match (state STA funds).



Joe Forgiarini

Attached: List of Bidders



BID AND PROPOSAL OPENING/ TABULATION RECORD

RFP 12-042 Concrete Bus Pads

OPENING DATE:	12-Dec-12
TIME:	2:00 PM

BIDDER/ PROPOSER NAME	ADDRESS, CITY, STATE, ZIP	AMOUNT (BIDS ONLY)	Comments
ND Electrical Contraction, INC.	2201 E. Winston Rd Suite M Anaheim, CA 92806	\$65,940.40	ND Electricla was determined to be the lowest responsive bid.
Joe Purtrino General Contrator	56940 Powchita Rd. Yucca Valley, CA 92284	\$96,812.00	
AToM Engineering Construction, INC	40410 Vista Rd Hemet, CA 92544	\$124,398.00	Contractor is not experienced in this type of work.

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**
TO: Finance Committee
Board of Directors
FROM: Director of Human Resources
RE: Amendment to the Public Entity Risk Management Authority (PERMA) Joint Powers Agreement (JPA)

Recommendation

Recommend that the Board of Directors approve the amendment to the PERMA JPA and authorize the General Manager to sign the amendment on behalf of SunLine Transit Agency.

Background

The current PERMA JPA incorporates the requirement of using a member's Treasurer and Auditor as the PERMA Treasurer and Auditor pursuant to Government Code section 6505.5.

Until his retirement at the end of last calendar year, the Director of Administrative Services for the City of Rancho Mirage had served as the PERMA Treasurer and Auditor. On October 1, 2012, the General Manager of PERMA solicited its member organizations for someone to serve the Treasurer and Auditor role. However, there were no interested qualified from the members.

In lieu of the designation of Treasurer and Auditor from a member organization as set forth in section 6505.5, PERMA may appoint one of its officers or employees to either or both such positions under Government Code section 6505.6. If PERMA designates one of its officers or employees to fill the function of treasurer or auditor, or both, pursuant to section 6505.6, PERMA will be required to have an independent audit conducted by a certified public accountant, or public accountant.

The proposed JPA amendment will allow a Treasurer and Auditor of a member organization to serve as the Treasurer and Auditor of PERMA, or allow PERMA to appoint one of its officers or employees when there is no employee of a member organization to serve in this capacity.

A revision of the PERMA JPA is required to use Government Code section 6505.6, which takes an affirmative vote of two-thirds of the member organizations, acting through their councils or governing bodies.

Fiscal Implications

None.



Donald A. Bradburn

**AMENDMENT
TO
PUBLIC ENTITY RISK MANAGEMENT AUTHORITY
(PERMA) AMENDED AND RESTATED JOINT POWERS
AGREEMENT (REVISED JULY 1, 2004)**

Articles 10 and 12 of the Joint Powers Agreement currently state:

ARTICLE 10. OFFICERS

The Board of Directors, either directly or through the Executive Committee, shall annually elect from its membership a President and Vice President of the Board at its regular annual meeting to service for one-year terms.

The President, or in his or her absence, the Vice President, shall preside at and conduct all meetings of the Board and chair the Executive Committee.

Said powers shall be exercised pursuant to the terms hereof and in the manner provided by law.

ARTICLE 12. STAFF

Principal Staff

- (a) The following staff members shall be established:
- (1) General Manager/Secretary. The General Manager/ Secretary shall administer the business and activities of the Authority, subject to the general supervision and policy direction of the Board of Directors and Executive Committee; shall be responsible for all minutes, notices and records of the Authority; and shall perform such other duties as are assigned by the Board and Executive Committee.
 - (2) Other Staff. The General Manager/Secretary may provide for such other staff as may be necessary for the administration of the Authority, subject to Board approval.
- (b) Pursuant to Government Code section 6505.5, the Treasurer and Auditor shall be the treasurer and auditor of a member organization of the Authority.
- (1) Treasurer. The duties of the Treasurer are set forth in Articles 14 and 15 of this Agreement.
 - (2) Auditor. The Auditor shall draw warrants to pay demands against the Authority when approved by the Treasurer, and shall perform the annual audit functions required under Article 14.
- (c) Charges for Treasurer and Auditor Services. Pursuant to Government Code section 6505.5, the charges to the Authority for the services of the Treasurer and Auditor shall be determined by the governing Board of the member organization from which such staff members are appointed.

.....
Articles 10 and 12 are hereby amended to state as follows:

ARTICLE 10. OFFICERS

The Board of Directors, either directly or through the Executive Committee, shall annually elect from its membership a President and Vice President of the Board at its regular annual meeting to service for one-year terms.

The President, or in his or her absence, the Vice President, shall preside at and conduct all meetings of the Board and chair the Executive Committee.

Said powers shall be exercised pursuant to the terms hereof and in the manner provided by law. The Board of Directors, either directly or through the Executive Committee, shall also annually elect or appoint a Treasurer and Auditor. Pursuant to Government Code sections 6505.5 and 6505.6, the Treasurer and Auditor shall be either the treasurer and auditor of a member organization of the Authority or an officer or employee of the Authority. Such offices may be held by separate officers or employees or combined and held by one officer or employee. If the Authority designates its officers or employees as Treasurer or Auditor, or both, such officers or employees shall cause an independent audit to be made by a certified public accountant, or public accountant, in compliance with Government Code section 6505.

- (1) Treasurer. The duties of the Treasurer are set forth in Articles 15 and 16 of this Agreement.*
- (2) Auditor. The Auditor shall draw warrants to pay demands against the Authority when approved by the Treasurer, and shall perform the annual audit functions required under Article 15.*

Charges for Treasurer and Auditor Services. Pursuant to Government Code section 6505.5, the charges to the Authority for the services of the Treasurer and Auditor shall be determined by the governing Board of the member organization from which such staff members are appointed.

ARTICLE 12. STAFF

Principal Staff

(a) —The following staff members shall be established:

- (1) General Manager/Secretary. The General Manager/ Secretary shall administer the business and activities of the Authority, subject to the general supervision and policy direction of the Board of Directors and Executive Committee; shall be responsible for all minutes, notices and records of the Authority; and shall perform such other duties as are assigned by the Board and Executive Committee.*
- (2) Other Staff. The General Manager/Secretary may provide for such other staff as may be necessary for the administration of the Authority, subject to Board approval.*

~~(b) Pursuant to Government Code section 6505.5, the Treasurer and Auditor shall be the treasurer and auditor of a member organization of the Authority.~~

~~a. Treasurer. The duties of the Treasurer are set forth in Articles 14 and 15 of this Agreement.~~

~~b. Auditor. The Auditor shall draw warrants to pay demands against the Authority when approved by the Treasurer, and shall perform the annual audit functions required under Article 14.~~

~~(c) Charges for Treasurer and Auditor Services. Pursuant to Government Code section 6505.5, the charges to the Authority for the services of the Treasurer and Auditor shall be determined by the governing Board of the member organization from which such staff members are appointed.~~

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Director of Human Resources

RE: Adoption of Resolution and Approval of Amendment to the SunLine Employees
Non-Union Restated Retirement System Plan Document

Recommendation

Recommend that the Board of Directors adopt the Resolution and approve the Amendment to the SunLine Employees Non-Union Restated Retirement System plan document and authorize the General Manager to sign the Amendment on behalf of SunLine Transit Agency.

Background

In August 2012, Governor Brown introduced sweeping pension reform, which the state legislature subsequently approved. The Governor signed into law the California Public Employee Pension Reform Act (CPEPRA) and went into effect January 1, 2013.

Among other things, CPEPRA reforms public employee pensions in the following ways:

- Reduces benefit formulas for new pension members.
- Increases retirement ages for new members.
- Prohibits retroactive enhancements to benefit formulas
- Requires equal sharing of normal costs between employee and employer.
- Caps pensionable compensation for new members.
- Defines pensionable compensation.
- Requires a 36-month final compensation period.
- Prohibits the purchase of "air-time."
- Limits post-retirement employment.
- Requires the forfeiture of pension allowance upon conviction of a felony

While the current plan is already in compliance with most of these reforms, the proposed amendment to the Sunline Employees Non-Union Restated Retirement System will implement equal sharing of normal costs and the forfeiture of pension allowance upon conviction of a felony.

If approved, the revisions will bring the plan into compliance with CPEPRA.

Fiscal Implications

These changes will result in future savings.



Donald A. Bradburn

RESOLUTIONS ADOPTING
THE SEVENTH AMENDMENT TO THE SUNLINE
TRANSIT AGENCY NON-UNION RESTATED
EMPLOYEES RETIREMENT SYSTEM

By action of the Board of Directors of SunLine Transit Agency, a political subdivision of the State of California ("Employer") taken on 2013, the following resolutions were duly adopted:

WHEREAS, the Employer maintains the SunLine Transit Agency Non-Union Restated Employees Retirement System ("Plan"); and

WHEREAS, the Employer has reserved the right to amend the Plan pursuant to Section 11.05 therein; and

WHEREAS, the Employer has determined that the Plan should be amended to comply with the Public Employees' Pension Reform Act of 2013;

NOW, THEREFORE, BE IT RESOLVED, that the Plan be, and it hereby is, amended by the Seventh Amendment substantially in the form attached hereto.

RESOLVED, that the appropriate officers of the Employer be, and they hereby are, authorized and empowered to take any action and execute any writing they deem necessary to carry out the purpose and intent of the foregoing resolutions.

I hereby certify that the foregoing resolution were duly adopted by the Employer on the date first set forth above and that such resolutions have not been modified or revoked and remain in full force and effect.

IN WITNESS WHEREOF, I have signed this certificate as of the date first indicated

PASSED AND ADOPTED this _____ day of _____, 20__.

ATTEST:

Carolyn Rude
CLERK OF THE BOARD
SunLine Transit Agency

Yvonne Parks
VICE CHAIRMAN of the Board
SunLine Transit Agency

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, CAROLYN RUDE, Clerk of the Board of Directors of the SunLine Transit Agency, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the Board of Directors held on the _____ day of _____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 20__.

Carolyn Rude
CLERK OF THE BOARD
SunLine Transit Agency

APPROVED AS TO FORM:

General Counsel
Jeffrey Goldfarb

**SEVENTH AMENDMENT TO THE
SUNLINE TRANSIT AGENCY NON-UNION
RESTATED EMPLOYEES RETIREMENT SYSTEM**

WHEREAS, SunLine Transit Agency (“Employer”) maintains the SunLine Transit Agency Non-Union Restated Employees Retirement System (“Plan”); and

WHEREAS, the Employer has reserved the right to amend the Plan pursuant to Section 11.05 therein; and

WHEREAS, the Employer has determined that the Plan should be amended to comply with the Public Employees’ Pension Reform Act of 2013;

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to the power reserved to the Employer under Section 11.05 of the Plan, the Employer hereby amends the Plan in the following particulars.

1. Plan Section 1.01 is amended by adding the following subsection (d) effective January 1, 2013:

d. Notwithstanding the above, for new Participants on or after January 1, 2013, a Participant’s benefit shall equal a percentage of the Employee’s Final Average Monthly Earnings taken as of the preceding quarter year, as outlined in the following table, multiplied by Years of Service.

<u>Age of Retirement</u>	<u>Fraction</u>
52	1.000
52 ¼	1.025
52 ½	1.050
52 ¾	1.075
53	1.100
53 ¼	1.125
53 ½	1.150
53 ¾	1.175
54	1.200
54 ¼	1.225
54 ½	1.250
54 ¾	1.275
55	1.300
55 ¼	1.325
55 ½	1.350
55 ¾	1.375
56	1.400
56 ¼	1.425
56 ½	1.450
56 ¾	1.475
57	1.500
<u>Age of Retirement</u>	<u>Fraction</u>

57 ¼	1.525
57 ½	1.550
57 ¾	1.575
58	1.600
58 ¼	1.625
58 ½	1.650
58 ¾	1.675
59	1.700
59 ¼	1.725
59 ½	1.750
59 ¾	1.775
60	1.800
60 ¼	1.825
60 ½	1.850
60 ¾	1.875
61	1.900
61 ¼	1.925
61 ½	1.950
61 ¾	1.975
62	2.000
62 ¼	2.025
62 ½	2.050
62 ¾	2.075
63	2.100
63 ¼	2.125
63 ½	2.150
63 ¾	2.175
64	2.200
64 ¼	2.225
64 ½	2.250
64 ¾	2.275
65	2.300
65 ¼	2.325
65 ½	2.350
65 ¾	2.375
66	2.400
66 ¼	2.425
66 ½	2.450
66 ¾	2.475
67 or later	2.500

2. Plan Section 1.17 is amended by adding the following paragraphs effective January 1, 2013:

For new Participants on or after January 1, 2013, Monthly Earnings shall also exclude (1) severance or any other payment that is granted or awarded to a Participant in connection with or in anticipation of a separation from employment, but is received by

the Participant while employed, (2) payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid, and (3) Employer contributions to deferred compensation or defined contribution plans.

Notwithstanding the above, for new Participants on or after January 1, 2013, the Monthly Earnings of each Participant taken into account in determining benefit accruals in any Plan Year beginning after December 31, 2012, shall not exceed 120% of the contribution and benefit base specified in section 430(b) of Title 42 of the United States Code on January 1, 2013 (\$113,700), as indexed. The Plan Administrator shall adjust the Monthly Earnings following each actuarial valuation based on changes to the Consumer Price Index for All Urban Consumers. The adjustment shall be effective annually on January 1, following the annual valuation.

3. Plan Section 3.01(c) is deleted in its entirety and replaced with the following in lieu thereof effective January 1, 2013:

c. The Employee makes Required Employee Contributions equal to 3% of Monthly Earnings.

However, for new Participants on or after January 1, 2013, the Required Employee Contribution shall equal the greater of 50% of the normal cost rate, rounded to the nearest quarter of 1 percent, or the current contribution rate of similarly situated employees. The Employer shall not pay any of the Required Employee Contribution on the employee's behalf. For purposes of this contribution, the following conditions and definitions shall apply:

1. This contribution shall not be adjusted on account of a change to the normal cost rate unless the normal cost rate increases or decreases by more than 1 percent of payroll above or below the normal cost rate in effect at the time the employee contribution rate is first established or, if later, the normal cost rate in effect at the time of the last adjustment to the employee contribution rate under this section.
2. For purposes of this section, "normal cost rate" means the annual "normal cost" for the Plan as determined by the Plan actuary, expressed as a percentage of payroll.
3. For purposes of this section, "normal cost" means the portion of the projected benefits under the Plan that is attributable to the current Year of Service, as determined annually by the Plan actuary according to the most recently completed valuation.
4. Any adjustment to the Required Employee Contribution pursuant to subdivision 1. shall be effective as of the first day of the Plan Year following the determination that an adjustment shall be made.

4. Plan Section 7.02 is amended by adding the following effective January 1, 2013:

Notwithstanding the above, for new Participants on or after January 1, 2013, such Participant may elect Early Retirement on the first day of any month provided he has both completed 5 Years of Vesting Service and has attained age 55 or he has completed 25 Years of

Vesting Service and attained age 52. The amount of pension shall be the Accrued Benefit as defined in Section 1.01, based on Final Average Monthly Earnings and Years of Credited Service at Early Retirement.

5. Plan Section 7.06 is deleted in its entirety and replaced with the following in lieu thereof effective January 1, 2013:

Section 7.06. Reinstatement from Retirement. A retired Participant shall not serve, be employed by, or be employed through a contract directly by the Employer as an Eligible Employee without reinstatement from retirement, except in the following circumstances:

- a. The retired Participant is appointed by the appointing power of the Employer either during an emergency to prevent stoppage of public business or because the retired Participant has skills needed to perform work of limited duration. Any such appointment shall not exceed a total of 960 hours in a Plan Year. The rate of pay for the employment shall not be less than the monthly minimum, nor exceed the monthly maximum, paid by the Employer to other Employees performing comparable duties, divided by 173.333 to equal an hourly rate.
- b. Notwithstanding subsection a., a retired Participant shall not be eligible to serve or be employed by the Employer if, during the 12-month period prior to an appointment described in subsection a., the retired Participant received any unemployment insurance compensation arising out of prior employment with the Employer. A retired Participant shall certify in writing to the Employer upon accepting an offer of employment that he or she is in compliance with this requirement. A retired Participant who accepts an appointment with the Employer after receiving unemployment insurance compensation shall terminate that employment on the last day of the current pay period and shall not be eligible for reappointment for a period of 12 months following the last day of employment.
- c. A retired Participant shall not be eligible to be employed pursuant to this Section for a period of 180 days following the date of retirement unless the Employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days has passed and the appointment has been approved by the governing body of the Employer in a public meeting. The appointment may not be placed on a consent calendar.
- d. A retired Participant who accepted a retirement incentive upon retirement shall not be eligible to be employed pursuant to this Section for a period of 180 days following the date of retirement and subsection c. shall not apply.

In addition to the above conditions, the Committee will only need to reinstate an Eligible Employee from retirement upon the following conditions:

- a. His application to the Committee for reinstatement is accepted, and
- b. The determination by the Committee, based upon medical examination, that the retired Participant is not incapacitated for the duties to be assigned to the retired Participant.

When any Participant is reinstated from retirement under this provision, his retirement allowance shall cease, and he shall become a Participant as of the date of reinstatement. Upon his later retirement, his retirement allowance shall be increase on account of any service subsequent to the date of reinstatement.

6. Plan Section 12.12 is added to the Plan effective January 1, 2013:

Section 12.12. Forfeiture of Benefits Upon Conviction of a Felony. If any Eligible Employee is convicted by a state or federal trial court of any felony under state or federal law for conduct arising out of or in the performance of his official duties, in pursuit of the office or appointment, or in connection with obtaining salary, disability retirement, service retirement, or other benefits, the following provisions shall apply:

- a. The Eligible Employee shall forfeit all accrued rights and benefits under the Plan to the extent provided in subsection b. and shall not accrue further benefits in the Plan, effective on the date of conviction.
- b. The Eligible Employee shall forfeit all the retirement benefits earned or accrued from the earliest date of the commission of any felony described in this Section to the forfeiture date, inclusive. The retirement benefits shall remain forfeited notwithstanding any reduction in sentence or expungement of the conviction following the date of the Employee's conviction. Retirement benefits attributable to service performed prior to the date of the first commission of the felony for which the Employee was convicted shall not be forfeited as a result of this Section. For purposes of this subsection, "forfeiture date" means the date of the conviction.
- c. If an Eligible Employee's conviction is reversed and that decision is final, the Employee shall be entitled to do either of the following:
 1. Recover the forfeited retirement benefits as adjusted for the contributions received pursuant to subdivision a.
 2. Redeposit those contributions and interest, as determined by the Plan's actuary and then recover the full amount of the forfeited benefits.

IN WITNESS WHEREOF, the Employer has caused this Seventh Amendment to be signed on its behalf by the undersigned duly authorized officer on the date set forth below.

SUNLINE TRANSIT AGENCY

By: _____

Title: _____

Date: _____

SunLine Transit Agency

DATE: January 23, 2013 **Action**
TO: Board of Directors
FROM: C. Mikel Oglesby
RE: Resolution Updating Signatories on Bank Accounts

Recommendation

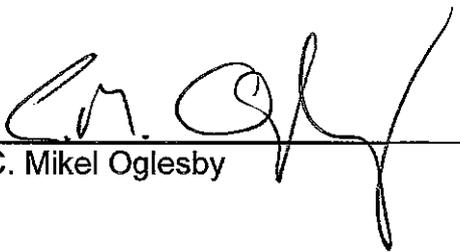
Recommend that the Board of Directors approve the attached Resolution updating signatories on bank accounts as follows: add new Director of Finance, Brenda Walker, remove Chief of Staff, Naomi Nightingale.

Background

It is necessary for SunLine Transit Agency to update bank signature cards. The Resolution adds the new Director of Finance, Brenda Walker, and removes Chief of Staff, Naomi Nightingale. This Resolution allows the Director of Finance to sign all Agency bank accounts.

Fiscal Implications

None.


C. Mikel Oglesby



SunLine Transit Agency

RESOLUTION No. _____

**RESOLUTION OF THE BOARD OF DIRECTORS
OF SUNLINE TRANSIT AGENCY TO CHANGE
AUTHORIZED SIGNATURES ON ALL SUNLINE
TRANSIT AGENCY BANK ACCOUNTS**

WHEREAS, SunLine Transit Agency has a number of existing bank accounts with Pacific Western Bank; and

WHEREAS, The Board of Directors desires to add to the designated signatories of the accounts, Director of Finance, Brenda Walker, and remove Chief of Staff, Naomi Nightingale.

NOW THEREFORE, BE IT RESOLVED that any two of the signatories are required for any check issued over \$25,000, with the exception of items listed in SunLine Checks Policy.

Approved and Adopted this 23rd day of January 2013.

ATTEST:

Carolyn Rude
CLERK OF THE BOARD
SunLine Transit Agency

Yvonne Parks
VICE CHAIRMAN of the Board
SunLine Transit Agency

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, CAROLYN RUDE, Clerk of the Board of Directors of the SunLine Transit Agency, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the Board of Directors held on the _____ day of _____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 20__.

Carolyn Rude
CLERK OF THE BOARD
SunLine Transit Agency

APPROVED AS TO FORM:

General Counsel
Jeffrey Goldfarb

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**
TO: Board of Directors
FROM: General Counsel, Jeffrey A. Goldfarb
RE: Amendment of SunLine Transit Agency JPA

RECOMMENDATION

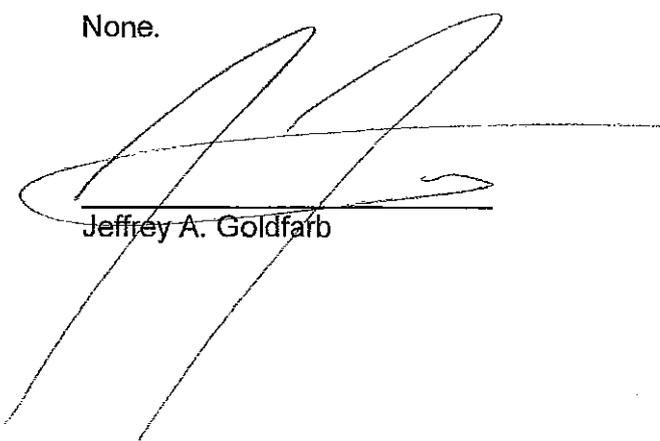
Upon review and approval of the proposed Joint Powers Agreement ("JPA Agreement") amendment, direct General Counsel to circulate the proposed Joint Powers Agreement ("JPA Agreement") amendment to SunLine's member agencies for approval.

