



**Anaheim Transportation Network
Board of Directors Meeting Minutes
Wednesday, February 27, 2013
3:00 P.M. – 5:00 P.M.**

**Anaheim Convention Center
Mezzanine Conference Room
800 West Katella Avenue, Anaheim, CA 92802**

Board members in attendance:

Jerry Alder, Anaheim GardenWalk
Kevin Anderson, The Catch
Todd Ament, Chamber of Commerce
Sergio Bocci, Hilton Anaheim
Marcus Borman, Marriott Anaheim
Fred Brown, Desert Palm
Christina Dawson, AOCVCB
Jeff Morse, DoubleTree Guest Suites
Sven Grunder, Holiday Inn & Staybridge
Tom Morton, City of Anaheim
Bill O'Connell, BW Stovall Hotels

ATN Staff Present:

Diana Kotler, ATN
Lita Aguilar, ATN
Shelly Bullard, ATN
Belinda Trani, ATN
Gary Allen, Newmark Grubb Knight Frank

Legal Counsel:

Michael Houston, Cummins & White, LLP
Fred Whitaker, Cummins & White, LLP

Ex-Officio Members:

Robert Johnson, MV Transportation, Inc.

ATN Members Present:

Larry Slagle, Western Transit

Members of the Public Present:

Todd Priest, Curt Pringle & Assoc.
Sue Zuhlke, OCTA

Others Present:

Randy Johnson, MV Transportation, Inc.
David Loaiza, MV Transportation, Inc.
Emio Vasquea, MV Transportation, Inc.
Gary Allen, Newmark Grubb Knight Frank

AGENDA

Call To Order: ATN Board of Directors meeting called to order at 3:04 p.m.

WELCOME & INTRODUCTIONS

Diana Kotler introduced new interim legal counsel, Fred Whitaker of Cummins and White. Michael Houston was selected as the interim City of Attorney for the City of Anaheim for a period of three to six months. Ms. Kotler also introduced Belinda Trani as the new Sales and Marketing Manager for the ATN.

SPECIAL CALENDAR

1. Presentation of a Resolution to Daniel Loaiza for the Anaheim Resort Transportation Operator of the Month January

Robert Johnson of MV Transportation presented Daniel Loaiza with an award for Operator of the Month for January 2013.

ADDITIONS/DELETIONS TO THE AGENDA -- NONE

PUBLIC COMMENTS -- NONE

CONSENT CALENDAR

Items 2 – 8 on the consent calendar will be acted on by one roll call vote unless members of the ATN Board of Directors, staff or the public request the item to be discussed and/or removed from the consent calendar for separate action:

2. Receive and approve minutes of the ATN Board of Directors meeting held on Wednesday, January 23, 2013
3. Receive and file status report pertaining to the Anaheim Transportation Network operations
ATN Focus Area Reports – January 31, 2013
4. Receive and file ART Operating Reports through January 31, 2013
5. Receive and file ATN membership report
6. Receive and close financial reports for the periods of December 2012. File draft financial reports for the period of January 31, 2013
7. Receive and file customer service summary for January 31, 2013
8. Receive and file report pertaining to the ATN bus order. The report on the status of the remaining three low floor El Dorado Passport Compressed Natural Gas buses is provided with estimated delivery date slated for May 2013

END OF CONSENT CALENDAR

By Motion (Brown/Morton), the Board approved Consent Calendar.

AYES: 11
NOES: 0
ABSTAIN: None

OPERATIONAL REPORT

9. ART operational update – monthly report provided by MV Transportation, Inc.

Robert Johnson of MV Transportation provided an update on maintaining adequate operator staffing levels. MV hired 71 new operators, most of which have completed customer service training and more than half have completed Disney U. Although OCTA recently released a job listing for 15 new operators, MV does not expect any shortage of operator personnel. In response to a question regarding Natural Products Expo, Mr. Johnson explained that drivers are being trained to ensure knowledge of the routes. It was discussed that Christina Dawson of the Anaheim Orange County Visitors and Convention Bureau would send out a letter to transportation partners to increase awareness about the City of Garden Grove city limits.

ACTION CALENDAR:

10. Adopt certain implementation and monitoring areas of the Federal Transit Administration Triennial Monitoring Plan:

a. Limited English Proficiency Plan

Limited English Proficiency (LEP) is one of twenty-three components of the FTA's Triennial Monitoring Plan. ATN will undergo a Triennial Audit spring 2013. ATN has the option to adopt the Orange County Transportation Authority's LEP plan and to develop its own LEP Implementation Plan. ATN's LEP Implementation Plan determined that Anaheim is heavily populated with Spanish-speaking individuals and identifies ways in which ATN ensures access to programs and services by Spanish-speaking individuals including providing signage such as Title VI, General Safety Information Signs, Public Notices in English and Spanish. ATN's map is universal by showing street alignments and numeric tables. ATN also has the ability to use The Bureau's translations services as needed. In the future, ATN could consider providing the website in Spanish as well.

By Motion (Ament/Brown), adopted OCTA's LEP Plan and approved ATN's LEP Implementation Plan

AYES: 11
NOES: 0
ABSTAIN: None

b. Drug and Alcohol Policy for Safety Sensitive Positions

ATN prepared a Drug and Alcohol Policy in preparation of FTA's Triennial Monitoring Plan. This policy states that safety sensitive individuals are subject to drug and alcohol testing. ATN will use MV's drug and alcohol program to test ATN employees. The policy also provides requirements to audit MV's records monthly and annually to ensure compliance. Testing includes pre-employment testing, MV pool, reasonable suspicion, and after an accident. Refusal to test or failure of a test is grounds for termination. Random testing is done on the clock, and does not affect ART service.

By Motion (Brown/Sven), approved ATN's Drug and Alcohol Policy

AYES: 11
NOES: 0
ABSTAIN: None

- 11.** Adopt Resolution #13-003 approving procurement guidelines and repealing prior procurement guidelines meeting the "Common Grant Rule" regulations and other applicable laws and regulations for the procurement of goods and services

ATN hired a consultant to update and revise the procurement guidelines. The new policy establishes criteria for when to release RFP/RFQ's based on dollar amounts and federal participation. There are three levels of procurement; 1) micro (\$10,000 or less), 2) small (up to \$100,000), 3) formal (over \$100,000). The policy also establishes other options and criteria for procuring services/products including the right to extend contracts, non-competitive procurement, and best interest. The policy also establishes single signature limits for the executive director. Currently the limit is \$5,000. The consultant suggested a limit of \$50,000, but the Board agreed on raising the limit to \$