BACKGROUND

At the Board's December 5, 2012 meeting, General Counsel discussed with the Board the antiquated provisions in the JPA Agreement for "weighted voting." The Board directed General Counsel to draft and circulate an amendment to the JPA Agreement eliminating weighted voting. General Counsel has drafted the proposed JPA Agreement amendment and is presenting the same to the Board for concurrence prior to circulating the amendment to the SunLine member agencies.

FINANCIAL IMPACT

None.



Jeffrey A. Goldfarb

THIRD AMENDMENT TO
SUNLINE JOINT POWERS TRANSPORTATION AGENCY AGREEMENT

THIS THIRD AMENDMENT TO SUNLINE JOINT POWERS TRANSPORTATION AGENCY AGREEMENT (the “Third Amendment”) is made and entered into by and between the COUNTY OF RIVERSIDE, the CITY OF COACHELLA, the CITY OF INDIO, the CITY OF LA QUINTA, the CITY OF INDIAN WELLS, the CITY OF PALM DESERT, the CITY OF RANCHO MIRAGE, the CITY OF PALM SPRINGS, the CITY OF CATHEDRAL CITY, and the CITY OF DESERT HOT SPRINGS (collectively, the “Parties”), and any other public agencies which subsequently become Parties to the Agreement. This Third Amendment is made and entered into on the date last executed by the Parties hereto.

RECITALS:

- A. The SunLine Joint Powers Transportation Agency Agreement (the “Agreement”) was made and entered into on or about May 20, 1977.
- B. The First Amendment to the Agreement (the “First Amendment”) was made and entered into by and between the Parties in June 1991.
- C. The Second Amendment to the Agreement (the “Second Amendment”) was made and entered into by and between the Parties in or about October 1991.
- D. When originally enacted, the Agreement provided a mechanism whereby a SunLine Transportation Agency Board Member (a “Board Member”) could require “weighted voting” for any item coming before the Board. Such weighted voting was based upon “the number of annual transit service hours requested by each party to the agreement as reflected by the SunLine budget for the then current fiscal year.”

E. Subsequent to the adoption of the JPA, the mechanism for establishing transit service through each member agencies' various jurisdictions has changed such that the Parties no longer request annual transit service hours. As a consequence, weighted voting as provided for in the Agreement is no longer viable.

F. The Parties therefore desire to enter into this Third Amendment to eliminate all references to weighted voting.

NOW THEREFORE, the Parties hereto, for and in consideration of the mutual promises and covenants contained herein, **HEREBY AGREE AS FOLLOWS:**

AGREEMENT:

SECTION 1: Section 3G "VOTING" is hereby amended to read in its entirety as follows: "Each member of the Board shall have one vote."

SECTION 2: Section 3H "QUORUM, MAJORITY VOTE" is hereby amended to read in its entirety as follows:

"(1) Quorum: The number of members sufficient to constitute a quorum shall be fifty percent (50%) of the total number of Parties to SunLine plus one (rounded to the nearest whole number). The Board may take no official action in any instance where less than a quorum is present.

(2) Majority Vote:

(a) Adoption of by-laws, amendment of by-laws, adoption of annual budget, and such other matters as the Board may designate shall require a majority vote of the entire membership of the Board.

(b) All other actions taken by the board shall require a majority vote of the quorum in attendance.

(c) An abstention shall be considered neither an affirmative nor a negative vote, but the presence of the member abstaining shall be counted in determining whether or not there is a quorum in attendance. All other actions taken by the Board shall require a majority vote of the quorum in attendance.

SECTION 3: Except as so expressly amended, the JPA, as modified by the First and Second Amendments, shall remain in full force and effect as executed by the Parties thereto.

IN WITNESS WHEREOF, the Board of Supervisors of the COUNTY OF RIVERSIDE, and the City Councils of the cities of COACHELLA, INDIO, LA QUINTA, INDIAN WELLS, PALM DESERT, RANCHO MIRAGE, PALM SPRINGS, CATHEDRAL CITY, and DESERT HOT SPRINGS have each authorized execution of this Third Amendment as evidenced by the authorized signatures below.

COUNTY OF RIVERSIDE

By: _____
President, Board of Supervisors

ATTEST:

By: _____
County Clerk, County of Riverside

APPROVED AS TO FORM:

By: _____
County Counsel, County of Riverside

CITY OF COACHELLA

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of Coachella

APPROVED AS TO FORM:

By: _____
City Attorney, City of Coachella

CITY OF INDIO

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of Indio

APPROVED AS TO FORM:

By: _____
City Attorney, City of Indio

CITY OF LA QUINTA

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of La Quinta

APPROVED AS TO FORM:

By: _____
City Attorney, City of La Quinta

CITY OF INDIAN WELLS

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of Indian Wells

APPROVED AS TO FORM:

By: _____
City Attorney, City of Indian Wells

CITY OF PALM DESERT

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of Palm Desert

APPROVED AS TO FORM:

By: _____
City Attorney, City of Palm Desert

CITY OF RANCHO MIRAGE

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of Rancho Mirage

APPROVED AS TO FORM:

By: _____
City Attorney, City of Rancho Mirage

CITY OF PALM SPRINGS

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of Palm Springs

APPROVED AS TO FORM:

By: _____
City Attorney, City of Palm Springs

CITY OF CATHEDRAL CITY

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of Cathedral City

APPROVED AS TO FORM:

By: _____
City Attorney, City of Cathedral City

CITY OF DESERT HOT SPRINGS

By: _____

Mayor

ATTEST:

By: _____
City Clerk, City of Desert Hot Springs

APPROVED AS TO FORM:

By: _____
City Attorney, City of Desert Hot Springs

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Board of Directors

FROM: SunLine Legal Counsel

RE: Recent Adoption of Resolution Authorizing Members of the Board of Directors to Discuss Certain Closed Session Matters With Their Respective City Councils and Board of Supervisors in a Closed Session

Background

On August 2, 2012, Member Hobart requested that the Chairman discuss with staff the preparation of two resolutions regarding the Brown Act: (1) a resolution that STA and SSG continue to comply with the Brown Act notwithstanding the State Legislature's suspension of various provisions of the Brown Act; and (2) a resolution to permit Board members to discuss certain closed session items with their respective city attorneys (or in the case of the County, with County Counsel).

I was aware that Government Code section 54956.96 authorized a JPA to adopt a resolution to permit JPA board members to disclose certain closed session communications to their respective member legislative body and attorney. After a discussion with staff, I was authorized to draft a resolution pursuant to Government Code section 54956.96 authorizing Board members to discuss closed session items with their city attorneys and city councils in the situations authorized by the Brown Act. On October 24, 2012, that resolution was presented to, and adopted by, the Board of Directors. That Resolution is attached hereto as Exhibit "A" (the "New Resolution").

Unbeknownst to me, on February 23, 2005, the Board had previously adopted a similar resolution (Resolution No. 0637, the "Old Resolution," which is attached hereto as Exhibit "B") authorizing Board members to discuss closed session items with their city councils in certain circumstances. The Old Resolution, however, contained certain extraneous material. That material included the following:

1. Section A, which reiterated the general legal principle contained in various provisions of the Brown Act (see, e.g., Government Code sections 54956.96(a)(1), 54963) that information received during a closed session is confidential and, barring express authorization from the legislative body holding the closed session, the closed session information may not be disclosed to persons who are not in the closed session. Section A also reiterated the pre-condition contained in Government Code section 54956.96(b)

that the SunLine member city council may hold a closed session so long as it is held "on the advice of its counsel" (its city attorney or county counsel).

2. Section 1C broadly authorized SunLine's legal counsel to "provide information to legal counsel representing the applicable local agency member about the discussion conducted by the joint powers agency in the applicable closed session."

3. Subsection D required SunLine's legal counsel to make a report in all local agency member closed sessions "in all circumstances when, on approval of SunLine's Board, a closed session is authorized in accordance with this policy." That section went on to require the local agency to reimburse SunLine for the expense SunLine incurs in having its legal counsel make such a report.

4. Finally, subsection E provided "in the absence of actual or threatened litigation or a circumstance wherein SunLine is requesting financial contribution from a local agency member, closed sessions held by SunLine pursuant to Government Code section 54957 related to personnel issues and Government Code section 54957.6 pertaining to labor negotiations ordinarily do not involve direct financial or liability implications for the local agency member."

The New Resolution excluded the above-referenced provisions.

Discussion

As a general rule, "the deletion of an express statutory provision . . . by the Legislature . . . implies an intent to change the substantive law." (OCM Principle Opportunities Fund, L.P. v. CIBC World Markets Corp. (2008) 168 Cal.App.4th 185, 202; see also, Dick's v. Superior Court (1991) 53 Cal.3d 442, 461.) General principles of statutory interpretation would therefore result in the conclusion that by adopting the New Resolution, the Board rescinded the Old Resolution.

The purpose of this memorandum is twofold: (1) to explain why rescinding much of the extraneous language in the Old Resolution was appropriate; and (2) to ask if the Board would nevertheless desire to rescind the New Resolution in favor of re-adopting the Old Resolution, or modify the New Resolution to include some or all of the provisions of the Old Resolution that were not included in the New Resolution.

It is General Counsel's position that the New Resolution should not contain much of the "extraneous" provisions that were included in the Old Resolution. Each extraneous provision is discussed below.

A. The following language of Section A of the Old Resolution was not incorporated into the New Resolution: "All information received by the legislative body of the local agency member in a closed session relating to information presented to the Joint Powers Agency in a closed session shall be confidential. However, each local agency member, is authorized upon the advice of its legal counsel, to conduct a closed session to

consider and take action concerning any matter discussed in closed session by SunLine Transit Agency that has a direct financial or liability implication for the local agency member, pursuant to California Government Code section 54956.96.¹"

This language of Section A of the Old Resolution requires that if a member agency holds a closed session to discuss information from a SunLine closed session, that member agency only do so "on the advice of counsel." This language is duplicative of Government Code section 54956.96 sub.(b) and thus applies regardless of whether it is contained in the resolution. Obtaining the advice of member agency counsel (your city attorney or county counsel) prior to holding a member agency closed session is already required by state law and need not be repeated in the New Resolution. Thus, including the language in the New Resolution is not a problem, but it is not required either. The obligation to get the advice of you city attorney or county counsel prior to holding a closed session with your City Council or Board of Supervisors remains a requirement regardless.

B. Section C of the Old Resolution states that "legal counsel representing SunLine may provide information to legal counsel representing the applicable local agency member about the discussion conducted by the Joint Powers Agency in the applicable closed session." The Brown Act does not authorize a JPA's legal counsel to discuss closed session items with anyone without specific authorization from the Board. (Government Code section 54963.) Notably, Government Code Section 54963 states: "A person may not disclose confidential information that has been acquired by being present in a closed session ... to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information." The difference between the authorization in the Old Resolution and Government Code section 54963 is important. The Old Resolution creates a blanket authorization for SunLine's legal counsel to discuss closed session items with a Sunline member's city attorney whenever that city holds a closed session on a matter discussed in a SunLine closed session. This is substantially broader than the authority granted in Government Code section 54963, which requires the SunLine Board to authorize the disclosure of closed session information on a case-by-case basis. As a result, it appears that subsection C of the Old Resolution is at best overbroad and at worst inconsistent with the Brown Act.

C. Subsection D of the Old Resolution requires SunLine's legal counsel to "make a report in closed session to a local agency member in all circumstances when, on approval by SunLine's Board, a closed session is authorized in accordance with this policy. Each local agency member shall be responsible to reimburse SunLine for the expense of its legal counsel in making such a report. Nothing contained in this paragraph is intended to limit legal counsel for the member agency from advising the member agency that a closed session is appropriate." This provision is problematic. It is unenforceable because SunLine lacks the legal power to require a member City Council or Board of Supervisors to admit SunLine's attorney to their City Council or

¹ The language contained in Section A of the Old Resolution noting that information obtained in a closed session is confidential is contained in the second recital ("whereas" clause) of the New Resolution.

Board of Supervisors closed session. Second, it requires a city or the county to reimburse Sunline for a report that they may not even want. Moreover, this is both unenforceable and contrary to the Brown Act, insofar as it obligates a city or the county, in essence, to pay a fee to hold a closed session on a matter affecting their liabilities or finances.

D. Finally, subsection E of Resolution No. 0637 states as follows: "In the absence of actual or threatened litigation or a circumstance wherein SunLine is requesting financial contribution from a local agency member, closed sessions held by SunLine pursuant to Government Code section 54957 related to personnel issues and Government Code section 54957.6 pertaining to labor negotiations ordinarily do not involve direct financial or liability implications for the local agency member." Subsection E is, at best, a non-binding statement of how the SunLine Board interpreted the phrase "financial or liability implications." That interpretation, however, is non-binding. Government Code section 54956.96 leaves it up to each individual Board member (and their own city attorney) to determine whether a particular matter has "direct financial or liability implications" for that local agency member. While there is no legal impediment to including the language in a Board policy, it has no legal effect.

Recommendation

The Board may take any of the following actions:

1. Rescind the New Resolution #0718 in favor of re- adopting the Old Resolution #0637;
2. Modify the New Resolution to include some or all of the provisions of the Old Resolution that were not included in the New Resolution;
3. Retain the New Resolution and direct the Clerk of the Board to replace the Old Resolution with the New Resolution in the SunLine Transit Policy Manual, Policy # 030805.

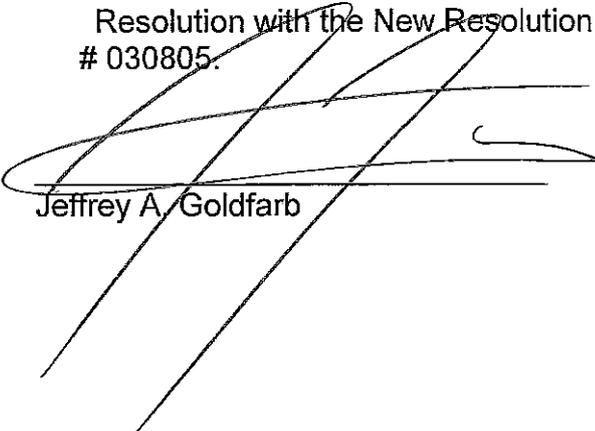

Jeffrey A. Goldfarb

EXHIBIT A

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE SUNLINE TRANSIT AGENCY AUTHORIZING MEMBERS OF THE BOARD OF DIRECTORS TO DISCUSS CERTAIN CLOSED SESSION MATTERS WITH THEIR RESPECTIVE CITY COUNCILS AND BOARD OF SUPERVISORS IN A CLOSED SESSION

WHEREAS, the Ralph M. Brown Act (the "Brown Act," Government Code § 54950, *et seq.*) requires all meetings of governmental bodies to be open to the public, with certain prescribed exceptions; and

WHEREAS, except as provided below, all information received in a closed session by a member of the SunLine Transit Agency Board of Directors is confidential; and

WHEREAS, Government Code Section 54956.96 in part authorizes the Board of Directors to adopt this resolution to permit its members to disclose information obtained in a closed session that has direct financial or liability implications for that member's City or County to legal counsel of that member's City or County and other Council Members or Supervisors of the member's City Council or Board of Supervisors present in a closed session.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE SUNLINE TRANSIT AGENCY HEREBY RESOLVES AS FOLLOWS:

SECTION 1. A member of the Board of Directors may disclose information obtained in a closed session that has direct financial or liability implications for that member's City or County to the following individuals:

- (A) Legal counsel of that member's City or County for purposes of obtaining advice on whether the matter has direct financial or liability implications for that member's City or County.
- (B) Other City Council Members or County Supervisors of the City or County present in a closed session of that City or County.
- (C) Any designated alternate member of the SunLine Transit Agency Board who will be attending a closed session of a properly noticed meeting of the SunLine Transit Agency in lieu of the regularly appointed member.

SECTION 2. The Clerk of the Board shall certify to the passage of this Resolution and enter the same in SunLine Transit Agency's Official Book of Resolutions.

PASSED AND ADOPTED this _____ day of _____, 20__.

ATTEST:

Carolyn Rude
CLERK OF THE BOARD
SunLine Transit Agency

Robert A. Spiegel
CHAIRMAN of the Board
SunLine Transit Agency

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, CAROLYN RUDE, Clerk of the Board of Directors of the SunLine Transit Agency, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the Board of Directors held on the _____ day of _____, 20 __, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of _____, 20__.

Carolyn Rude
CLERK OF THE BOARD
SunLine Transit Agency

APPROVED AS TO FORM:

General Counsel
Jeffrey Goldfarb



EXHIBIT B



SunLine Transit Agency

RESOLUTION NO. 0637

RESOLUTION ADOPTING A POLICY RELATED TO CLOSED SESSIONS

WHEREAS, SunLine Transit Agency ("SunLine") is a joint powers agency composed of the nine cities in the Coachella Valley and a portion of Riverside County; and,

WHEREAS, the California Legislature has adopted Assembly Bill 2782 ("AB 2782"), pursuant to which a joint powers authority may adopt a policy allowing for its local agency members to conduct a closed session to consider certain matters discussed by the joint powers agency which have direct financial or liability implications for the applicable local agency member; and,

WHEREAS, several of the local agency members of SunLine have requested SunLine to adopt a policy as allowed by AB 2782;

NOW, THEREFORE, be it resolved by the Board of Directors of SunLine Transit Agency:

Section 1. That the Board of Directors of SunLine Transit Agency adopts the following policy as permitted by AB 2782:

"A. All information received by the legislative body of a local agency member in a closed session related to information presented to the joint powers agency in closed session shall be confidential. However, each local agency member, is authorized upon the advice of its legal counsel, to conduct a closed session to consider and take action concerning any matter discussed in closed session by SunLine Transit Agency that has a direct financial or liability implication for the local agency member, pursuant to California Government Code Section 54956.96. For this purpose, a member of the legislative body of a local agency member may disclose information obtained in a closed session of the joint powers authority that has direct financial or liability implications for the local agency member, to (1) legal counsel of the applicable local agency member for purposes of obtaining advice on whether the matter has direct financial or liability implications for that member local agency, and (2) other members of the legislative body of the local agency present in a closed session of that member local agency."

B. Any designated alternate member of the legislative body of SunLine who is also a member of the legislative body of a local agency member and who is attending a properly noticed meeting of the joint powers agency in lieu of the local agency member's regularly appointed member may attend closed sessions of the joint powers agency.

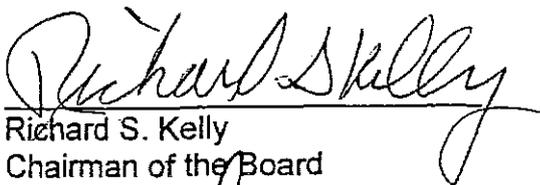
C. Legal counsel representing SunLine may provide information to legal counsel representing the applicable local agency member about the discussion conducted by the joint powers agency in the applicable closed session.

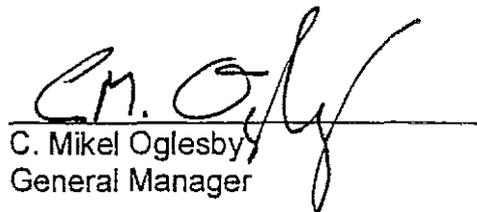
D. Legal counsel representing SunLine shall make a report in closed session to a local agency member in all circumstances when, on approval by SunLine's board, a closed session is authorized in accordance with this policy. Each local agency member shall be responsible to reimburse SunLine for the expense of its legal counsel in making such a report. Nothing contained in this paragraph is intended to limit legal counsel for the member agency from advising the member agency that a closed session is appropriate.

E. In the absence of actual or threatened litigation or a circumstance wherein SunLine is requesting financial contribution from a local agency member, closed sessions held by SunLine pursuant to Government Code section 54957 related to personnel issues and Government Code section 54957.6 pertaining to labor negotiations ordinarily do not involve direct financial or liability implications for the local agency member."

Section 2. PASSED, APPROVED AND ADOPTED by the Board of Directors of SunLine Transit Agency on this 23rd day of February, 2005, by the following vote:

AYES: 10
NOES: 0
ABSENT: 0
ABSTAIN: 0


Richard S. Kelly
Chairman of the Board


C. Mikel Oglesby
General Manager


ATTEST: Dennis Gilman
Clerk of the Board

SunLine Transit Agency

DATE: January 23, 2012 **DISCUSSION**
TO: Board of Directors
FROM: General Manager
RE: Litigation Policy

Background

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. The Government Code provides some guidance regarding the resolution of outstanding claims. The Agency could benefit from a more rigorous process. Staff believes that this is an area that could benefit from added policy clarity. Specifically, input from the Board is requested regarding:

1. What are the roles (Staff and Board) regarding litigation cost management?
2. How often should Counsel communicate with the Board regarding pending litigation?
3. What is the General Manager's role in litigation strategy and management?

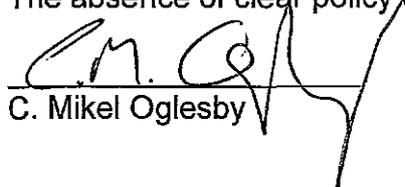
A discussion with the Board and Counsel in these areas would assist with the development of recommended policies. Board approved policies will help guide staff and the Board of Directors regarding their respective fiduciary responsibilities regarding lawsuits.

Lawsuits are typically in the name of the Board of Directors acting on behalf of SunLine Transit Agency. Clear lines of responsibility, accountability, and authority would assist SunLine Transit Agency in managing lawsuits.

Staff believes that policies in this area would help to ensure the timely evaluation, management, and disposition of lawsuits.

Financial Impact

The absence of clear policy can have an adverse impact on SunLine's finances.


C. Mikel Oglesby

SunLine Transit Agency

DATE: January 23, 2012 **DISCUSSION**
TO: Board of Directors
FROM: General Manager
RE: Appointment of Advisory Committees

Background

The 1977 Joint Powers Agreement establishing SunLine Transit Agency provides for the establishment of Advisory Committees. The JPA provides little detail on how these committees will be formed. This general authority is provided to the Board of Directors as a body. Advisory Committees have no delegated authority from the Board. Since there is no delegated authority, these committees have traditionally been established by the Chairperson. Our current committee list is as follows: Finance Committee, Taxicab Committee, Personnel Loss Review Committee, Marketing Committee, Chairman Executive Committee, Taxi Appeal Committee.

The Board Chairperson has the authority to decide all questions of procedure, interpretation, or points of order. This is provided in Resolution No. 0001 of SunLine Transit Agency entitled, Rules of Procedure for Board Meetings and Related Functions and Activities, adopted on July 1, 1977.

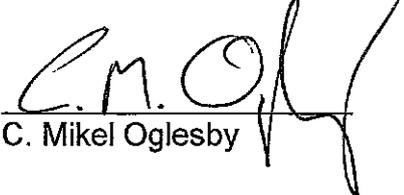
Staff would like the Board to affirm the ruling authority of the Chairperson to occupy this area, or consider some other procedural mechanism for establishment of Advisory Committees. Attached for reference are:

1. Board Rules of Procedure.
2. Letter from Chairperson establishing committee members.
3. Prior minutes and correspondence as to how the Board has handled these matters in the recent past.
4. SunLine Transit Agency Joint Powers Agreement – Section 3F.

Staff believes that a discussion in this area would be timely given recent discussions of the Board.

Financial Impact

There is no foreseeable financial impact association with this discussion item.


C. Mikel Oglesby

RESOLUTION NO. 0001

**RULES OF PROCEDURE FOR BOARD
MEETINGS AND RELATED FUNCTIONS AND
ACTIVITIES**

RESOLUTION NO. 0001

OF THE BOARD OF DIRECTORS OF SUNLINE, ADOPTING
RULES OF PROCEDURE FOR BOARD MEETINGS AND RELATED
FUNCTIONS AND ACTIVITIES.

- - - - -

WHEREAS Section 19-A-2 of the SunLine Joint Powers Transportation Agency Agreement requires that the Board of Directors adopt Rules of Procedure to govern the conduct of its meetings and any of its other functions and activities, and regulations pertaining thereto,

NOW THEREFORE BE IT RESOLVED by the Board of Directors of The SunLine Transportation Agency, that the Rules of Procedure for Board meetings and related functions and activities read, as follows:

PURPOSE: The purpose and intent of the Board in adopting the within rules shall be to provide directory guidelines relating to the conduct of the public business by or on behalf of the Board, and in the event of any non-compliance with or violation of any provision herein, such will not be deemed to affect the validity of any action taken, unless otherwise specifically provided by law.

I. MEETINGS

1.1 REGULAR MEETINGS

The Board of Directors of the SunLine Transportation Agency shall hold regular meetings at a published location, on the fourth Wednesday of each month at 12:00 P.M. When the day for any regular meeting of the Board falls on a legal holiday, no meeting shall be held on such holiday, but a regular meeting shall be held at the same hour on the next succeeding day thereafter that is not a holiday.

1.2 ADJOURNED MEETINGS

Any meetings may be adjourned to a time, place, and date certain, but not beyond the next regular meeting. Once adjourned, the meeting may not be reconvened.

1.3 SPECIAL MEETINGS

Special Meetings may be called by the Chairman or majority of Board members on 24-hour notice, as set forth in Section 54956 of the Government Code of the State of California. Only matters contained in the notice may be considered.

1.4 NOTICE OF MEETINGS

Notice of regular meetings is not required. Mailed or personally delivered notice is required of special meetings. Mailed and posted notice is required of meetings adjourned.

1.5 QUORUM

The number of members sufficient to constitute a quorum shall be fifty per centum (50%) of the total number of parties to SunLine plus one (rounded to the nearest whole number). The Board may take no official action in any instance where less than a quorum is present.

1.6 MAJORITY VOTE

1.6.1 Adoption of by-laws, amendment of by-laws, adoption of the annual budget and such other matters as the Board may designate shall require a majority vote of the entire membership of the Board. When weighted voting is called for, this provision shall require a majority of total votes of all parties to the Joint Powers Agreement.

1.6.2 All other actions taken by the Board shall require a majority vote of the quorum in attendance, or a weighted majority vote of that quorum if so called.

1.6.3 An abstention shall be considered neither an affirmative nor a negative vote, but the presence of the member abstaining shall be counted in determining whether or not there is a quorum in attendance.

1.7 MEETINGS TO BE PUBLIC

All regular, adjourned, or special meetings of the Board shall be open to the public, provided however, the Board may hold executive sessions from which the public may be excluded for the consideration of the following subjects:

1.7.1 Personnel Matters

To consider appointment, employment, or dismissal of a public employee or to hear complaints or charges brought against such employee by another person or employee unless such employee requests a public hearing. The Board may exclude from any such executive session during the examination of a witness any or all other witnesses in the matter being investigated.

To meet with its designated representatives prior to and during consultations and discussions with representatives of employee organizations regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits or employees in order to review its position and instruct its designated representatives.

1.7.2 Attorney-Client Matters

To consider possible or pending litigation in which SunLine is or could be a party.

2. ORDER OF BUSINESS

2.1 AGENDA

The Order of Business of each meeting shall be as contained in the Agenda prepared by the General Manager. The Agenda shall be a listing by topic of subjects which shall be taken up for consideration in the following order:

- Call to Order and Roll Call
- Special Presentations
- Approval of Minutes
- Public Hearings
- Public Comments
- Legislative Action
- Consent Agenda
- Added Starters *
- Reports and Requests
 - Staff
 - Board
 - Public
- Adjournment

Except with the majority consent of the Board, items may not be taken out of order.

*No matters other than those on the Agenda shall be finally acted upon by the Board; provided, however, that matters not on the Agenda, but deemed to be emergencies or of an urgent nature by any Board Member or the General Manager may be submitted for Board consideration and action.

2.2 DELIVERY OF AGENDA

Barring insurmountable difficulties, the Agenda shall ordinarily be delivered to Board Members each Friday preceding the Wednesday meeting to which it pertains.

The Agenda shall also be available to the general public at the time it is delivered to the Board.

2.3 ROLL CALL

Before proceeding with the business of the Board, the Recording Clerk shall cause to be called the roll of the Board Members and the names of those present shall be entered in the minutes. The order of roll call shall be alphabetical with Chairman called last.

2.4 APPROVAL OF MINUTES

Unless requested by a majority of the Board, minutes of the previous meeting may be approved without public reading if the Recording Clerk has previously furnished each Board Member with a copy thereof.

2.5 PUBLIC HEARINGS

Generally, public hearings, other than those of a quasi-judicial nature, shall be conducted in the following order:

- Staff review
- Questions of Staff by the Board
- Hearing opened by Chairman
- If desired, hearing closed
- Questions by the Board
- Discussion by the Board
- Action by the Board

Questions or comments from the public shall be limited to the subject under consideration. Depending upon the extent of the agenda, and the number of persons desiring to speak on an issue, the Chairman may, at the beginning of the hearing, limit testimony, but in no event to less than 5 minutes per individual. Any person may speak for a longer period of time, upon approval of the SunLine Board, when this is deemed necessary in such cases as when a person is speaking as a representative of a group or has graphic or slide presentations requiring more time.

Quasi-judicial hearings shall be conducted in accordance with the principles of due process, and the SunLine Attorney shall advise the SunLine Board in this regard.

2.6 PUBLIC COMMENTS

Any person may address the Board on any subject pertaining to SunLine business, whether listed on the agenda or not, during the Public Comments portion of the meeting. A limitation of 3 minutes shall be imposed upon each person so desiring to address the Board during the first Public Comments designation on the agenda. Members of the public may speak at greater length at the end of the agenda (See 5.2).

2.7 CONSENT AGENDA

Items of a routing nature, and non-controversial, shall be placed on the consent agenda. All items may be approved by one blanket motion upon unanimous consent. Prior to, or following review of, the consent agenda by the General Manager, any Board member may request that any item be withdrawn from the consent agenda for separate consideration. However, any Board Member may abstain from voting on any consent agenda item without requesting its removal from the consent agenda, and the Recording Clerk shall be instructed to record such abstentions in the minutes.

2.8 PRESENTATION BY MEMBERS OF THE BOARD

The Chairman or any Board Member may bring before the Board any new business under the Reports & Requests portion of the agenda. These matters need not be specifically listed on the agenda, but formal action on such matters shall be deferred until a subsequent Board meeting unless deemed to be of an urgent nature.

3. PRESIDING OFFICER

3.1 PRESIDING OFFICER:

The Chairman shall be the Presiding Officer at all meetings of the Board. In the absence of the Chairman, the Vice Chairman shall preside. In the absence of both the Chairman and the Vice Chairman, the Board shall elect a temporary presiding officer to serve until the arrival of the Chairman or Vice Chairman or until adjournment.

In accordance with SunLine Joint Powers Transportation Agency Agreement, the Board shall elect, from among its members, a Chairman and Vice Chairman to serve for one year terms, said terms expiring at the end of each fiscal year. The Board shall meet at its first regularly scheduled meeting in July and choose one of its members as Chairman and one as Vice Chairman. Each selection shall be by three or more affirmative votes, and a failure to achieve such total of affirmative votes, shall be deemed a selection of the incumbent (s) to remain in office. Each person so selected shall serve until a successor is chosen (at any time) by three or more affirmative votes, provided, that at the first regular meeting in July of each year, the office of Chairman and Vice Chairman shall automatically be reconsidered by the Board.

3.2 CALL TO ORDER:

The meeting of the Board shall be called to order by the Chairman or in his absence by the Vice Chairman. In the absence of both the Chairman and Vice Chairman, the meeting shall be called to order by the Recording Clerk, whereupon the Recording Clerk shall immediately call for the selection of a temporary Presiding Officer.

3.3 PARTICIPATION OF PRESIDING OFFICER:

The Presiding Officer may move, second, and debate from the Chair, subject only to such limitations of debate as are imposed on all Board members, and he shall not be deprived of any of the rights and privileges of a Board member by reason of his acting as Presiding Officer. However, the Presiding Officer is primarily responsible for the conduct of the meeting. If he desires to personally engage in extended debate on questions before the Board, he should consider turning the Chair over to another member.

3.4 QUESTION TO BE STATED:

The Presiding Officer shall verbally restate each question immediately prior to calling for the vote. Following the vote the Presiding Officer shall verbally announce whether the question carried or was defeated. The Presiding Officer shall also publicly state the effect of the vote for the benefit of the audience before proceeding to the next item of business.

3.5 SIGNING OF DOCUMENTS:

The Chairman, or Vice Chairman in the absence of the Chairman, shall sign Resolutions adopted by the Board.

The General Manager shall attest to the signature of the Chairman or Vice Chairman.

3.6 MAINTENANCE OF ORDER:

The Chairman or Presiding Officer is responsible for the maintenance of order and decorum at all times. No person is allowed to speak who has not first been recognized by the Chair. All questions and remarks shall be addressed to the Chair.

4. RULES, DECORUM, AND ORDER

4.1 POINTS OF ORDER:

The Presiding Officer shall determine all Points of Order subject to the right of any member to appeal to the Board. If any appeal is taken, the question shall be, "Shall the decision of the Presiding Officer be sustained?" in which event a majority vote shall govern and conclusively determine such question of order.

4.2 DECORUM AND ORDER - BOARD MEMBERS:

- a) Any Board member desiring to speak shall address the Chair and, upon recognition by the Presiding Officer, shall confine himself to the question under debate.
- b) A Board member desiring to question the Staff shall address his question to the General Manager, who shall be entitled either to answer the inquiry himself or to designate some member of his staff for that purpose.
- c) A Board member, once recognized, shall not be interrupted while speaking unless called to order by the Presiding Officer; unless a Point of Order is raised by another Board member; or unless the speaker chooses to yield to questions from another Board member.
- d) Any Board member called to order while he is speaking, shall cease speaking immediately until the question of order is determined. If ruled to be in order, he shall be permitted to proceed. If ruled to be not in order, he shall remain silent or shall alter his remarks so as to comply with rules of the Board.
- e) Board members shall accord the utmost courtesy to each other, to SunLine Employees and to the public appearing before the Board and shall refrain at all times from rude and derogatory remarks, reflections as to integrity, abusive comments and statements as to motives and personalities.
- f) Any Board member may move to require the Presiding Officer to enforce the rules and the affirmative vote of a majority of the Board shall require him to so act.

4.3 DECORUM AND ORDER - EMPLOYEES:

Members of the Administrative Staff and employees of SunLine shall observe the same rules of procedure and decorum applicable to members of the Board. The General Manager shall insure that all SunLine Employees observe such decorum. Any staff member, including the General Manager, desiring to address the Board or members of the public shall first be recognized by the Chair. All remarks shall be addressed to the Chair and not to any one individual Board member or member of the public.

4.4 DECORUM AND ORDER - PUBLIC:

Members of the public attending Board meetings shall observe the same rules of order and decorum applicable to the Board. Any person making impertinent and slanderous remarks or who becomes boisterous while addressing the Board or while attending the Board meeting shall be asked to leave the room by the Presiding Officer, and such person may be barred from further audience before the Board. Unauthorized remarks from the audience, stamping of feet, whistles, yells and similar demonstrations shall not be permitted by the Presiding Officer, who may request such offenders to leave the room. Aggravated cases shall be prosecuted on appropriate complaint signed by the Presiding Officer.

4.5 ENFORCEMENT OF DECORUM:

In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Board may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Duly accredited representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the Board from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

4.6 PERSONAL PRIVILEGE:

The right of a member to address the Board on a question of personal privilege shall be limited to cases in which his integrity, character, or motives, are assailed, questioned or impugned.

4.7 CONFLICT OF INTEREST:

All Board members are subject to the provisions of California Law, such as Chapter 7, Title 9, of the California Government Code, relative to conflicts of interest, and to conflicts of interest codes adopted by the Board. Any Board member prevented from voting because of a conflict of interest, shall refrain from debate and voting. Such Board member may choose to leave the Meeting Room during debate and voting on the issue.

4.8 LIMITATION OF DEBATE:

No Board member normally should speak more than once upon any one subject until every other member choosing to speak thereon has spoken. No member shall speak for a longer time than five minutes each time he has the floor, without the approval of a majority vote of the Board.

4.9 DISSENTS AND PROTESTS:

Any Board member shall have the right to express dissent from or protest any action of the Board and have the reason entered in the minutes. If such dissent or protest is desired to be entered in the minutes, this should be made clear by language such as "I would like the minutes to show that I am opposed to this action for the following reasons . . . "

4.10 PROCEDURES IN ABSENCE OF RULES:

In the absence of a rule herein to govern a point or procedure, Robert's Rules of Order, Newly Revised, shall be used as a guide.

4.11 RULINGS OF CHAIR FINAL UNLESS OVERRULED:

In presiding over Board meetings, the Chairman, Vice Chairman or temporary Presiding Officer shall decide all questions of interpretation of these rules, points of order or other questions of procedure requiring rulings. Any such decision or ruling shall be final unless overridden or suspended by a majority vote of the Board members present and voting, and shall be binding and legally effective (even if clearly erroneous) for purposes of the matter under consideration.

5. ADDRESSING THE BOARD

5.1 MANNER OF ADDRESSING THE BOARD:

Any member of the public desiring to address the Board shall proceed to the podium and wait to be recognized by the Presiding Officer. After being recognized, he shall state his name and address for the record.

All remarks and questions shall be addressed to the Chair and not to any individual Board member, staff member or other person. During a public hearing, all remarks shall be limited to the subject under consideration. No person shall enter into any discussion without being recognized by the Presiding Officer.

5.2 TIME LIMITATION:

Any member of the public desiring to address the Board shall limit his address to five (5) minutes unless further time has been granted by the Presiding Officer in the individual case, or in accordance with Section 2.5.

5.2.1 Exception:

A limit of three minutes is imposed during the Public Comments portion of the agenda. (See 2.6)

5.3 ADDRESSING THE BOARD AFTER MOTION IS MADE:

After a motion has been made, or after a public hearing has been closed, no person shall address the Board without first securing permission by a majority vote of the Board.

5.4 LIMITATIONS REGARDING PUBLIC COMMENTS AND REPORTS:

The making of oral communications to the Board by any member of the public during the "Public Comments" and/or "Public Reports and Requests" portions of the agenda shall be subject to the following limitations:

5.4.1 At any time, before or after the oral communication is commenced, the Presiding Officer may if he deems it preferable, direct that the communication be made instead either to the General Manager or other appropriate staff member during regular business hours, or in writing for subsequent submittal to Board members, pursuant to Section 5.5.

5.4.2 No speaker shall be permitted to address the Board on a topic which the speaker should have followed an otherwise available appeal procedure.

5.4.3 The Presiding Officer may limit the number of speakers heard on non-agenda topics at any single meeting. Those whose presentations are postponed shall be given priority at the next meeting (during "Public Comments" or "Public Reports and Requests" portion of the agenda.)

- 5.4.4 If it appears that several speakers desire to speak regarding a single topic, the Presiding Officer may reasonably limit the number speaking as to each side of an issue. In this regard, preference may be given to speakers who represent groups of persons who have designated a spokesman.
- 5.4.5 No oral communication shall be allowed to include charges or complaints against any employee of SunLine, regardless of whether such employee is identified in the presentation by name or by any other reference which tends to identify him. All charges or complaints against employees shall be submitted to the General Manager for appropriate action, and may also be submitted to members of the Board by written communication.

5.5 WRITTEN CORRESPONDENCE:

The General Manager is authorized to receive and open all mail addressed to the Board as a whole and give it immediate attention to the end that all administrative business referred to in said communications, and not necessarily requiring Board action, may be disposed of between Board meetings. A copy of such communication shall be sent to each Board member marked "Information Only".

Any communication relating to a matter pending, or to be brought, before the Board, shall be included in the agenda packet for the meeting at which such item is to be considered.

Letters of appeal from administrative decisions shall be processed in accordance with Board directives.

Copies of all other communications sent to the Board will be transmitted to them.

ADOPTED THIS 1st day of July, 1977

AYES: 6

NOES:

ABSENT:

ATTEST:

By A. A. M. Anderson Lee, Chairman

REVIEWED AND APPROVED Scott Zindel

6. MOTIONS

6.1 PROCESSING OF MOTIONS:

When a motion is made and seconded, it shall be stated by the Presiding Officer before debate. A Motion so stated shall not be withdrawn by the mover without the consent of the person seconding it.

6.2 MOTIONS OUT OF ORDER:

The Presiding Officer may at any time, by majority consent of the Board, permit a member to introduce a resolution.

6.3 DIVISION OF QUESTION:

If the question contains two or more divisionable propositions, the Presiding Officer may, and upon request of a member shall (unless appealed), divide the same.

6.4 PRECEDENCE OF MOTIONS:

When a motion is before the Board, no motion shall be entertained except the following which shall have precedence in the following order:

- a. Adjourn
- b. Fix Hour of Adjournment
- c. Table
- d. Limit or terminate discussion
- e. Amend
- f. Postpone

6.5 MOTION TO ADJOURN: (not debatable)

A motion to adjourn shall be in order at any time, except as follows:

- a. When repeated without intervening business or discussion.
- b. When made as an interruption of a member while speaking.
- c. When discussion has been ended, and vote on motion is pending, and
- d. While a vote is being taken.

A motion to adjourn "to another time" shall be debatable only as to the time to which the meeting is adjourned.

6.6 MOTION TO FIX HOUR OF ADJOURNMENT:

Such a motion shall be to set a definite time at which to adjourn and shall be undebatable and shall be unamendable except by unanimous vote.

6.7 MOTION TO TABLE:

A motion to table shall be used to temporarily by-pass the subject. A motion to table shall be undebatable and shall preclude all amendments or debate of the subject under consideration. If the motion shall prevail, the matter may be "taken from the table" at any time prior to the end of the next regular meeting.

6.8 MOTION TO LIMIT OR TERMINATE DISCUSSION:

Such a motion shall be used to limit or close debate on, or further amendment to, the main motion and shall be undebatable. If the motion fails, debate shall be reopened; if the motion passes, a vote shall be taken on the main motion.

6.9 MOTION TO AMEND:

A motion to amend shall be debatable only as to amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be in order. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order. A substitute motion on the same subject shall be acceptable, and noted on before a vote on the amendment. Amendments shall be voted first, then the main motion as amended.

6.10 MOTION TO CONTINUE:

Motions to continue to a definite time shall be amendable and debatable as to propriety of postponement and time set.

8. RESOLUTIONS

8.1 DEFINITIONS:

Three terms are in general use to denote actions: "resolution", "minute order", and "motion" (hereafter recorded by minute entry). Technically, all three are equally as legally effective and binding; they just vary in the formality of respective memorialization. The most formal is referred to as a "resolution". This, in addition to being referenced in the minutes, will be recorded by a separate document, numbered in sequence and preserved in a separate set of books. Such "resolutions" are used for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future reference back to its contents warrants a separate document (with the additional "whereas" explanatory material it often recites) to facilitate such future reference and research.

A "minute order" denotes a separate document which is also maintained in a separate set of books, under a system of sequential numbering, and is referenced in the minutes; however, the "minute order" is drafted far more briefly than a "resolution" and is distinguished from a mere minute entry only by the need, in general, to have a separate document to facilitate certain administrative processes to which it pertains.

The "motion" (assuming it was one which passed) is a Board action which is recorded simply by an item entry in the minutes of the meeting at which it was accomplished, and no separate document is made to memorialize it.

8.2 RESOLUTIONS PREPARED IN ADVANCE:

Where a resolution has been prepared in advance, the procedure shall be: Motion, second, discussion, vote pursuant to methods prescribed in Section 7.1, and result declared. It shall not be necessary to read a resolution in full or by title except to identify it. Any Board member may require that the resolution be read in full.

8.3 RESOLUTIONS NOT PREPARED IN ADVANCE:

Where a resolution has not been prepared in advance, the procedure shall be to instruct the General Manager to prepare a resolution for presentation at the next Board Meeting.

8.4 URGENCY RESOLUTIONS:

In matters of urgency, a resolution may be presented verbally in motion form together with instructions for written preparation for later execution. After the resolution has been verbally stated, the voting procedure in 8.2 above shall be followed.

Urgency resolutions shall be avoided except when absolutely necessary; and shall be avoided entirely when resolutions are required by law.

DATE: July 1, 1977
TO: SunLine Board of Directors
FROM: SunLine General Manager

RULES OF PROCEDURE

RECOMMENDATION

Recommend that the Board of Directors of SunLine adopt Rules of Procedure for Board meetings and related functions and activities.

BACKGROUND

The SunLine Joint Powers Transportation Agency agreement stipulates on Page 16, Section 19A-2 that the Board shall adopt Rules of Procedure at the July 1, 1977 organizational meeting.

In addition to the requirement for adopting Rules of Procedure, the Agreement also stipulates that the Board shall establish the time and place for its regular meetings.

Incorporated as a part of the attached Rules of Procedure, staff has recommended that Board meetings be held at a published location on the 4th Wednesday of each month at 12:00 p.m. Should the Board wish a change in meeting frequency, suggested time or day, that change should be reflected in the Rules of Procedure prior to their adoption.



LEE NORWINE
SunLine General Manager

Attachment: Resolution

**LETTER FROM CHAIRMAN ESTABLISHING
COMMITTEE MEMBERS**

February 14, 2011

C. Mikel Oglesby
General Manager
SunLine Transit Agency
32-505 Harry Oliver Trail
Thousand Palms, CA 92276

Dear Mr. Oglesby:

I have discussed the question of appointments to the Taxi Appeals Committee with former SunLine Chairman Bud England, and have concluded that he did not make definitive appointments last year. As it falls to the Chairman to appoint the Committee, I officially designate the following Board Members to serve in that capacity: Yvonne Parks, Don Adolph and Robert Spiegel. These appointments are effective immediately.

Sincerely,



Steve Pougnet
Chairman of the Board
SunLine Transit Agency

cc: Maria Aarvig, Legal Counsel

Minutes of Board Meetings Appointing Committee Assignments by Chairman

Copy of Committee Assignments

long. He felt it was an advantageous bid for the region and project. He further stated that bids do not have expiration; once they submit a bid, it is open and available to us. However, there is a point where we would bring something back to the Board if it does not go as planned or if we want to reject all bids. Other alternatives would be presented. Mr. LeFlore said that as of today, this is the best alternative; it is an administrative matter that we want resolved. Mr. LeFlore stated that the next Board meeting will not take place until September, so staff wanted to submit today to keep the project moving. Councilmember England asked about the funding for the entire project. Mr. Oglesby stated that the entire project has been funded.

Mayor Pro Tem Powers moved for approval of staff recommendation. The motion was seconded by Councilmember England and was approved by a unanimous vote.

13. Resolution Updating Signatures on Bank Accounts

Mikel Oglesby addressed the Board requesting approval to update signatories on the bank accounts to add the new Vice Chairman, Mayor Yvonne Parks, and change the title of Mayor Robert A. Spiegel from Vice Chairman to Chairman. Mayor Pro Tem Powers moved for approval of staff recommendation. The motion was seconded by Mayor Adolph and was approved by a unanimous vote.

14. Approval of Bus Stop Changes/Simme-Seat Purchase & Installation

Director of Transit Planning, Joseph addressed the Board requesting approval of proposed changes to bus stops in the SunLine service area, and purchase and installation of Simme-Seats. Changes include: 11 new bus stops to be added – based on customer requests and stop spacing policy; 7 bus stops to be removed – based on low usage and/or very close proximity (0.1-0.2 miles) to existing higher usage stops; 24 new Simme-seats for stops that cannot justify a shelter or accommodate a bench. Financial implications are as follows: new stops: \$2,200 for materials and installation; stop deletions: \$7,000 (including equipment hire for removal of shelters); Simme-seat: \$18,000 for materials and installation. There is funding in the budget. Mayor Adolph moved for approval of staff recommendation. The motion was seconded by Mayor Pro Tem Powers and was approved by a unanimous vote.

15. Committee Appointments

Chairman Spiegel addressed the Board stating that the suggested Committee appointments have been provided. He asked if anyone had any concerns with the Committee assignments. There were no concerns.

16. General Manager's Report

No report.

17. Next Meeting Date

Chairman Spiegel announced that the next regular meeting of the Board of Directors will be held on September 26, 2012 at 12 noon – Kelly Board Room, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

SunLine Transit Agency

Board Committee Assignments

FY 2013

	Finance Meet prior to each Board meeting	Taxicab Meet prior to each Board meeting as needed	Personnel Loss Review Meet prior to each Board meeting as needed	Marketing Meet prior to each Board meeting as needed	Chairman Executive Committee Meet as needed	Taxi Appeal Committee Meet as needed
Robert Spiegel	M				C	M
Yvonne Parks		M		C		M
Rick Hutcheson			M			M
Bud England		M		M		
G. Dana Hobart		C	M			
Bill Powers	M				M	
Don Adolph	C		M		M	M
Glenn Miller	M		M		M	
Eduardo Garcia	M	M	C		M	
Supervisor John Benoit				M		

M indicates Committee Member; C indicates Committee Chair

that because Golden Voice is for-profit, CVEP will be the main recognized party working with Amtrak.

Mikel Oglesby stated that there was a discussion in the past about service, but was cancelled. He stated that he was present at a meeting with Amtrak and is familiar with what is required. Oglesby stated that once it looks like the service is coming to fruition, he will bring it back to the Board.

9. Consent Calendar

Mayor Adolph moved for approval of the consent calendar. The motion was seconded by Vice Chairman Spiegel and approved by a unanimous vote.

10. Resolution Updating Signatures on Bank Accounts

Mikel Oglesby addressed the Board requesting approval of the attached Resolution to update Bank signature cards to add Vice Chairman Robert Spiegel, to change Eduardo Garcia from Vice Chairman to Chairman, to remove past Chairman, Steve Pougnet, to remove former Director of Finance, Christopher Mitchell and to add Director of Administration/EEO Naomi Nightingale. Mayor Pro Tem Powers moved for approval. The motion was seconded by Councilmember England and approved by unanimous vote.

11. Bargaining and Non-Bargaining Retirements Plan Amendments

Director of Administration/EEO, Naomi Nightingale addressed the Board requesting approval of the Amendment to the Bargain and Non-Bargaining Retirement Plans. The amendments address the issue of returning military personnel so that their time served, if they should become disabled or die, would be credited toward their pension plan. Vice Chairman Spiegel moved for approval. The motion was seconded by Mayor Pro Tem Powers and was approved by a unanimous vote.

12. Resolution for the Execution of the Certifications and Assurances To Obtain Prop. 1B Funding

Director of Planning, Eunice Lovi addressed the Board requesting approval of the attached Resolution that grants the General Manager authority to execute certifications and assurances necessary to obtain Prop. 1B capital transit funds. Mayor Adolph moved for approval. The motion was seconded by Mayor Pro Tem Miller and was approved by a unanimous vote.

13. Committee Appointments

Chairman Garcia addressed the Board advising of a few changes to the Agency's standing committees. Copies of Committee appointments were provided to each Board member. He advised Board members to contact him if they would like to make any changes to sit on a particular committee.

14. General Manager's Report

Mikel Oglesby addressed the Board. He stated that as all are aware, the former First Lady, Betty Ford passed away earlier this month. Once again SunLine was asked to provide transportation to the Church for the residents of our Valley to

SunLine Transit Agency

Board Committee Assignments

FY 2011/2012

	Finance Meet prior to each Board meeting	Taxicab Meet prior to each Board meeting as needed	Personnel Loss Review Meet prior to each Board meeting as needed	Marketing Meet prior to each Board meeting as needed	Chairman Executive Committee Meet as needed	Taxi Appeal Committee Meet as needed
Eduardo Garcia	M	M	C		C	
Robert Spiegel	M				M	M
Yvonne Parks		M		C		M
Steve Pougnet			M			M
Bud England		C		M		
G. Dana Hobart		M	M			
Bill Powers	M				M	
Don Adolph	C		M		M	M
Glenn Miller	M		M			
Supervisor John Benoit				M		

M indicates Committee Member; C indicates Committee Chair

benefits provided by the Agency. Each Board Member was provided with a copy of the Handbook.

21. Committee Appointments

Chairman Pougnet addressed the Board providing the new Committee Appointments. Changes were as follows: Finance Committee - the replacement of Mayor Garcia with Councilmember Bill Powers. Chairman Pougnet thanked Mayor Garcia for his service on the Finance Committee; Personnel Loss Review Committee – addition of Mayor Pro Tem Hobart and Councilmember Miller. Chairman Pougnet thanked the Board members for their participation on the Committees.

22. General Manager's Report

Oglesby addressed the Board stating that as mentioned at the May Board meeting, as part of the Agency's effort to improve and enhance transit service in the Coachella Valley, SunLine has installed a Ticket Vending Machine (TVM) at the transfer location - SunLine Division 2 - in the City of Indio. The machine will officially be available for public use and will be unveiled at a Grand Opening Ceremony Friday, July 30 at 9:00am. Passengers may purchase bus passes at the TVM twenty-four hours a day, seven days a week; another service enhancement for all passengers. Oglesby invited all Board members to attend the Grand Opening.

Oglesby stated that with the passing of the FY2011 Budget by a unanimous vote by the Board, he would like to publicly thank all Directors and staff for their hard work and dedication in providing a comprehensive budget that demonstrates the Agency's due diligence in maintaining integrity during this economic crisis. Oglesby stated that the Directors worked on the budget for months to present an efficient realistic budget. As other agencies were cutting routes, laying off employees, furloughs, and even discussing the dreaded raise in fares, this Agency once again found a way to forge through the current difficult times. Oglesby stated that there has been some criticism over the Budget in the past month; he wanted to acknowledge staff and relay his respect and appreciation for their hard work on another excellent budget. The Board acknowledged with a round of applause.

23. RCTC Update

Chairman Pougnet stated that a representative from RCTC is not in attendance; however, he would like to provide a brief update. He stated that at the last RCTC meeting, the budget was discussed, which impacts SunLine. Specifically, Measure A funds, which is a considerable part of the budget, is projected flat. He stated that funding is monitored monthly and he will keep the Board informed.

Supervisor Benoit stated that there will be an initiative on the November ballot to change the limit of borrowing on the transportation ½ cent sales tax from a half a million to \$975,000. He further stated that the change does not raise taxes, it just allows the funds to be used now when projects can be completed for half price and puts people back to work.

SunLine Transit Agency

Board Committee Assignments

FY 2010/2011

	Finance Meet prior to each Board meeting	Taxicab Meet prior to each Board meeting as needed	Personnel Loss Review Meet prior to each Board meeting As needed	Marketing Meet prior to each Board meeting as needed	Chairman Executive Committee Meet as needed
Steve Pougnet	M		C	M	C
Eduardo Garcia		M			M
Yvonne Parks		M		C	
Bud England		C		M	M
G. Dana Hobart		M	M		
Robert Spiegel	M				
Bill Powers	M				
Don Adolph	C		M		M
Glenn Miller			M	M	
Supervisor John Benoit					

M indicates Committee Member. C indicates Cmte. Chair,

planned installations. He then asked who has SunLine staff conversed with at the City and what's been the discussion. Ms. Lovi responded stating that there are thirteen bus stops in the City of Indian Wells and 12 of those locations have bus shelters. She stated that she did not plan to meet with the City as they have always insisted on purchasing and placing their own shelters within the City of Indian Wells. Councilmember Hanson asked what kind of benefit the City receives from SunLine as a result of purchasing their own shelters. Oglesby responded stating that SunLine maintains the shelters.

17. Financial Audit for Fiscal Year Ended June 30, 2008

Christopher Mitchell, Director of Finance addressed the Board asking to Receive and File the financial year-end audit of June 30, 2008 covering activities from July 1, 2007 to June 30, 2008. He stated there were no findings. Chairman England thanked staff for a job well done. He stated that it's obvious that SunLine has come a long way over the last couple of years to get a nice, clean bill of health, and again thanked all staff members who were involved. Mayor Garcia moved to Receive and File. Mayor Spiegel seconded the motion and was approved by unanimous vote.

18. Chairman to Appoint Committee Assignments

Chairman England informed the Board of Committee changes. Mayor Parks is on the Taxi Committee; (she sits as a member of the Palm Springs Airport Commission so she will be vital to the Committee); Mayor Parks will be chairing the Marketing Committee; Vice Chairman Pougnet is on the Chairman's Executive Committee; Councilmember Hanson is on the Personnel Loss Review Committee; Councilmember Ramos Watson is on the Marketing Committee. Chairman England stated that if anybody would like to serve on other committees, let him know. Mayor Parks said she would be happy to sit on any committee when needed.

Chairman England then stated that, as mentioned by Mayor Adolph during Board member comments, he would like to bring forward an Ad Hoc Committee for appointments to selection of Board officers and asked for volunteers. The Ad Hoc Committee consists of Chairman England, Vice Chairman Pougnet, Mayor Adolph, and Mayor Spiegel. Chairman England stated that the Committee will come up with policies and procedures and make a presentation to the Board.

19. General Manager's Report

Mikel Oglesby addressed the Board. He stated that the holiday employee function that took place at the Miramonte Resort & Spa was perfect. The outgoing Chairman was sent off with a bang. He thanked Chairman England for attending the event and for talking to staff, which is truly appreciated. He stated that there was great food, music and giveaways. A good time was had by all.

SunLine Transit Agency

Board Committee Assignments

**Revision – FY10
(Effective Until July Reassignment)**

	Finance Meets prior to each Board Meeting	Taxicab Meets prior to each Board Meeting As Needed	Personnel Loss Review Meets prior to each Board Meeting As Needed	Marketing (See Note) Meets as needed	Chairman Executive Committee Meets as needed
Bud England		C		M	C
Yvonne Parks		M		C	
Steve Pougnet	M		M	M	M
G. Dana Hobart		M			
Robert Spiegel	M				
Douglas Hanson			M		
Don Adolph	M		M		M
Glenn Miller				M	
Eduardo Garcia	M	M			M
Supervisor Benoit					

M indicates Committee Member. C indicates Cmte. Chair,

SUNLINE JPA AGREEMENT LANGUAGE

SECTION 3, F. FUNCTIONS Board of Directors

F. FUNCTIONS

The Board shall perform the following functions:

- 1) Adopt the budget;
- 2) Appoint the General Manager;
- 3) Appoint advisory committees as deemed necessary;
- 4) Establish policy, including, but not limited to:
 - a) Uniform fares;
 - b) Marketing;
 - c) User information;
 - d) Uniform system of transfers; and
 - e) Transit services, facilities and operations.



**AGENDA
FINANCE COMMITTEE**

**January 23, 2013
11:15 a.m. – 11:45 a.m.**

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

- 1. Call to Order**
- 2. Roll Call**
- 3. Public Comments**
- 4. Consent Calendar**
 - a) Transit checks over \$1,000 for November, December, 2012 (Pages 1-4)
 - b) SSG/SRA checks over \$1,000 for November, December, 2012 (Pages 5-6)
 - c) Credit card statement November, December, 2012 (Pages 7-12)
 - d) SunLine Transit Monthly Budget Reports for October, 2012 (Page 13)
 - e) SSG/SRA Monthly Budget Report for October, 2012 (Page 14)
 - f) Contract Report – nothing to report.
- 5. FY 2012/13 Short Range Transit Plan (SRTP) Amendment **Approve**
(Joseph Forgiarini)
Discuss request to the Board to approve the second amendment to the Short Range Transit Plan for FY 2012/13 to update funding allocated for the project for replacement and purchase of new solar panels. (Pages 15-16)**
- 6. Purchase of Replacement Paratransit Vehicles (Mike Morrow) **Approve**
Discuss request to the Board of Directors to grant authorization to the General Manager to approve award of contract for the purchase of 14 replacement CNG paratransit vehicles. (Page 17)**
- 7. Award of Contract for Security Perimeter Fencing and Gates for Gates for Division 1 and Division 2 (Tommy Edwards) **Approve**
Discuss request to the Board of Directors to grant authorization to the General Manager to execute a contract for construction of the security perimeter fencing and gates for Division 1 and Division 2. (Pages 18-19)**

- 8. Award of Contract for Construction of Bus Shelter Shed Pads **Approve**
(Joseph Forgiarini)
Discuss request to the Board of Directors to grant authorization to the General Manager to execute a contract for construction of twenty three (23) bus shelter pads. (Pages 20-21)**
- 9. Amendment to the Public Entity Risk Management Authority (PERMA) Joint Powers Agreement (JPA) (Donald A. Bradburn) **Approve**
Discuss request to the Board of Directors to approve the amendment to the PERMA JPA and authorize the General Manager to sign the amendment. (Pages 22-25)**
- 10. Adoption of Resolution and Approval of Amendment to the SunLine Employees Non-Union Retirement System Plan Document **Approve**
(Donald A. Bradburn)
Discuss request to the Board of Directors to adopt Resolution and approve the amendment to the SunLine Employees Non-Union Restated Retirement System plan document and authorize the General Manager to sign the amendment. (Pages 26-34)**
- 11. Adjourn**

SunLine Transit Agency
 Checks \$1,000 and Over
 For the month of November 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
HEALTH NET	Group Health Ins Prem	656237	11/20/2012	\$206,898.20
U.S. BANK	Pension Deposits	656322	11/30/2012	\$86,779.33
U.S. BANK	Pension Deposits	656139	11/8/2012	\$86,593.62
PERMA - Insurance	Gen Lib/WC	656255	11/20/2012	\$76,920.41
SO CAL GAS CO.	Utilities	656267	11/20/2012	\$75,674.79
<i>LEFLORE GROUP LLC, THE</i>	<i>Project Management</i>	<i>656125</i>	<i>11/8/2012</i>	<i>\$16,582.22</i>
GOODYEAR TIRE	Bus Tire Lease	656234	11/20/2012	\$15,021.82
IMPERIAL IRRIGATION DIST	Utilities	656168	11/15/2012	\$14,688.57
<i>GRAINGER</i>	<i>F/A-Maint Equipment</i>	<i>656236</i>	<i>11/20/2012</i>	<i>\$11,311.72</i>
HARTFORD LIFE	Employee Benefits	656121	11/8/2012	\$10,325.75
<i>TOLAR MFG. CO., INC</i>	<i>WIP-Bus Stop Shelters</i>	<i>656274</i>	<i>11/20/2012</i>	<i>\$8,775.20</i>
<i>GRAPHTEK INTERACTIVE</i>	<i>WIP-ZWEIG Learning Center</i>	<i>656077</i>	<i>11/2/2012</i>	<i>\$7,500.00</i>
NEW FLYER	Bus Parts	656173	11/15/2012	\$7,382.57
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656217	11/20/2012	\$7,193.34
COLONIAL LIFE & ACCIDENT	Supplemental Insurance	656109	11/8/2012	\$6,468.31
G & K SERVICES	Uniform service	656164	11/15/2012	\$6,364.21
RUTAN & TUCKER, I.LP	Legal fees	656316	11/30/2012	\$6,345.50
METLIFE SBC	Dental Insurance	656126	11/8/2012	\$6,264.27
CREATIVE BUS SALES, INC.	Bus Repair Parts	656068	11/2/2012	\$6,097.15
IMPERIAL IRRIGATION DIST	Utilities	656239	11/20/2012	\$6,007.49
<i>DESERT FIRE EXTINGUISHER CO</i>	<i>WIP-Fac Improvement Projects</i>	<i>656156</i>	<i>11/15/2012</i>	<i>\$5,950.00</i>
<i>CHAGALA JOY SMITH</i>	<i>Project Management</i>	<i>656209</i>	<i>11/20/2012</i>	<i>\$5,906.25</i>
NEW FLYER	Bus Parts	656248	11/20/2012	\$5,513.74
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	656306	11/30/2012	\$5,250.00
OFFICETEAM	Temporary Services	656132	11/8/2012	\$5,207.41
MOORE MAINTENANCE & JANITORIAL	Janitorial Servs	656243	11/20/2012	\$4,678.00
AMALGAMATED TRANSIT UNION	Union Dues	656292	11/30/2012	\$4,509.05
AMALGAMATED TRANSIT UNION	Union Dues	656105	11/8/2012	\$4,467.18
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656150	11/15/2012	\$4,213.87
ST. BOARD OF EQUALIZATION	Sales Tax Self Assessed	656094	11/2/2012	\$4,125.00
TELEPACIFIC COMMUNICATIONS	Telephone Service	656270	11/20/2012	\$3,499.57
TRANSIT PRODUCTS & SERVICES	Repair Parts	656099	11/2/2012	\$3,206.54
<i>ADRHYTHM ADVERTISING & DESIGN</i>	<i>Zweig Education Center</i>	<i>656289</i>	<i>11/30/2012</i>	<i>\$3,150.00</i>
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656107	11/8/2012	\$2,985.96
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656298	11/30/2012	\$2,985.96
ALLIEDBARTON SECURITY SERVICES	Security Services	656193	11/20/2012	\$2,935.81
RESORT MARKETING	Public Relations Mgmt	656259	11/20/2012	\$2,762.50
OFFICETEAM	Temporary Services	656253	11/20/2012	\$2,573.17
CABCONNECT, INC.	Taxi Voucher Program	656066	11/2/2012	\$2,500.00

SunLine Transit Agency
 Checks \$1,000 and Over
 For the month of November 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
<u>GRAINGER</u>	<u>F/A-Maint Equipment</u>	<u>656166</u>	<u>11/15/2012</u>	<u>\$2,287.15</u>
VERIZON WIRELESS	Wireless Cell Service	656189	11/15/2012	\$2,276.85
<u>EYE MED</u>	<u>Employee Benefits</u>	<u>656116</u>	<u>11/8/2012</u>	<u>\$2,262.96</u>
ELLSWORTH TRUCK & AUTO	Repair Parts	656224	11/20/2012	\$2,202.42
KAMAN INDUSTRIAL TECHNOLOGIES	Wheel Bearings & Seals	656240	11/20/2012	\$2,062.16
TOTALFUNDS BY HASLER	Postage Supplies	656276	11/20/2012	\$2,061.49
TRANSIT PRODUCTS & SERVICES	Repair Parts	656186	11/15/2012	\$2,050.28
BURRTEC WASTE & RECYCLING	Facility Trash Removal	656198	11/20/2012	\$2,043.37
ALEXANDER COHN, ESQ	Legal Services	656192	11/20/2012	\$2,025.00
STRICKLAND KENNY INC.	Lubricants & Oils	656095	11/2/2012	\$1,961.60
CARQUEST OF THE DESERT	Repair Parts	656206	11/20/2012	\$1,907.26
VALLEY OFFICE EQUIPMENT, INC.	Fax/Copier Supplies	656283	11/20/2012	\$1,904.05
NGVi	Staff Development	656084	11/2/2012	\$1,890.00
TURBO IMAGES INC.	Bus Decals/Logos	656100	11/2/2012	\$1,869.37
FLEET-NET CORPORATION	Software & Licenses	656118	11/8/2012	\$1,770.00
<u>COMPLETE COACH WORKS</u>	<u>WIP-Rehab 4 Busses R/C</u>	<u>656067</u>	<u>11/2/2012</u>	<u>\$1,618.60</u>
STRICKLAND KENNY INC.	Lubricants & Oils	656181	11/15/2012	\$1,590.79
ASAEL REYES	Education Reimbursement	656194	11/20/2012	\$1,590.00
CREATIVE BUS SALES, INC.	Bus Repair Parts	656214	11/20/2012	\$1,570.57
ROBERT BERGESON	Labor Counsel	656089	11/2/2012	\$1,500.00
CAL-TEST, INC.	D&A Onsite Testing	656200	11/20/2012	\$1,410.95
VERIZON	Communications	656284	11/20/2012	\$1,391.26
SWRCB ACCOUNTING OFFICE	Annual Storm Water Fee	656097	11/2/2012	\$1,359.00
GFI GENFARE	Farebox	656165	11/15/2012	\$1,332.29
DESERT SUN PUBLISHING CO., THE	Public Notice	656222	11/20/2012	\$1,260.18
SMARTDRIVE SYSTEMS, INC.	Security Equipment	656266	11/20/2012	\$1,240.00
SIGNATURE PARTY RENTALS	Learning Ctr. Dedication	656265	11/20/2012	\$1,187.31
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656111	11/8/2012	\$1,156.50
OFFICETEAM	Temporary Services	656085	11/2/2012	\$1,149.42
OFFICE DEPOT	Office Supplies	656174	11/15/2012	\$1,145.41
PLAZA TOWING, INC.	Towing Service	656177	11/15/2012	\$1,125.00
STRICKLAND KENNY INC.	Lubricants & Oils	656269	11/20/2012	\$1,074.81
SUN CHEMICAL	Bus & Facility Cleaner	656182	11/15/2012	\$1,045.17
FRANKLIN TRUCK PARTS, INC	Bus Repair Parts	656162	11/15/2012	\$1,042.24
DESERT ALARM, INC.	Security Services	656155	11/15/2012	\$1,000.00
APPLEBEE'S	Holiday Gift Cert	656293	11/30/2012	\$1,000.00

Total of Checks Over \$1,000	\$802,977.94
Total of Checks Under \$1,000	\$53,602.78
Total of All Checks for the Month	\$856,580.72
Total Amount of Checks Prior Years Same Month	\$5,170,403.75

SunLine Transit Agency
Checks \$1,000 and Over
For the month of December 2012

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Vendor Name	Description	Check #	Check	Amount
U.S. BANK INSTITUTIONAL TRUST-	Pension Deposits	656553	12/26/2012	\$86,568.59
U.S. BANK INSTITUTIONAL TRUST-	Pension Deposits	656391	12/7/2012	\$86,204.25
PERMA - Insurance	Gen Lib/WC	656532	12/26/2012	\$76,897.16
SO CAL GAS CO.	Utilities	656541	12/26/2012	\$75,010.79
IMPERIAL IRRIGATION DIST	Utilities	656510	12/26/2012	\$22,153.14
GOODYEAR TIRE & RUBBER COMPANY,	Bus Tire Lease	656418	12/17/2012	\$21,470.15
<u>LEFLORE GROUP LLC, THE</u>	<u>Project Management</u>	<u>656371</u>	<u>12/7/2012</u>	<u>\$19,932.52</u>
<u>SIMME LLC</u>	<u>WIP-Shelter Enhancements</u>	<u>656451</u>	<u>12/17/2012</u>	<u>\$14,894.00</u>
<u>CHAGALA JOY SMITH</u>	<u>Project Management</u>	<u>656337</u>	<u>12/7/2012</u>	<u>\$12,840.87</u>
RANCHO LAS PALMAS RESORT	Holiday Gala	656379	12/7/2012	\$12,395.03
OFFICETEAM	Temporary Services	656531	12/26/2012	\$11,726.44
HARTFORD LIFE	Employee Benefits	656508	12/26/2012	\$10,445.89
METLIFE SBC	Dental Insurance	656517	12/26/2012	\$6,349.81
FLEET-NET CORPORATION	Software & Licenses	656358	12/7/2012	\$6,300.00
COLONIAL LIFE & ACCIDENT	Supplemental Insurance	656481	12/26/2012	\$6,203.09
COLONIAL LIFE & ACCIDENT	Supplemental Insurance	656340	12/7/2012	\$6,203.09
NEW FLYER	Bus Parts	656437	12/17/2012	\$5,981.55
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656407	12/17/2012	\$5,583.32
STRICKLAND KENNY INC.	Lubricants & Oils	656452	12/17/2012	\$5,400.82
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656346	12/7/2012	\$5,343.27
G & K SERVICES	Uniform service	656505	12/26/2012	\$5,197.11
CASH (US Treasury)	Bank Service Fees	656335	12/7/2012	\$5,000.00
MOORE MAINTENANCE & JANITORIAL	Janitorial Servs	656519	12/26/2012	\$4,678.00
AMALGAMATED TRANSIT UNION	Union Dues	656330	12/7/2012	\$4,531.34
AMALGAMATED TRANSIT UNION	Union Dues	656468	12/26/2012	\$4,509.05
RESORT MARKETING	Public Relations Mgmt	656380	12/7/2012	\$4,030.00
CUMMINS CAL PACIFIC, LLC	Bus Repair Parts	656486	12/26/2012	\$3,945.52
AMERICAN CAB	Taxi Voucher Program	656331	12/7/2012	\$3,698.00
ALLIEDBARTON SECURITY SERVICES	Security Services	656467	12/26/2012	\$3,549.60
TELEPACIFIC COMMUNICATIONS	Telephone Service	656550	12/26/2012	\$3,404.39
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656474	12/26/2012	\$3,357.34
CALIFORNIA STATE DISBURSEMENT	Employee Garnishment	656334	12/7/2012	\$3,334.26
KIMCO STAFFING SERVICES, INC.	Temp. Emp Serv	656515	12/26/2012	\$3,091.88
VALLEY SANITARY DISTRICT	Annual Sewer Charge	656462	12/17/2012	\$2,970.00
NAPA AUTO PARTS	Vehicle Repair Parts	656376	12/7/2012	\$2,701.31
FACTORY MOTOR PARTS COMPANY	Repair Parts	656498	12/26/2012	\$2,693.90
FACTORY MOTOR PARTS COMPANY	Repair Parts	656355	12/7/2012	\$2,563.32
NAPA AUTO PARTS	Vehicle Repair Parts	656524	12/26/2012	\$2,451.15
BURRTEC WASTE & RECYCLING	Facility Trash Removal	656402	12/17/2012	\$2,343.69

SunLine Transit Agency
Checks \$1,000 and Over
For the month of December 2012

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Vendor Name	Description	Check #	Check	Amount
<u>EYE MED</u>	Employee Benefits	656494	12/26/2012	<u>\$2,292.48</u>
VERIZON WIRELESS	Wireless Cell Service	656558	12/26/2012	\$2,275.32
TRANSIT RESOURCES, INC.	Bus wheel chair parts	656459	12/17/2012	\$2,146.72
PETERSON HYDRAULICS, INC.	Security Equipment	656445	12/17/2012	\$2,060.00
<u>YELLOW CAB OF THE DESERT</u>	Taxi Voucher Program	656394	12/7/2012	<u>\$1,914.00</u>
PERMA - Insurance	Workers Comp	656444	12/17/2012	\$1,813.50
DESERT AIR CONDITIONING, INC.	A/C REPAIR AND SALES	656409	12/17/2012	\$1,771.00
FLEET-NET CORPORATION	Software & Licenses	656502	12/26/2012	\$1,770.00
<u>BBF / MICHAEL BAKER CORP</u>	<u>Perimeter Fencing</u>	<u>656448</u>	<u>12/17/2012</u>	<u>\$1,766.10</u>
HOME DEPOT CRD SRVS	Facility Maintenance	656426	12/17/2012	\$1,662.40
CARQUEST OF THE DESERT	Repair Parts	656406	12/17/2012	\$1,562.80
VERIZON	Communications	656557	12/26/2012	\$1,556.77
OFFICE DEPOT	Office Supplies	656528	12/26/2012	\$1,486.03
CREATIVE BUS SALES, INC.	Bus Repair Parts	656343	12/7/2012	\$1,392.92
<u>HYDRO TEK SYSTEMS INC.</u>	<u>WIP-Fac Improvement Project</u>	<u>656365</u>	<u>12/7/2012</u>	<u>\$1,386.63</u>
DESERT SUN PUBLISHING CO., THE	Public Notice	656489	12/26/2012	\$1,342.90
TOXGUARD FLUID	Coolant Recycling	656456	12/17/2012	\$1,341.24
KIMCO STAFFING SERVICES, INC.	Temp. Emp Serv	656431	12/17/2012	\$1,306.25
MARY BORDERS	Holiday Gala	656325	12/4/2012	\$1,300.00
FRANKLIN TRUCK PARTS, INC	Bus Repair Parts	656414	12/17/2012	\$1,270.29
APTA	Annual Membership Dues	656470	12/26/2012	\$1,257.00
ALLIEDBARTON SECURITY SERVICES	Security Services	656329	12/7/2012	\$1,242.36
SMARTDRIVE SYSTEMS, INC.	Security Equipment	656540	12/26/2012	\$1,240.00
VALLEY OFFICE EQUIPMENT, INC.	Fax/Copier Supplies	656556	12/26/2012	\$1,189.92
TRANSIT PRODUCTS & SERVICES	Repair Parts	656457	12/17/2012	\$1,181.38
TECH DEPOT	COMPUTER SUPPLIES	656453	12/17/2012	\$1,098.53
OFFICETEAM	Temporary Services	656440	12/17/2012	\$1,083.92
CENTURY FORMS, INC.	Printing Supplies	00656477	12/26/2012	\$1,079.09
<u>CDW GOVERNMENT, INC</u>	<u>WIP-ITS Equipment</u>	<u>00656476</u>	<u>12/26/2012</u>	<u>\$1,038.16</u>
<u>GRAINGER</u>	<u>WIP-Fac Improvement Project</u>	<u>00656419</u>	<u>12/17/2012</u>	<u>\$1,000.30</u>
TOTALFUNDS BY HASLER	Postage Supplies	00656552	12/26/2012	\$1,000.00
DESERT ALARM, INC.	Security Services	00656488	12/26/2012	\$1,000.00

Total of Checks Over \$1,000	\$612,781.65
Total of Checks Under \$1,000	\$42,321.43
Total of All Checks for the Month	\$655,103.08
Total Amount of Checks Prior Years Same Month	\$1,109,252.06

SunLine Regulatory Administration

Checks \$1,000 and Over

For the month of November 2012

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Vendor Name	Description	Check #	Check	Amount
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089611	11/8/2012	\$9,967.51
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089619	11/30/2012	\$9,815.41
RUTAN & TUCKER, LLP	Legal fees	089618	11/30/2012	\$8,729.51
SUNLINE TRANSIT AGENCY	Operating Exp (Sept 2012)	089615	11/20/2012	\$4,614.49
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089609	11/8/2012	\$1,285.72
Total of Checks Over \$1,000				\$34,412.64
Total of Checks Under \$1,000				\$3,106.07
Total of All Checks for the Month				\$37,518.71
Total Amount of Checks Prior Years Same Month				\$87,324.45

SunLine Regulatory Administration

Checks \$1,000 and Over

For the month of December 2012

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Vendor Name	Description	Check #	Check	Amount
AMERICAN CAB	Legal Services - General	089628	12/17/2012	\$10,000.00
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089626	12/7/2012	\$9,967.51
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089633	12/26/2012	\$9,815.41
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089629	12/17/2012	\$4,782.31
Total of Checks Over \$1,000				\$34,565.23
Total of Checks Under \$1,000				\$2,405.50
Total of All Checks for the Month				\$36,970.73
Total Amount of Checks Prior Years Same Month				\$80,924.73

November 2012 Statement

Page 1 of 3



Open Date: 10/24/2012 Closing Date: 11/20/2012

Account:

Visa® Business Card
 SUNLINE TRANSIT
 C MIKEL OGLESBY

Cardmember Service ☎ 1-866-552-8855
 BUS 5 13

New Balance	\$424.52
Minimum Payment Due	\$10.00
Payment Due Date	12/17/2012

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%.

Previous Balance	+	\$1,090.66
Payments	-	\$1,090.66CR
Other Credits		\$0.00
Purchases	+	\$424.52
Balance Transfers		\$0.00
Advances		\$0.00
Other Debits		\$0.00
Fees Charged		\$0.00
Interest Charged		\$0.00
New Balance	=	\$424.52
Past Due		\$0.00
Minimum Payment Due		\$10.00
Credit Line		\$37,000.00
Available Credit		\$36,575.48
Days in Billing Period		28

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 \$424.52 will be automatically deducted from your account on 12/04/12.

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 \$424.52 will be automatically deducted from your bank account on 12/04/2012. Please refer to your AutoPay Terms and Conditions for further information regarding this account feature.

You asked; we listened. Your New Statement Design is Here! Simply Stated, we want to keep you informed about your account with clear and useful information. The new design is easier to read with important information available at a glance. Please see the enclosed insert for more details. Thank you for your business and your feedback.

Save time and money by consolidating your debt into one monthly payment. Check your mail for a great offer or call Cardmember Service today for information on a great rate.

Transactions

Payments and Other Credits

Post Date	Trans Date	Ref #	Transaction Description	Amount	Notation
11/05	11/05		PAYMENT THANK YOU	\$1,090.66CR	
TOTAL THIS PERIOD				\$1,090.66CR	

Purchases and Other Debits

Post Date	Trans Date	Ref #	Transaction Description	Amount	Notation
10/26	10/26	4727	APL*APPLE ITUNES STORE 866-712-7753 CA	\$54.89	
10/26	10/26	6677	APL*APPLE ITUNES STORE 866-712-7753 CA	\$79.92	
10/26	10/26	8901	APL*APPLE ITUNES STORE 866-712-7753 CA	\$109.89	
11/01	11/01	7598	APL*APPLE ITUNES STORE 866-712-7753 CA	\$99.90	
11/01	11/01	5185	APL*APPLE ITUNES STORE 866-712-7753 CA	\$79.92	
TOTAL THIS PERIOD				\$424.52	

2012 Totals Year-to-Date	
Total Fees Charged in 2012	\$0.00
Total Interest Charged in 2012	\$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: November 20, 2012

Detail:

10/26/12	Apple Itunes Store	IT Department - File Browser for Agency computer system	\$ 54.89
10/26/12	Apple Itunes Store	IT Department – “Numbers” spreadsheet application	\$ 79.92
10/26/12	Apple Itunes Store	IT Department – “PDF Expert” software application	\$ 109.89
11/01/12	Apple Itunes Store	IT Department – “Keynote” software application	\$ 99.90
11/01/12	Apple Itunes Store	IT Department – “Pages” word processing software	\$ 79.92

Payments/Credits

11/05/12	Payment		\$1,090.66 CR
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Note: All travel is included in the Board approved FY 2013 budget.

December 2012 Statement

Page 1 of 2



Open Date: 11/21/2012 Closing Date: 12/20/2012

Account

Visa® Business Card
 SUNLINE TRANSIT
 C MIKEL OGLESBY

Cardmember Service ☎ 1-866-552-8855
 BUS 13

New Balance	\$0.00
Minimum Payment Due	\$0.00
Payment Due Date	01/17/2013
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%.	

Previous Balance	+	\$424.52
Payments	-	\$424.52 ^{CR}
Other Credits		\$0.00
Purchases		\$0.00
Balance Transfers		\$0.00
Advances		\$0.00
Other Debits		\$0.00
Fees Charged		\$0.00
Interest Charged		\$0.00
New Balance	=	\$0.00
Past Due		\$0.00
Minimum Payment Due		\$0.00
Credit Line		\$37,000.00
Available Credit		\$37,000.00
Days in Billing Period		30

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

Zero Balance

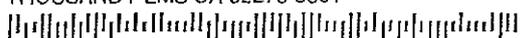
24-Hour Cardmember Service: 1-866-552-8855

- ☎ to pay by phone
- ☎ to change your address

Account Number: _____

Your account has a zero balance, but please remember that your available credit is \$37,000.00.

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

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.

Save time and money by consolidating your debt into one monthly payment. Check your mail for a great offer or call Cardmember Service today for information on a great rate.

Transactions

Payments and Other Credits

Post Date	Trans Date	Ref #	Transaction Description	Amount	Notation
12/04	12/04		PAYMENT THANK YOU	\$424.52CR	
TOTAL THIS PERIOD				\$424.52CR	

2012 Totals Year-to-Date

Total Fees Charged in 2012	\$0.00
Total Interest Charged in 2012	\$0.00

Company Approval

(This area for use by your company)

Signature/Approval: _____

Accounting Code: _____

Interest Charge Calculation

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

**APR for current and future transactions.

Balance Type	Balance By Type	Balance Subject to Interest Rate	Variable	Interest Charge	Annual Percentage Rate	Expires with Statement	Interest Free Period
**BALANCE TRANSFER	\$0.00	\$0.00	YES	\$0.00	13.99%		NO
**PURCHASES	\$0.00	\$0.00	YES	\$0.00	13.99%		YES
**ADVANCES	\$0.00	\$0.00	YES	\$0.00	20.99%		NO

Contact Us



Voice: 1-866-552-8855
TDD: 1-888-352-6455
Fax: 1-866-807-9053



Questions

Cardmember Service
P.O. Box 6353
 Fargo, ND 58125-6353



Mail payment coupon with a check

Cardmember Service
P.O. Box 790408
 St. Louis, MO 63179-0408



Online

myaccountaccess.com

Pacific Western Bank
SunLine Transit Agency Visa Credit Card Statement
Closing Date: December 20, 2012

Detail:

Payments/Credits

12/04/12 ; Payment

\$ 424.52 CR

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

SunLine Transit Agency
Statement of Activities
October 31, 2012

Description	FY 12/13 Total Budget	Current Month			Year to Date		
		Actual	Budget	Favorable (Unfavorable)	YTD Actual	FY 12/13 YTD Budget	Favorable (Unfavorable)
Revenues:							
Local Transportation Funds (LTF)	10,718,420	893,202	893,202	0	3,572,807	3,572,807	0
Measure A	4,500,000	375,000	375,000	0	1,500,000	1,500,000	0
FTA Section 5307	2,724,804	0	227,067	(227,067)	6,738	908,268	(901,530)
FTA Section 5311	264,566	0	22,047	(22,047)	0	88,189	(88,189)
FTA Section 5316	125,310	0	10,443	(10,443)	0	41,770	(41,770)
FTA Section 5317	101,951	2,873	8,496	(5,623)	2,873	33,984	(31,111)
Fare Box Revenue (Fixed Route)	3,070,000	358,122	255,833	102,289	946,373	1,023,333	(76,960)
Fare Box Revenue (Demand Response)	280,000	32,289	23,333	8,956	113,717	93,333	20,384
Taxi Vouchers	21,724	2,170	1,810	360	11,215	7,241	3,974
Interest and Other Revenue	470,218	60,655	39,185	21,470	157,731	156,739	992
Total Operating Revenue	22,276,993	1,724,311	1,856,416	(132,105)	6,311,454	7,425,664	(1,114,210)
Expenses:							
SunFuels (10)	289,540	63,281	24,128	(39,153)	135,463	96,513	(38,950)
Operations-Fixed Route (11 & 12)	9,067,431	728,535	755,619	27,084	2,934,653	3,022,477	87,824
Operations-Dial-A-Ride (13 & 14)	2,478,560	226,360	206,547	(19,813)	889,459	826,187	(63,272)
Risk Management (15)	836,136	183,282	69,678	(113,604)	423,640	278,712	(144,928)
Maintenance (21 & 22)	4,713,527	403,861	392,794	(11,067)	1,432,675	1,571,176	138,501
Facility Maintenance-T.P. (23)	598,415	51,025	49,868	(1,157)	162,500	199,472	36,972
Facility Maintenance-Indio (24)	66,623	9,332	5,552	(3,780)	24,192	22,208	(1,984)
Stops & Zones Maintenance (25)	464,297	35,108	38,691	3,583	129,198	154,766	25,568
Marketing (31)	320,961	24,309	26,747	2,438	100,832	106,987	6,155
Human Resources (32)	382,828	12,178	31,902	19,724	72,397	127,609	55,212
General Administration (40)	1,352,837	97,136	112,736	15,600	410,213	450,946	40,733
Finance (41)	945,398	90,924	78,783	(12,141)	313,957	315,133	1,176
Information Technology (42)	271,790	28,989	22,649	(6,340)	101,245	90,597	(10,648)
Planning & Agency Development (49)	488,651	77,315	40,721	(36,594)	250,769	162,884	(87,885)
Total Expenses	22,276,993	2,031,635	1,856,416	(175,219)	7,381,193	7,425,664	44,471

SunLine Regulatory Agency
Statement of Activities
October 31, 2012

Description	FY 12/13 Total Budget	Current Month			Year to Date		
		Actual	Budget	Favorable (Unfavorable)	YTD Actual	FY 12/13 YTD Budget	Favorable (Unfavorable)
Budget Carryover	155,978	12,998	12,998	0	51,993	51,993	0
Revenues:							
Meter Readings	168,000	13,920	14,000	(80)	63,757	56,000	7,757
Revenue Fines	5,000	2,350	417	1,933	3,123	1,667	1,456
Vehicle Inspection Revenue	14,700	1,950	1,225	725	4,700	4,900	(200)
Vehicle Reinspection Revenue	500	0	42	(42)	0	167	(167)
New Driver Permit Revenue	5,000	650	417	233	1,650	1,667	(17)
Driver Transfer Revenue	3,200	400	267	133	680	1,067	(387)
Driver Renewal Revenue	10,450	1,150	871	279	3,450	3,483	(33)
Driver Permit Reinstatement/Replacement	90	10	8	3	60	30	30
Vehicle Transfer Revenue	1,000	0	83	(83)	0	333	(333)
Vehicle Permit Revenue	84,000	14,000	7,000	7,000	17,900	28,000	(10,100)
Operator Application Fee	7,200	0	600	(600)	0	2,400	(2,400)
Interest Revenue	120	3	10	(7)	13	40	(27)
Total revenue	455,238	47,431	37,937	9,495	147,326	151,746	(4,420)
Expenses:							
Salaries and Wages	194,435	15,532	16,203	671	65,858	64,812	(1,046)
Fringe Benefits	137,918	11,733	11,493	(240)	39,585	43,973	6,388
Services	105,500	10,571	8,792	(1,779)	34,162	35,167	1,005
Supplies and Materials	4,500	371	375	4	2,154	1,500	(654)
Miscellaneous	12,885	1,607	1,074	(533)	9,075	4,295	(4,780)
Total Expenses	455,238	39,814	37,937	(1,878)	150,834	151,746	912
Total Operating Surplus/Deficit	0	7,617	0	7,617	(3,508)	0	(3,508)

SunLine Transit Agency

DATE: January 23, 2013 **Action**

TO: Finance Committee
Board of Directors

FROM: Director of Transit Planning

RE: FY 2012/13 Short Range Transit Plan (S RTP) Amendment

Recommendation

Recommend that the Board approve the second amendment to the SunLine Transit Agency Short Range Transit Plan for FY 2012/13 to update funding allocated for the project for replacement and new solar panels.

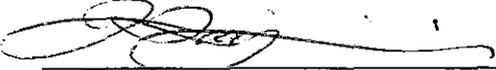
Background

The Board 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.

Financial Impact

The replacement and new solar panels project remains fully funded and is the same total project cost. This amendment is to show the new match funding made available to Renova from AQMD. The attached S RTP Table 4 update shows the change in funding.



Joe Forgiarini

SUNLINE TRANSIT AGENCY
FY 2012/13 SRTP - TABLE 4 - AMENDMENT 2 (012313)
FY 2012/13 OPERATING and CAPITAL ASSISTANCE BY FUNDING SOURCE

Operating Assistance		Total Amount Including Carryover	Total Amount Without Carryover Funds	Total Carryover Amount	LTF	Carryover LTF	Measure A	Federal Sec 5307	Carryover Federal Sec 5307 Funds	Federal Sec 5308	Federal Sec 5311	Federal Sec 5316	Federal Sec 5317	Carryover Federal Sec 5316	Carryover Federal Sec 5317	Other Revenue	Farebox	
Operating Assistance		\$ 20,476,993	\$ 20,316,091	\$ 180,902	\$ 10,718,420	\$ -	\$ 4,500,000	\$ 824,804	\$ -	\$ -	\$ 264,566	\$ 6,253	\$ 60,106	\$ 119,057	\$ 41,845	\$ 491,842	\$ 3,350,000	
Preventive Maintenance		1,800,000	1,800,000	0	0	0	1,800,000	0	0	0	0	0	0	0	0	0	0	
Total: Operating		22,276,993	22,116,091	180,902	10,718,420	0	4,500,000	2,724,804	0	0	284,566	6,253	60,106	119,057	41,845	491,942	3,350,000	
Capital Assistance		Capital Project #	Total Amount Including Carryover	Total Amount Without Carryover Funds	Total Carryover Amount	LTF	Carryover STA Funds	STA	Federal Section 5307	Carryover Federal Sec 5307	Federal Sec 5308	Prop 1B Transit Security Funds	Prop 1B Capital Transit (PTMISEA)	Federal Sec 5316	Federal Sec 5317	Federal Sec 5309	AQMD	
Bus Rehabilitation		SL-13-01	\$ 50,000	\$ 50,000	\$ -		\$ 10,000	\$ 40,000										
Replacement Service Vehicles (incl. 2 trucks, 4 relief cars)		SL-13-02	\$ 220,000	\$ 220,000	\$ -		\$ 44,000	\$ 176,000										
Thousand Palms Yard Repaving		SL-13-03	\$ 900,000	\$ 900,000	\$ -		\$ 180,000	\$ 720,000										
Transit Stop Enhancements		SL-13-04	\$ 394,714	\$ 394,714	\$ -		\$ -	\$ -				\$ 394,714						
Facility Improvement		SL-13-05	\$ 200,000	\$ 200,000	\$ -		\$ 40,000	\$ 160,000										
Office Furniture		SL-13-08	\$ 100,000	\$ 100,000	\$ -		\$ 20,000	\$ 80,000										
IT Projects		SL-13-07	\$ 105,000	\$ 105,000	\$ -		\$ 21,000	\$ 84,000										
New Agency Phone System		SL-13-08	\$ 115,000	\$ 115,000	\$ -		\$ 23,000	\$ 92,000										
Spare Fareboxes (5)		SL-13-09	\$ 60,000	\$ 60,000	\$ -		\$ 12,000	\$ 48,000										
Rider Survey Study		SL-13-10	\$ 100,000	\$ 100,000	\$ -		\$ 20,000	\$ 80,000										
Maintenance Tools & Equipment		SL-13-11	\$ 50,000	\$ 50,000	\$ -		\$ 10,000	\$ 40,000										
Special Fuel Provision - Capital Maintenance		SL-13-12	\$ 439,324	\$ 439,324	\$ -		\$ 87,865	\$ 351,459										
Solar Panels Replacement and New Installations		SL-13-13	\$ 1,620,000	\$ 1,620,000	\$ -		\$ 49,416									1,456,000	314,584	
Total: Capital		Grand Total:	\$ 4,654,038	\$ 4,554,038	\$ -	\$ -	\$ 517,281	\$ 1,671,459	\$ -	\$ -	\$ 394,714	\$ -	\$ -	\$ -	\$ 1,456,000	\$ 314,584		

Notes:

Total Revenue for PIP calculation includes: Farebox of \$3,300,000 + \$50,000 for new/extra service fare revenue.
 Other Revenue is \$491,842, including \$117,993 advertising on-bus, shelters, ride guide, \$17,743 for warranty, interest, recycle/vacuum revenue, \$272,865 for outside fare sales, \$61,587 RTA contribution to commuter express, and \$21,724 for taxi voucher sales.
 \$123,000 of the Measure A funds is needed to meet 17.6% farebox recovery.

Section 5316 carryover is \$118,057 unused from FY11-12 due to Riverside Commuter Express Project not having launched. New 5316 is SunLine Admin. costs. The Riverside Commuter Express funding is in the carryover of both 5316, 5317.

Section 5317 carryover is 41,845, that being 4/12 of one year of funding for Taxi Voucher Program due to project starting in November 2011, plus full \$15,000 of first year funding for Riverside Commuter Express Project.

The new 5317 funds are one year of Admin. fee plus 8/12 of Taxi Voucher Program, which together with carryover provides one year of operation.

These amounts do not include RCTC RideShare of CVAG Roy Center/Mobility Management pass throughs (See Table 4.1)

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Director of Maintenance

RE: Purchase of Replacement Paratransit Vehicles

Recommendation

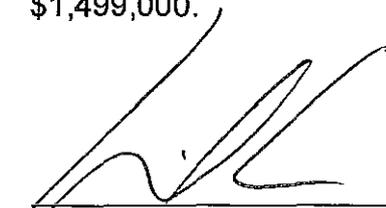
Recommend that the Board of Directors authorize SunLine General Manager to approve award of contract for the purchase of 14 replacement CNG paratransit, ADA accessible, vehicles for SunLine's SunDial service upon approval as to form and legality by Legal Counsel.

Background

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 service, with associated higher maintenance costs and customer disruption. There is therefore a need to replace these 14 vehicles in the first half of 2013.

Fiscal Impact

The total estimated cost per vehicle will be \$96,000, plus tax. This procurement will be paid for using a 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 decals and radio installation is not to exceed \$1,499,000.



Mike Morrow

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Contracting Officers Technical Representative

RE: Award of Contract for Security Perimeter Fencing and Gates
for Division 1 and Division 2

Recommendation

Recommend that the Board of Directors grant authorization to the General Manager to execute a contract for construction of the security perimeter fencing and gates for Division 1 and Division 2 in the amount of \$482,648 to Alvarez Construction subject to review and approval as to form by SunLine Counsel and to authorize changes within a ten percent change contingency.

Background

SunLine has completed the design of the security perimeter fencing and gates for Division 1 and Division 2. An Invitation For Bid was issued on November 6, 2012. SunLine publicized the bid on its website and advertised the bid in newspapers of general circulation, including the Desert Sun in November, 2012. SunLine received bids on December 21, 2012. The low bidder, Alvarez Quality Construction INC, submitted the lowest responsible bid.

Financial Impact

This project is within the approved project budget. Funding for this project consists of approximately 90 percent Proposition 1B Transit Security Improvements funds and approximately 10 percent Federal Transit Administration Funds.


Tommy D Edwards



BID AND PROPOSAL OPENING/ TABULATION RECORD

RFP 12-038 Perimeter Fence

BIDDER/ PROPOSER NAME	ADDRESS, CITY, STATE, ZIP	AMOUNT (BIDS ONLY)	Comments
Atom Engineering	40410 Vista Rd, Hemet, CA 92544	\$498,398.00	
Alvarez Quality Constructions	11991 Perris Blvd, Moreno Valley, CA	\$482,648.00	
Dalke & Sons			Bid was turned in 20 minutes late and not accepted.

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Director of Transit Planning

RE: Award of Contract for Construction of Bus Shelter Shed Pads

Recommendation

Recommend that the Board of Directors grant authorization to the General Manager to execute a contract for construction of twenty three (23) bus shelter pads in the amount of \$65,940.40 to ND Electrical Construction, Inc., subject to review and approval as to form by SunLine Counsel. This company was the lowest cost responsive bidder. Subject to performance, this company will also receive further contracts for similar pads.

Background

As approved by the Board in 2012, SunLine is providing seventy (70) new bus shelters at SunLine bus stops throughout the Coachella Valley. In order to complete installation of these shelters, a concrete pad is required to accommodate the shelter. This contract is for the first batch (23) of such new concrete pads.

SunLine publicized the bid on its website and advertised the bid in newspapers of general circulation, including the Desert Sun in November 2012. SunLine received three bids by the closing date of December 12, 2012. ND Electrical Construction, Inc. was the lowest cost responsive bidder (see attached summary of bids received).

Financial Impact

This project is within the approved project budget. Funding for this project consists of 80 percent Federal Transit Administration Section 5307 Funds with 20% local match (state STA funds).



Joe Forgiarini

Attached: List of Bidders



BID AND PROPOSAL OPENING/ TABULATION RECORD

RFP 12-042 Concrete Bus Pads

OPENING DATE:	12-Dec-12
TIME:	2:00 PM

BIDDER/ PROPOSER NAME	ADDRESS, CITY, STATE, ZIP	AMOUNT (BIDS ONLY)	Comments
ND Electrical Contraction, INC.	2201 E. Winston Rd Suite M Anaheim, CA 92806	\$65,940.40	ND Electricla was determined to be the lowest responsive bid.
Joe Purtrino General Contrator	56940 Powchita Rd. Yucca Valley, CA 92284	\$96,812.00	
AToM Engineering Construction, INC	40410 Vista Rd Hemet, CA 92544	\$124,398.00	Contractor is not experienced in this type of work.

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Director of Human Resources

RE: Amendment to the Public Entity Risk Management Authority (PERMA) Joint Powers Agreement (JPA)

Recommendation

Recommend that the Board of Directors approve the amendment to the PERMA JPA and authorize the General Manager to sign the amendment on behalf of SunLine Transit Agency.

Background

The current PERMA JPA incorporates the requirement of using a member's Treasurer and Auditor as the PERMA Treasurer and Auditor pursuant to Government Code section 6505.5.

Until his retirement at the end of last calendar year, the Director of Administrative Services for the City of Rancho Mirage had served as the PERMA Treasurer and Auditor. On October 1, 2012, the General Manager of PERMA solicited its member organizations for someone to serve the Treasurer and Auditor role. However, there were no interested qualified from the members.

In lieu of the designation of Treasurer and Auditor from a member organization as set forth in section 6505.5, PERMA may appoint one of its officers or employees to either or both such positions under Government Code section 6505.6. If PERMA designates one of its officers or employees to fill the function of treasurer or auditor, or both, pursuant to section 6505.6, PERMA will be required to have an independent audit conducted by a certified public accountant, or public accountant.

The proposed JPA amendment will allow a Treasurer and Auditor of a member organization to serve as the Treasurer and Auditor of PERMA, or allow PERMA to appoint one of its officers or employees when there is no employee of a member organization to serve in this capacity.

A revision of the PERMA JPA is required to use Government Code section 6505.6, which takes an affirmative vote of two-thirds of the member organizations, acting through their councils or governing bodies.

Fiscal Implications

None.



Donald A. Bradburn

**AMENDMENT
TO
PUBLIC ENTITY RISK MANAGEMENT AUTHORITY
(PERMA) AMENDED AND RESTATED JOINT POWERS
AGREEMENT (REVISED JULY 1, 2004)**

Articles 10 and 12 of the Joint Powers Agreement currently state:

ARTICLE 10. OFFICERS

The Board of Directors, either directly or through the Executive Committee, shall annually elect from its membership a President and Vice President of the Board at its regular annual meeting to service for one-year terms.

The President, or in his or her absence, the Vice President, shall preside at and conduct all meetings of the Board and chair the Executive Committee.

Said powers shall be exercised pursuant to the terms hereof and in the manner provided by law.

ARTICLE 12. STAFF

Principal Staff

- (a) The following staff members shall be established:
- (1) General Manager/Secretary. The General Manager/ Secretary shall administer the business and activities of the Authority, subject to the general supervision and policy direction of the Board of Directors and Executive Committee; shall be responsible for all minutes, notices and records of the Authority; and shall perform such other duties as are assigned by the Board and Executive Committee.
 - (2) Other Staff. The General Manager/Secretary may provide for such other staff as may be necessary for the administration of the Authority, subject to Board approval.
- (b) Pursuant to Government Code section 6505.5, the Treasurer and Auditor shall be the treasurer and auditor of a member organization of the Authority.
- (1) Treasurer. The duties of the Treasurer are set forth in Articles 14 and 15 of this Agreement.
 - (2) Auditor. The Auditor shall draw warrants to pay demands against the Authority when approved by the Treasurer, and shall perform the annual audit functions required under Article 14.
- (c) Charges for Treasurer and Auditor Services. Pursuant to Government Code section 6505.5, the charges to the Authority for the services of the Treasurer and Auditor shall be determined by the governing Board of the member organization from which such staff members are appointed.

.....
Articles 10 and 12 are hereby amended to state as follows:

ARTICLE 10. OFFICERS

The Board of Directors, either directly or through the Executive Committee, shall annually elect from its membership a President and Vice President of the Board at its regular annual meeting to service for one-year terms.

The President, or in his or her absence, the Vice President, shall preside at and conduct all meetings of the Board and chair the Executive Committee.

Said powers shall be exercised pursuant to the terms hereof and in the manner provided by law. The Board of Directors, either directly or through the Executive Committee, shall also annually elect or appoint a Treasurer and Auditor. Pursuant to Government Code sections 6505.5 and 6505.6, the Treasurer and Auditor shall be either the treasurer and auditor of a member organization of the Authority or an officer or employee of the Authority. Such offices may be held by separate officers or employees or combined and held by one officer or employee. If the Authority designates its officers or employees as Treasurer or Auditor, or both, such officers or employees shall cause an independent audit to be made by a certified public accountant, or public accountant, in compliance with Government Code section 6505.

- (1) Treasurer. The duties of the Treasurer are set forth in Articles 15 and 16 of this Agreement.*
- (2) Auditor. The Auditor shall draw warrants to pay demands against the Authority when approved by the Treasurer, and shall perform the annual audit functions required under Article 15.*

Charges for Treasurer and Auditor Services. Pursuant to Government Code section 6505.5, the charges to the Authority for the services of the Treasurer and Auditor shall be determined by the governing Board of the member organization from which such staff members are appointed.

ARTICLE 12. STAFF

Principal Staff

(a) — The following staff members shall be established:

(1) General Manager/Secretary. The General Manager/ Secretary shall administer the business and activities of the Authority, subject to the general supervision and policy direction of the Board of Directors and Executive Committee; shall be responsible for all minutes, notices and records of the Authority; and shall perform such other duties as are assigned by the Board and Executive Committee.

(2) Other Staff. The General Manager/Secretary may provide for such other staff as may be necessary for the administration of the Authority, subject to Board approval.

~~(b) Pursuant to Government Code section 6505.5, the Treasurer and Auditor shall be the treasurer and auditor of a member organization of the Authority.~~

~~a. Treasurer. The duties of the Treasurer are set forth in Articles 14 and 15 of this Agreement.~~

~~b. Auditor. The Auditor shall draw warrants to pay demands against the Authority when approved by the Treasurer, and shall perform the annual audit functions required under Article 14.~~

~~(c) Charges for Treasurer and Auditor Services. Pursuant to Government Code section 6505.5, the charges to the Authority for the services of the Treasurer and Auditor shall be determined by the governing Board of the member organization from which such staff members are appointed.~~

SunLine Transit Agency

DATE: January 23, 2013 **ACTION**

TO: Finance Committee
Board of Directors

FROM: Director of Human Resources

RE: Adoption of Resolution and Approval of Amendment to the SunLine Employees Non-Union Restated Retirement System Plan Document

Recommendation

Recommend that the Board of Directors adopt the Resolution and approve the Amendment to the SunLine Employees Non-Union Restated Retirement System plan document and authorize the General Manager to sign the Amendment on behalf of SunLine Transit Agency.

Background

In August 2012, Governor Brown introduced sweeping pension reform, which the state legislature subsequently approved. The Governor signed into law the California Public Employee Pension Reform Act (CPEPRA) and went into effect January 1, 2013.

Among other things, CPEPRA reforms public employee pensions in the following ways:

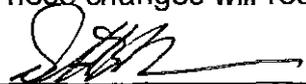
- Reduces benefit formulas for new pension members.
- Increases retirement ages for new members.
- Prohibits retroactive enhancements to benefit formulas
- Requires equal sharing of normal costs between employee and employer.
- Caps pensionable compensation for new members.
- Defines pensionable compensation.
- Requires a 36-month final compensation period.
- Prohibits the purchase of "air-time."
- Limits post-retirement employment.
- Requires the forfeiture of pension allowance upon conviction of a felony

While the current plan is already in compliance with most of these reforms, the proposed amendment to the Sunline Employees Non-Union Restated Retirement System will implement equal sharing of normal costs and the forfeiture of pension allowance upon conviction of a felony.

If approved, the revisions will bring the plan into compliance with CPEPRA.

Fiscal Implications

These changes will result in future savings.



Donald A. Bradburn

RESOLUTIONS ADOPTING
THE SEVENTH AMENDMENT TO THE SUNLINE
TRANSIT AGENCY NON-UNION RESTATED
EMPLOYEES RETIREMENT SYSTEM

By action of the Board of Directors of SunLine Transit Agency, a political subdivision of the State of California ("Employer") taken on 2013, the following resolutions were duly adopted:

WHEREAS, the Employer maintains the SunLine Transit Agency Non-Union Restated Employees Retirement System ("Plan"); and

WHEREAS, the Employer has reserved the right to amend the Plan pursuant to Section 11.05 therein; and

WHEREAS, the Employer has determined that the Plan should be amended to comply with the Public Employees' Pension Reform Act of 2013;

NOW, THEREFORE, BE IT RESOLVED, that the Plan be, and it hereby is, amended by the Seventh Amendment substantially in the form attached hereto.

RESOLVED, that the appropriate officers of the Employer be, and they hereby are, authorized and empowered to take any action and execute any writing they deem necessary to carry out the purpose and intent of the foregoing resolutions.

I hereby certify that the foregoing resolution were duly adopted by the Employer on the date first set forth above and that such resolutions have not been modified or revoked and remain in full force and effect.

IN WITNESS WHEREOF, I have signed this certificate as of the date first indicated

PASSED AND ADOPTED this ____ day of _____, 20__.

ATTEST:

Carolyn Rude
CLERK OF THE BOARD
SunLine Transit Agency

Yvonne Parks
VICE CHAIRMAN of the Board
SunLine Transit Agency

STATE OF CALIFORNIA)
) ss.
COUNTY OF RIVERSIDE)

I, CAROLYN RUDE, Clerk of the Board of Directors of the SunLine Transit Agency, do hereby certify that Resolution No. _____ was adopted at a regular meeting of the Board of Directors held on the _____ day of _____, 20__, by the following vote:

AYES:

NOES:

ABSENT:

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of _____, 20__.

Carolyn Rude
CLERK OF THE BOARD
SunLine Transit Agency

APPROVED AS TO FORM:

General Counsel
Jeffrey Goldfarb

SEVENTH AMENDMENT TO THE
SUNLINE TRANSIT AGENCY NON-UNION
RESTATED EMPLOYEES RETIREMENT SYSTEM

WHEREAS, SunLine Transit Agency (“Employer”) maintains the SunLine Transit Agency Non-Union Restated Employees Retirement System (“Plan”); and

WHEREAS, the Employer has reserved the right to amend the Plan pursuant to Section 11.05 therein; and

WHEREAS, the Employer has determined that the Plan should be amended to comply with the Public Employees’ Pension Reform Act of 2013;

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to the power reserved to the Employer under Section 11.05 of the Plan, the Employer hereby amends the Plan in the following particulars.

1. Plan Section 1.01 is amended by adding the following subsection (d) effective January 1, 2013:

d. Notwithstanding the above, for new Participants on or after January 1, 2013, a Participant’s benefit shall equal a percentage of the Employee’s Final Average Monthly Earnings taken as of the preceding quarter year, as outlined in the following table, multiplied by Years of Service.

<u>Age of Retirement</u>	<u>Fraction</u>
52	1.000
52 ¼	1.025
52 ½	1.050
52 ¾	1.075
53	1.100
53 ¼	1.125
53 ½	1.150
53 ¾	1.175
54	1.200
54 ¼	1.225
54 ½	1.250
54 ¾	1.275
55	1.300
55 ¼	1.325
55 ½	1.350
55 ¾	1.375
56	1.400
56 ¼	1.425
56 ½	1.450
56 ¾	1.475
57	1.500
<u>Age of Retirement</u>	<u>Fraction</u>

57 ¼	1.525
57 ½	1.550
57 ¾	1.575
58	1.600
58 ¼	1.625
58 ½	1.650
58 ¾	1.675
59	1.700
59 ¼	1.725
59 ½	1.750
59 ¾	1.775
60	1.800
60 ¼	1.825
60 ½	1.850
60 ¾	1.875
61	1.900
61 ¼	1.925
61 ½	1.950
61 ¾	1.975
62	2.000
62 ¼	2.025
62 ½	2.050
62 ¾	2.075
63	2.100
63 ¼	2.125
63 ½	2.150
63 ¾	2.175
64	2.200
64 ¼	2.225
64 ½	2.250
64 ¾	2.275
65	2.300
65 ¼	2.325
65 ½	2.350
65 ¾	2.375
66	2.400
66 ¼	2.425
66 ½	2.450
66 ¾	2.475
67 or later	2.500

2. Plan Section 1.17 is amended by adding the following paragraphs effective January 1, 2013:

For new Participants on or after January 1, 2013, Monthly Earnings shall also exclude (1) severance or any other payment that is granted or awarded to a Participant in connection with or in anticipation of a separation from employment, but is received by

the Participant while employed, (2) payments for unused vacation, annual leave, personal leave, sick leave, or compensatory time off, however denominated, whether paid in a lump sum or otherwise, regardless of when reported or paid, and (3) Employer contributions to deferred compensation or defined contribution plans.

Notwithstanding the above, for new Participants on or after January 1, 2013, the Monthly Earnings of each Participant taken into account in determining benefit accruals in any Plan Year beginning after December 31, 2012, shall not exceed 120% of the contribution and benefit base specified in section 430(b) of Title 42 of the United States Code on January 1, 2013 (\$113,700), as indexed. The Plan Administrator shall adjust the Monthly Earnings following each actuarial valuation based on changes to the Consumer Price Index for All Urban Consumers. The adjustment shall be effective annually on January 1, following the annual valuation.

3. Plan Section 3.01(c) is deleted in its entirety and replaced with the following in lieu thereof effective January 1, 2013:

c. The Employee makes Required Employee Contributions equal to 3% of Monthly Earnings.

However, for new Participants on or after January 1, 2013, the Required Employee Contribution shall equal the greater of 50% of the normal cost rate, rounded to the nearest quarter of 1 percent, or the current contribution rate of similarly situated employees. The Employer shall not pay any of the Required Employee Contribution on the employee's behalf. For purposes of this contribution, the following conditions and definitions shall apply:

1. This contribution shall not be adjusted on account of a change to the normal cost rate unless the normal cost rate increases or decreases by more than 1 percent of payroll above or below the normal cost rate in effect at the time the employee contribution rate is first established or, if later, the normal cost rate in effect at the time of the last adjustment to the employee contribution rate under this section.
2. For purposes of this section, "normal cost rate" means the annual "normal cost" for the Plan as determined by the Plan actuary, expressed as a percentage of payroll.
3. For purposes of this section, "normal cost" means the portion of the projected benefits under the Plan that is attributable to the current Year of Service, as determined annually by the Plan actuary according to the most recently completed valuation.
4. Any adjustment to the Required Employee Contribution pursuant to subdivision 1. shall be effective as of the first day of the Plan Year following the determination that an adjustment shall be made.

4. Plan Section 7.02 is amended by adding the following effective January 1, 2013:

Notwithstanding the above, for new Participants on or after January 1, 2013, such Participant may elect Early Retirement on the first day of any month provided he has both completed 5 Years of Vesting Service and has attained age 55 or he has completed 25 Years of

Vesting Service and attained age 52. The amount of pension shall be the Accrued Benefit as defined in Section 1.01, based on Final Average Monthly Earnings and Years of Credited Service at Early Retirement.

5. Plan Section 7.06 is deleted in its entirety and replaced with the following in lieu thereof effective January 1, 2013:

Section 7.06. Reinstatement from Retirement. A retired Participant shall not serve, be employed by, or be employed through a contract directly by the Employer as an Eligible Employee without reinstatement from retirement, except in the following circumstances:

- a. The retired Participant is appointed by the appointing power of the Employer either during an emergency to prevent stoppage of public business or because the retired Participant has skills needed to perform work of limited duration. Any such appointment shall not exceed a total of 960 hours in a Plan Year. The rate of pay for the employment shall not be less than the monthly minimum, nor exceed the monthly maximum, paid by the Employer to other Employees performing comparable duties, divided by 173.333 to equal an hourly rate.
- b. Notwithstanding subsection a., a retired Participant shall not be eligible to serve or be employed by the Employer if, during the 12-month period prior to an appointment described in subsection a., the retired Participant received any unemployment insurance compensation arising out of prior employment with the Employer. A retired Participant shall certify in writing to the Employer upon accepting an offer of employment that he or she is in compliance with this requirement. A retired Participant who accepts an appointment with the Employer after receiving unemployment insurance compensation shall terminate that employment on the last day of the current pay period and shall not be eligible for reappointment for a period of 12 months following the last day of employment.
- c. A retired Participant shall not be eligible to be employed pursuant to this Section for a period of 180 days following the date of retirement unless the Employer certifies the nature of the employment and that the appointment is necessary to fill a critically needed position before 180 days has passed and the appointment has been approved by the governing body of the Employer in a public meeting. The appointment may not be placed on a consent calendar.
- d. A retired Participant who accepted a retirement incentive upon retirement shall not be eligible to be employed pursuant to this Section for a period of 180 days following the date of retirement and subsection c. shall not apply.

In addition to the above conditions, the Committee will only need to reinstate an Eligible Employee from retirement upon the following conditions:

- a. His application to the Committee for reinstatement is accepted, and
- b. The determination by the Committee, based upon medical examination, that the retired Participant is not incapacitated for the duties to be assigned to the retired Participant.

When any Participant is reinstated from retirement under this provision, his retirement allowance shall cease, and he shall become a Participant as of the date of reinstatement. Upon his later retirement, his retirement allowance shall be increase on account of any service subsequent to the date of reinstatement.

6. Plan Section 12.12 is added to the Plan effective January 1, 2013:

Section 12.12. Forfeiture of Benefits Upon Conviction of a Felony. If any Eligible Employee is convicted by a state or federal trial court of any felony under state or federal law for conduct arising out of or in the performance of his official duties, in pursuit of the office or appointment, or in connection with obtaining salary, disability retirement, service retirement, or other benefits, the following provisions shall apply:

- a. The Eligible Employee shall forfeit all accrued rights and benefits under the Plan to the extent provided in subsection b. and shall not accrue further benefits in the Plan, effective on the date of conviction.
- b. The Eligible Employee shall forfeit all the retirement benefits earned or accrued from the earliest date of the commission of any felony described in this Section to the forfeiture date, inclusive. The retirement benefits shall remain forfeited notwithstanding any reduction in sentence or expungement of the conviction following the date of the Employee's conviction. Retirement benefits attributable to service performed prior to the date of the first commission of the felony for which the Employee was convicted shall not be forfeited as a result of this Section. For purposes of this subsection, "forfeiture date" means the date of the conviction.
- c. If an Eligible Employee's conviction is reversed and that decision is final, the Employee shall be entitled to do either of the following:
 1. Recover the forfeited retirement benefits as adjusted for the contributions received pursuant to subdivision a.
 2. Redeposit those contributions and interest, as determined by the Plan's actuary and then recover the full amount of the forfeited benefits.

IN WITNESS WHEREOF, the Employer has caused this Seventh Amendment to be signed on its behalf by the undersigned duly authorized officer on the date set forth below.

SUNLINE TRANSIT AGENCY

By: _____

Title: _____

Date: _____



**SUNLINE SERVICES GROUP
BOARD MEETING AGENDA**

**Wednesday, January 23, 2013
12:00 pm
Kelly Board Room
32-505 Harry Oliver Trail
Thousand Palms, CA 92276**

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 beepers be either turned off or set on silent mode for the duration of the Board Meeting.

AGENDA TOPICS

RECOMMENDATION

- 1. **Call to Order**
Vice Chairman Yvonne Parks
- 2. **Roll Call**
- 3. **Finalization of Agenda**
- 4. **Presentations**
- 5. **Correspondence**
None.

- 6. **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.

7. Board Member Comments**Receive Comments**

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

ACTION**8. 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 December 5, 2012 Board of Directors Meeting (Pages 1-5)
- b) SSG/SRA checks over \$1000 issued November, December, 2012 (Pages 6-7)
- c) SSG/SRA Monthly Budget Reports October, 2012 (Page 8)
- d) Taxi Vehicle/Rides Analysis (Pages 9-10)

DISCUSSION**9. Litigation Policy (C. Mikel Oglesby)****Discussion**

Discuss moving forward with the creation of a litigation policy to clarify the role of the Board, General Manager and staff in litigation strategy and management. (Page 11)

10. Closed Session

- a) Closed session to conference with Legal Counsel—existing litigation (Gov. Code Sec. 54956.9) *American Cab v. SunLine Services Group INC* 1201334.

11. Next Meeting Date

February 27, 2013

12 o'clock Noon – Kelly Board Room

12. Adjourn

MINUTES
SunLine Services Group
Board of Directors Meeting
December 5, 2012

A regular meeting of the SunLine Services Group Board of Directors was held on Wednesday, December 5, 2012 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 12:50p.m. by Chairman Robert Spiegel.

2. Roll Call

Completed.

Members Present

Robert Spiegel, Chairman, Mayor, City of Palm Desert
Yvonne Parks, Vice Chairman, Mayor, City of Desert Hot Springs
Rick Hutcheson, Councilmember, City of Palm Springs
Bud England, Councilmember, City of Cathedral City
G. Dana Hobart, Councilmember, City of Rancho Mirage
Bill Powers, Mayor Pro Tem, City of Indian Wells
Don Adolph, Mayor, City of La Quinta
Glenn Miller, Mayor, City of Indio
Eduardo Garcia, Mayor, City of Coachella

Members Absent

John J. Benoit, Supervisor, County of Riverside

Guests:

Kathleen Bennett, Resort Marketing
Mabu Hossein, Desert City Cab
Michal Brock, Yellow Ca of the Desert
Harmon Singh, Assistant Cab Administrator
Scott Russo, Legal Counsel American Cab
Harry Incs, American Cab
Kimberly Webb, Public
Rochelle Esther, Public

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
Tommy Edwards, Contracting Officer Technical Representative
Rudy LeFlore, Procurement Consultant

Mannie Thomas, Manager of Operations and Safety Training
Manny Garcia, Operations Senior Supervisor
Michael Jones, Manager Taxicab Administration
Ivanna Samokish, Safety and Security Coordinator
David Manriquez, Facilities Maintenance Assistant
Karen Thomas, Senior Administrative Assistant
Francine DePalo, Administrative Assistant
Anita Petke, Transit Planning Assistant
Mike Jones, Taxi Cab Manager
Diann Chumney, Marketing Specialist II

3. **Finalization of Agenda**

No changes to agenda.

4. **Presentations**

None.

5. **Correspondence**

None.

6. **Public Comments**

NON - AGENDA ITEMS

Kimberly Webb – stated the following: “Good afternoon. Bill and Bud, it’s going to be sad to see you go. You have been a real advocate for the drivers having put valuable time to meet with the drivers privately. We are terrified that neither one of you are going to be here. We hope that you will pass that torch to one of your colleagues here so that they won’t be forgotten. In reference to the trip and vehicle analysis in your packets, those numbers have been skewed for some time as they have been provided by the franchises as opposed to be collected by SRA, which have just recently instituted a new program where they go in and physically look at the meters on the driver’s cars. We have situations where some of the company drivers are basically going out for a ride, they hit the fare button, they drive around for five minutes, clear it and they have never had a client on board. This is to satisfy the minimums needed. Other drivers are sitting hitting the charge button, clearing it. I ask that the fees also be evaluated for each one of those rides. I know that it is time consuming, and hopefully in this new independent that will come up. The other thing is, as another example of some abuses that American Cab – the tablets that came with American Cab’s new computer system failed miserably. Drivers were logged off and couldn’t get back on. They were isolated from areas. The drivers were actually told that their lease rate on a particular day had increased. When it was questioned - because the company needed to replace the tablets. So basically American Cab used the replacement of a tablet as another reason to increase their rate to their drivers.”

Scott Russo – American Cab: stated the following: “Good afternoon everybody. I have done a lot of research on this whole issue of where regulation lies in the taxi

companies in the various cities. In California, most taxi regulation actually is done by the city. It's done by the Licensing and Revenue Departments that are regulated by Code Enforcement. You chose a different a model. Most of the cities do it that way. Your model is similar to a number of locations in California – San Diego delegates it to a regulatory agency. Orange County delegates it to a regulatory agency. Monterey County, Marin County – they do that. Where this comes in as far as what I have to say is, last meeting there was a motion to see whether or not taxi regulation should go to another entity and have it come away from SunLine. We seemed to have some legs because we were discussing it. And then there was a comment by Supervisor Benoit about duplication of your efforts. The comment was then reiterated by some others about - well we need elected officials on a new JPA for taxi and so therefore we will just have to attend another meeting. That got some momentum and it undermined the motion. I don't know how you all feel about whether or not you want to keep taxi here or whether or not you want us to go somewhere else; however, I just want to clarify something. Because I knew when I heard that, that made it contrary to what I knew about the other taxi regulatory agencies, whether it being San Diego or Marin or Orange County and those taxi boards do not have elected officials on them. Basically, they have JPAs – Orange County is a little bit different; it is not a JPA. But they delegated the authority to the agency just as they have done in San Diego and the other counties that I have mentioned. They don't have elected officials, but what they have is a taxi board made up of people of the public – tourism, the airport, and all that. I found that in fact, there is a little bit of mis-information about what the obligation is to have an elected official. It appears right in the government code about JPAs - Government Code Section 6508, which basically says that the JPA can delegate the taxi administration to a taxi board made up of people from the public. So the premise for why that got shot down – it wasn't necessarily right. Maybe it's how you feel. You have the choice – you could say that a JPA which requires elected officials. What I am telling you is that it is not a requirement. It can be delegated.”

Harry Incs – American Cab – stated the following: “So our drivers were on strike this Saturday – they were just driving by the airport waiving. That was another lie from Kimberly Webb. Last month she told you that the drivers were going to go on strike and all this big thing came up. Our drivers did not go on strike. We are in full season and there is plenty of work. Nothing to worry about. I want to tell you and maybe show you what Kimberly Webb is about. This is a picture that was taken of her by one our drivers. He was picking up a call and she was there picking up the same people in her personal car. They got into an argument. This was reported to SunLine, by the way. Basically, she got the people to go into her car because she allowed them to drink alcohol in the car – something that our drivers are not allowed. So that is what she does. She goes around and she steals calls. Then she comes here and says that the drivers are not making any money – she is all for the drivers, among other things. Last month she was talking about CVAG providing – slanderous information. I don't know what that was about. She is saying this was the worst year yet. This was one of the best years. Mike Jones can confirm the numbers and the other franchises can confirm as well. She keeps bad mouthing us. The reason for that is because we will not lease to her. She worked for American

Cab for a short while and we had problems with her not following SRA regulations and doing her own thing – always trying to rally up drivers. We let her go and she has been bitter ever since. A personal vendetta. No one else will hire her either. I'm getting tired of her coming here and bad mouthing us. Today she is talking about the computers. That also is farfetched.”

AGENDA ITEMS:

Kimberly Webb – Agenda item#10 – “As discussed at the Committee meeting this morning – the independent firm evaluating lease rates in other areas, as the lease rates here in the desert as we know, are literally out of control. There have been three more changes since the last meeting that we had here. One was an increase; two were – have been lowering the rates as the drivers are truly struggling. The lease rate this week is still \$100 above what it was last year in the same time period. Mr. Goldfarb had addressed the issue of a cap probably the first two or maybe third meeting here. It was discussed and he did say that it was permissible to put it in the parameters of an RFP. It was the Board's discretion to wait and see if these sort of settled down and things evened out. Obviously they have not. I am not going anywhere. So anyway, we would like to have Mr. Goldfarb comment further on that. It would be included in the report. A cap on these leases can be initiated within.”

7. Board Member Comments

None.

8. Consent Calendar

Mayor Adolph moved for approval of the consent calendar. The motion was seconded by Mayor Pro Tem Powers and was approved by a unanimous.

9. Second Reading of SSG Revised Ordinance #2012-01

Legal Counsel, Jeffrey Goldfarb, addressed the Board stating the following: “This is the second reading of the Ordinance which revises the taxi regulation for SSG. I think we have gone through it at length at our previous meetings. I would be happy to answer any questions that anybody might have. Councilmember Hobart moved for approval. The motion was seconded by Mayor Pro Tem Powers and approved by a unanimous vote.

10. Taxi Study Update

General Manager, Mikel Oglesby addressed the Board stating the following: “At the October 24, 2012 Board Meeting, the Taxi Committee provided detailed guidance regarding the need for additional information to assist the Board of Directors in making informed decisions relative to the allocation of unallocated non-temporary taxi permits and the possible need for an RFP for an additional franchise. At the meeting, the Taxi Committee was provided the information that we had listed in the second section of the Board report. Staff provided the Taxi Committee with draft questions to be answered by the independent firms; staff has provided the Taxi Committee with a list of the independent firms recommended for this agreement;

staff will initiate the RFP process once the list of questions is confirmed; staff will be contracting a CPA firm to conduct the financial analysis of Desert City Cab within the next few weeks. In addition, the Taxi Committee has tasked us to request some insight on what the appropriate wage should be for taxi drivers. We will see what the opinions are.”

Chairman Spiegel asked Mr. Oglesby to please tell all the employees that the Board wishes them a very happy holiday season. Mr. Oglesby stated, yes, he will pass that message on.

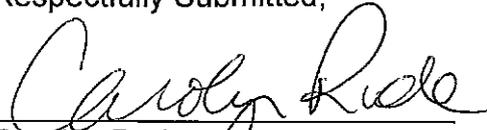
11. Next Meeting Date

Chairman Spiegel announced that the next regular meeting of the Board of Directors will be held January 23, 2013 at 12 noon – Kelly Board Room, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

12. Adjourn

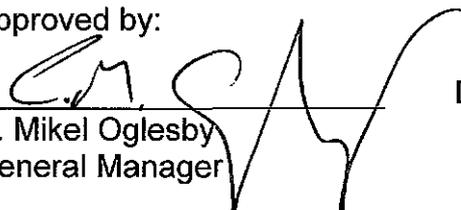
Vice Chairman Spiegel asked for a motion to adjourn meeting at 1:10p.m. Councilmember England made the motion to adjourn. The motion was seconded by Mayor Miller and approved by a unanimous vote.

Respectfully Submitted,



Carolyn Rude
Clerk of the Board

Approved by:



C. Mikel Oglesby
General Manager

Date: 1/14/13

SunLine Regulatory Administration
Checks \$1,000 and Over
For the month of November 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089611	11/8/2012	\$9,967.51
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089619	11/30/2012	\$9,815.41
RUTAN & TUCKER, LLP	Legal fees	089618	11/30/2012	\$8,729.51
SUNLINE TRANSIT AGENCY	Operating Exp (Sept 2012)	089615	11/20/2012	\$4,614.49
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089609	11/8/2012	\$1,285.72
Total of Checks Over \$1,000				\$34,412.64
Total of Checks Under \$1,000				\$3,106.07
Total of All Checks for the Month				\$37,518.71
Total Amount of Checks Prior Years Same Month				\$87,324.45

SunLine Regulatory Administration
Checks \$1,000 and Over
For the month of December 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
AMERICAN CAB	Legal Services - General	089628	12/17/2012	\$10,000.00
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089626	12/7/2012	\$9,967.51
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089633	12/26/2012	\$9,815.41
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089629	12/17/2012	\$4,782.31
Total of Checks Over \$1,000				\$34,565.23
Total of Checks Under \$1,000				\$2,405.50
Total of All Checks for the Month				\$36,970.73
Total Amount of Checks Prior Years Same Month				\$80,924.73

MINUTES
SunLine Services Group
Board of Directors Meeting
December 5, 2012

A regular meeting of the SunLine Services Group Board of Directors was held on Wednesday, December 5, 2012 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 12:50p.m. by Chairman Robert Spiegel.

2. Roll Call

Completed.

Members Present

Robert Spiegel, Chairman, Mayor, City of Palm Desert
Yvonne Parks, Vice Chairman, Mayor, City of Desert Hot Springs
Rick Hutcheson, Councilmember, City of Palm Springs
Bud England, Councilmember, City of Cathedral City
G. Dana Hobart, Councilmember, City of Rancho Mirage
Bill Powers, Mayor Pro Tem, City of Indian Wells
Don Adolph, Mayor, City of La Quinta
Glenn Miller, Mayor, City of Indio
Eduardo Garcia, Mayor, City of Coachella

Members Absent

John J. Benoit, Supervisor, County of Riverside

Guests:

Kathleen Bennett, Resort Marketing
Mabu Hossein, Desert City Cab
Michal Brock, Yellow Ca of the Desert
Harmon Singh, Assistant Cab Administrator
Scott Russo, Legal Counsel American Cab
Harry Incs, American Cab
Kimberly Webb, Public
Rochelle Esther, Public

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
Tommy Edwards, Contracting Officer Technical Representative
Rudy LeFlore, Procurement Consultant

Mannie Thomas, Manager of Operations and Safety Training
Manny Garcia, Operations Senior Supervisor
Michael Jones, Manager Taxicab Administration
Ivanna Samokish, Safety and Security Coordinator
David Manriquez, Facilities Maintenance Assistant
Karen Thomas, Senior Administrative Assistant
Francine DePalo, Administrative Assistant
Anita Petke, Transit Planning Assistant
Mike Jones, Taxi Cab Manager
Diann Chumney, Marketing Specialist II

3. **Finalization of Agenda**

No changes to agenda.

4. **Presentations**

None.

5. **Correspondence**

None.

6. **Public Comments**

NON - AGENDA ITEMS

Kimberly Webb – stated the following: “Good afternoon. Bill and Bud, it’s going to be sad to see you go. You have been a real advocate for the drivers having put valuable time to meet with the drivers privately. We are terrified that neither one of you are going to be here. We hope that you will pass that torch to one of your colleagues here so that they won’t be forgotten. In reference to the trip and vehicle analysis in your packets, those numbers have been skewed for some time as they have been provided by the franchises as opposed to be collected by SRA, which have just recently instituted a new program where they go in and physically look at the meters on the driver’s cars. We have situations where some of the company drivers are basically going out for a ride, they hit the fare button, they drive around for five minutes, clear it and they have never had a client on board. This is to satisfy the minimums needed. Other drivers are sitting hitting the charge button, clearing it. I ask that the fees also be evaluated for each one of those rides. I know that it is time consuming, and hopefully in this new independent that will come up. The other thing is, as another example of some abuses that American Cab – the tablets that came with American Cab’s new computer system failed miserably. Drivers were logged off and couldn’t get back on. They were isolated from areas. The drivers were actually told that their lease rate on a particular day had increased. When it was questioned - because the company needed to replace the tablets. So basically American Cab used the replacement of a tablet as another reason to increase their rate to their drivers.”

Scott Russo – American Cab: stated the following: “Good afternoon everybody. I have done a lot of research on this whole issue of where regulation lies in the taxi

companies in the various cities. In California, most taxi regulation actually is done by the city. It's done by the Licensing and Revenue Departments that are regulated by Code Enforcement. You chose a different a model. Most of the cities do it that way. Your model is similar to a number of locations in California – San Diego delegates it to a regulatory agency. Orange County delegates it to a regulatory agency. Monterey County, Marin County – they do that. Where this comes in as far as what I have to say is, last meeting there was a motion to see whether or not taxi regulation should go to another entity and have it come away from SunLine. We seemed to have some legs because we were discussing it. And then there was a comment by Supervisor Benoit about duplication of your efforts. The comment was then reiterated by some others about - well we need elected officials on a new JPA for taxi and so therefore we will just have to attend another meeting. That got some momentum and it undermined the motion. I don't know how you all feel about whether or not you want to keep taxi here or whether or not you want us to go somewhere else; however, I just want to clarify something. Because I knew when I heard that, that made it contrary to what I knew about the other taxi regulatory agencies, whether it being San Diego or Marin or Orange County and those taxi boards do not have elected officials on them. Basically, they have JPAs – Orange County is a little bit different; it is not a JPA. But they delegated the authority to the agency just as they have done in San Diego and the other counties that I have mentioned. They don't have elected officials, but what they have is a taxi board made up of people of the public – tourism, the airport, and all that. I found that in fact, there is a little bit of mis-information about what the obligation is to have an elected official. It appears right in the government code about JPAs - Government Code Section 6508, which basically says that the JPA can delegate the taxi administration to a taxi board made up of people from the public. So the premise for why that got shot down – it wasn't necessarily right. Maybe it's how you feel. You have the choice – you could say that a JPA which requires elected officials. What I am telling you is that it is not a requirement. It can be delegated.”

Harry Incs – American Cab – stated the following: “So our drivers were on strike this Saturday – they were just driving by the airport waiving. That was another lie from Kimberly Webb. Last month she told you that the drivers were going to go on strike and all this big thing came up. Our drivers did not go on strike. We are in full season and there is plenty of work. Nothing to worry about. I want to tell you and maybe show you what Kimberly Webb is about. This is a picture that was taken of her by one our drivers. He was picking up a call and she was there picking up the same people in her personal car. They got into an argument. This was reported to SunLine, by the way. Basically, she got the people to go into her car because she allowed them to drink alcohol in the car – something that our drivers are not allowed. So that is what she does. She goes around and she steals calls. Then she comes here and says that the drivers are not making any money – she is all for the drivers, among other things. Last month she was talking about CVAG providing – slanderous information. I don't know what that was about. She is saying this was the worst year yet. This was one of the best years. Mike Jones can confirm the numbers and the other franchises can confirm as well. She keeps bad mouthing us. The reason for that is because we will not lease to her. She worked for American

Cab for a short while and we had problems with her not following SRA regulations and doing her own thing – always trying to rally up drivers. We let her go and she has been bitter ever since. A personal vendetta. No one else will hire her either. I'm getting tired of her coming here and bad mouthing us. Today she is talking about the computers. That also is farfetched.”

AGENDA ITEMS:

Kimberly Webb – Agenda item#10 – “As discussed at the Committee meeting this morning – the independent firm evaluating lease rates in other areas, as the lease rates here in the desert as we know, are literally out of control. There have been three more changes since the last meeting that we had here. One was an increase; two were – have been lowering the rates as the drivers are truly struggling. The lease rate this week is still \$100 above what it was last year in the same time period. Mr. Goldfarb had addressed the issue of a cap probably the first two or maybe third meeting here. It was discussed and he did say that it was permissible to put it in the parameters of an RFP. It was the Board's discretion to wait and see if these sort of settled down and things evened out. Obviously they have not. I am not going anywhere. So anyway, we would like to have Mr. Goldfarb comment further on that. It would be included in the report. A cap on these leases can be initiated within.”

7. Board Member Comments

None.

8. Consent Calendar

Mayor Adolph moved for approval of the consent calendar. The motion was seconded by Mayor Pro Tem Powers and was approved by a unanimous.

9. Second Reading of SSG Revised Ordinance #2012-01

Legal Counsel, Jeffrey Goldfarb, addressed the Board stating the following: “This is the second reading of the Ordinance which revises the taxi regulation for SSG. I think we have gone through it at length at our previous meetings. I would be happy to answer any questions that anybody might have. Councilmember Hobart moved for approval. The motion was seconded by Mayor Pro Tem Powers and approved by a unanimous vote.

10. Taxi Study Update

General Manager, Mikel Oglesby addressed the Board stating the following: “At the October 24, 2012 Board Meeting, the Taxi Committee provided detailed guidance regarding the need for additional information to assist the Board of Directors in making informed decisions relative to the allocation of unallocated non-temporary taxi permits and the possible need for an RFP for an additional franchise. At the meeting, the Taxi Committee was provided the information that we had listed in the second section of the Board report. Staff provided the Taxi Committee with draft questions to be answered by the independent firms; staff has provided the Taxi Committee with a list of the independent firms recommended for this agreement;

staff will initiate the RFP process once the list of questions is confirmed; staff will be contracting a CPA firm to conduct the financial analysis of Desert City Cab within the next few weeks. In addition, the Taxi Committee has tasked us to request some insight on what the appropriate wage should be for taxi drivers. We will see what the opinions are.”

Chairman Spiegel asked Mr. Oglesby to please tell all the employees that the Board wishes them a very happy holiday season. Mr. Oglesby stated, yes, he will pass that message on.

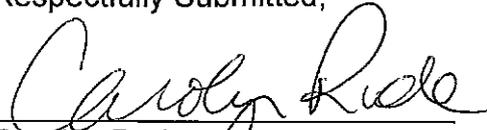
11. Next Meeting Date

Chairman Spiegel announced that the next regular meeting of the Board of Directors will be held January 23, 2013 at 12 noon – Kelly Board Room, 32-505 Harry Oliver Trail, Thousand Palms, CA 92276.

12. Adjourn

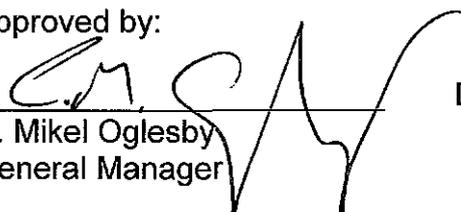
Vice Chairman Spiegel asked for a motion to adjourn meeting at 1:10p.m. Councilmember England made the motion to adjourn. The motion was seconded by Mayor Miller and approved by a unanimous vote.

Respectfully Submitted,



Carolyn Rude
Clerk of the Board

Approved by:



C. Mikel Oglesby
General Manager

Date: 1/14/13

SunLine Regulatory Administration
Checks \$1,000 and Over
For the month of November 2012

NOTE: 1). Bold check payments represent "pass through" payments that were, or will be reimbursed to SunLine under the provisions of specific grants or contracts. 2). Underlined check payments represent "shared" payments with SunLine and specific vendors/employees.

Vendor Name	Description	Check #	Check	Amount
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089611	11/8/2012	\$9,967.51
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089619	11/30/2012	\$9,815.41
RUTAN & TUCKER, LLP	Legal fees	089618	11/30/2012	\$8,729.51
SUNLINE TRANSIT AGENCY	Operating Exp (Sept 2012)	089615	11/20/2012	\$4,614.49
SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089609	11/8/2012	\$1,285.72
Total of Checks Over \$1,000				\$34,412.64
Total of Checks Under \$1,000				\$3,106.07
Total of All Checks for the Month				\$37,518.71
Total Amount of Checks Prior Years Same Month				\$87,324.45

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SUNLINE TRANSIT AGENCY	Payroll Liabilities Expense	089629	12/17/2012	\$4,782.31

Total of Checks Over \$1,000	\$34,565.23
Total of Checks Under \$1,000	\$2,405.50
Total of All Checks for the Month	\$36,970.73
Total Amount of Checks Prior Years Same Month	\$80,924.73

SunLine Regulatory Agency
Statement of Activities
October 31, 2012

Description	FY 12/13 Total Budget	Current Month			Year to Date		
		Actual	Budget	Favorable (Unfavorable)	YTD Actual	FY 12/13 YTD Budget	Favorable (Unfavorable)
Budget Carryover	155,978	12,998	12,998	0	51,993	51,993	0
Revenues:							
Meter Readings	168,000	13,920	14,000	(80)	63,757	56,000	7,757
Revenue Fines	5,000	2,350	417	1,933	3,123	1,667	1,456
Vehicle Inspection Revenue	14,700	1,950	1,225	725	4,700	4,900	(200)
Vehicle Reinspection Revenue	500	0	42	(42)	0	167	(167)
New Driver Permit Revenue	5,000	650	417	233	1,650	1,667	(17)
Driver Transfer Revenue	3,200	400	267	133	680	1,067	(387)
Driver Renewal Revenue	10,450	1,150	871	279	3,450	3,483	(33)
Driver Permit Reinstatement/ Replacement	90	10	8	3	60	30	30
Vehicle Transfer Revenue	1,000	0	83	(83)	0	333	(333)
Vehicle Permit Revenue	84,000	14,000	7,000	7,000	17,900	28,000	(10,100)
Operator Application Fee	7,200	0	600	(600)	0	2,400	(2,400)
Interest Revenue	120	3	10	(7)	13	40	(27)
Total revenue	455,238	47,431	37,937	9,495	147,326	151,746	(4,420)
Expenses:							
Salaries and Wages	194,435	15,532	16,203	671	65,858	64,812	(1,046)
Fringe Benefits	137,918	11,733	11,493	(240)	39,585	45,973	6,388
Services	105,500	10,571	8,792	(1,779)	34,162	35,167	1,005
Supplies and Materials	4,500	371	375	4	2,154	1,500	(654)
Miscellaneous	12,885	1,607	1,074	(533)	9,075	4,295	(4,780)
Total Expenses	455,238	39,814	37,937	(1,878)	150,834	151,746	912
Total Operating Surplus/Deficit	0	7,617	0	7,617	(3,508)	0	(3,508)

TRIP vs. VEHICLE ANALYSIS

TRIP vs. VEHICLE ANALYSIS

	FY 04/05			FY 05/06			FY 06/07			FY 07/08			FY 08/09		
	CABS	TRIPS	TRIP/VEH												
JUL	193	32,877	170	205	33,123	161	240	28,204	117	269	25,681	95	184	27,321	148
AUG	185	25,911	140	209	24,445	117	240	24,010	100	269	28,635	106	184	28,450	154
SEP	195	29,145	149	215	35,072	163	240	35,278	147	269	28,182	105	184	28,206	153
OCT	196	44,593	227	221	32,817	148	240	38,459	160	205	33,063	161	184	37,131	202
NOV	197	36,344	184	227	40,343	178	240	41,751	174	203	41,851	206	184	33,450	182
DEC	187	38,687	207	232	34,534	149	243	46,866	193	204	36,141	177	184	26,942	146
JAN	191	40,638	212	240	42,539	177	245	27,290	114	204	30,363	149	183	39,745	217
FEB	196	43,880	224	241	41,587	173	246	41,520	169	206	50,594	246	185	38,116	206
MAR	204	42,973	210	241	51,373	213	255	54,598	214	205	41,492	202	186	42,705	230
APR	206	53,980	262	241	50,791	211	269	46,823	174	205	44,697	218	186	59,997	323
MAY	204	38,698	190	240	42,916	179	271	43,593	161	205	49,071	239	186	41,175	221
JUN	203	33,348	164	240	34,427	143	271	35,711	132	183	26,819	147	186	38,696	208
TOTALS	2357	461,074	196	2752	463,967	169	3000	464,103	155	2627	436,589	166	2216	441,934	199

	FY 09/10			FY 10/11			FY 11/12			FY 12/13			FY 13/14		
	CABS	TRIPS	TRIP/VEH	CABS	TRIPS	TRIP/VEH									
JUL	170	26,487	156	151	31,211	207	125	30,391	243	132	33,019	250			
AUG	155	23,671	153	148	29,238	198	123	29,459	240	133	35,031	263			
SEP	158	29,239	185	150	31,807	212	131	34,446	263	131	38,754	296			
OCT	153	37,468	245	117	40,222	344	139	43,009	309	149	45,301	304			
NOV	153	40,466	264	126	40,494	321	144	44,173	307	165	48,495	294			
DEC	160	32,084	201	128	36,226	283	143	39,180	274	168	46,431	276			
JAN	155	38,276	247	133	45,232	340	152	45,048	296						
FEB	157	36,557	233	132	42,331	321	156	53,840	345						
MAR	159	44,219	278	138	48,942	355	158	62,962	398						
APR	167	57,645	345	141	60,821	431	170	71,576	421						
MAY	157	42,074	268	142	43,910	309	156	49,091	315						
JUN	156	29,940	192	120	31,088	259	140	39,190	280						
TOTALS	1900	438,126	231	1626	481,522	296	1737	542,365	312	878	247,031	281	0	0	#DIV/0!

	FY 04/05		FY 05/06		FY 06/07		FY 07/08		FY 08/09	
HIGHEST TRIPS	Apr	53,980	Mar	51,373	Mar	54,598	Feb	50,594	APR	59,
LOWEST TRIPS	Aug	25,911	Aug	24,445	Aug	24,010	Jul	25,681	DEC	26,
MOST VEHICLES	Apr	206	Apr	269	May	271	Jul	269	M, A, M	
LEAST VEHICLES	Aug	185	Jul	205	Jul	240	Jun	183	JAN	
MOST TRIPS/VEH	Apr	262	Mar	213	Mar	214	Feb	246	MAY	
LEAST TRIPS/VEH	Aug	140	Aug	117	Aug	100	Jul	95	JULY	
	FY 09/10		FY 10/11		FY 11/12		FY 12/13		FY 13/14	
HIGHEST TRIPS	APR	57,645	APR	60,821	APR	71,576	NOV	48,495		
LOWEST TRIPS	AUG	23,671	AUG	29,238	AUG	29,459	JUL	33,019		
MOST VEHICLES	JUL	170	JUL	151	APR	170	DEC	168		
LEAST VEHICLES	NOV	153	NOV	117	AUG	123	SEP	131		
MOST TRIPS/VEH	APR	345	APR	1004	APR	421	OCT	304		
LEAST TRIPS/VEH	AUG	153	AUG	198	AUG	240	JUL	250		

SunLine Services Group

DATE: January 23, 2012 **DISCUSSION**
TO: Board of Directors
FROM: General Manager
RE: Litigation Policy

Background

SunLine Services Group has experienced a recent lawsuit. If not managed properly, lawsuits can have an avoidable, adverse impact on SunLine's operating budget and staffing resources. The Government Code provides some guidance regarding the resolution of outstanding claims. The Agency could benefit from a more rigorous process. Staff believes that this is an area that could benefit from added policy clarity. Specifically, input from the Board is requested regarding:

1. What are the roles (Staff and Board) regarding litigation cost management?
2. How often should Counsel communicate with the Board regarding pending litigation?
3. What is the General Manager's role in litigation strategy and management?

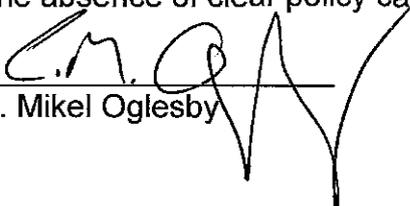
A discussion with the Board and Counsel in these areas would assist with the development of recommended policies. Board approved policies will help guide staff and the Board of Directors regarding their respective fiduciary responsibilities regarding lawsuits.

Lawsuits are typically in the name of the Board of Directors acting on behalf of SunLine Services Group. Clear lines of responsibility, accountability, and authority would assist SunLine Services Group in managing lawsuits.

Staff believes that policies in this area would help to ensure the timely evaluation, management, and disposition of lawsuits.

Financial Impact

The absence of clear policy can have an adverse impact on SunLine's finances.


C. Mikel Oglesby



**AGENDA
TAXI COMMITTEE MEETING**

**January 23, 2013
10:30am – 11:15am**

**Board Room
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. Public Comments

Receive Comments

Anyone wishing to address the Taxi Committee on items not on the Agenda should do so at this time. Each presentation is limited to three minutes.

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

5. Consent Calendar

- a) SSG/SRA checks over \$1000 issued for November, December, 2012 (Pages 1-2)
- b) SSG/SRA Monthly Budget Report October, 2012 (Page 3)
- c) Taxi Vehicle/Rides Analysis (Pages 4-5)

6. Closed Session

Closed session to conference with Legal Counsel—existing litigation (Gov. Code Sec. 54956.9) *American Cab v. SunLine Services Group INC* 1201334.

7. Adjourn

SunLine Regulatory Administration

Checks \$1,000 and Over

For the month of November 2012

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TRIP vs. VEHICLE ANALYSIS

TRIP vs. VEHICLE ANALYSIS															
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JUN	203	33,348	164	240	34,427	143	271	35,711	132	183	26,819	147	186	38,696	208
TOTALS	2357	461,074	196	2752	463,967	169	3000	464,103	155	2627	436,589	166	2216	441,934	199
	FY 09/10			FY 10/11			FY 11/12			FY 12/13			FY 13/14		
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JUL	170	26,487	156	151	31,211	207	125	30,391	243	132	33,019	250			
AUG	155	23,671	153	148	29,238	198	123	29,459	240	133	35,031	263			
SEP	158	29,239	185	150	31,807	212	131	34,446	263	131	38,754	296			
OCT	153	37,468	245	117	40,222	344	139	43,009	309	149	45,301	304			
NOV	153	40,466	264	126	40,494	321	144	44,173	307	165	48,495	294			
DEC	160	32,084	201	128	36,226	283	143	39,180	274	168	46,431	276			
JAN	155	38,276	247	133	45,232	340	152	45,048	296						
FEB	157	36,557	233	132	42,331	321	156	53,840	345						
MAR	159	44,219	278	138	48,942	355	158	62,962	398						
APR	167	57,645	345	141	60,821	431	170	71,576	421						
MAY	157	42,074	268	142	43,910	309	156	49,091	315						
JUN	156	29,940	192	120	31,088	259	140	39,190	280						
TOTALS	1900	438,126	231	1626	481,522	296	1737	542,365	312	878	247,031	281	0	0	#DIV/0!

	FY 04/05		FY 05/06		FY 06/07		FY 07/08		FY 08/09	
HIGHEST TRIPS	Apr	53,980	Mar	51,373	Mar	54,598	Feb	50,594	APR	59,997
LOWEST TRIPS	Aug	25,911	Aug	24,445	Aug	24,010	Jul	25,681	DEC	26,942
MOST VEHICLES	Apr	206	Apr	269	May	271	Jul	269	M, A, M	186
LEAST VEHICLES	Aug	185	Jul	205	Jul	240	Jun	183	JAN	183
MOST TRIPS/VEH	Apr	262	Mar	213	Mar	214	Feb	246	MAY	323
LEAST TRIPS/VEH	Aug	140	Aug	117	Aug	100	Jul	95	JULY	148
	FY 09/10		FY 10/11		FY 11/12		FY 12/13		FY 13/14	
HIGHEST TRIPS	APR	57,645	APR	60,821	APR	71,576	NOV	48,495		
LOWEST TRIPS	AUG	23,671	AUG	29,238	AUG	29,459	JUL	33,019		
MOST VEHICLES	JUL	170	JUL	151	APR	170	DEC	168		
LEAST VEHICLES	NOV	153	NOV	117	AUG	123	SEP	131		
MOST TRIPS/VEH	APR	345	APR	1004	APR	421	OCT	304		
LEAST TRIPS/VEH	AUG	153	AUG	198	AUG	240	JUL	250		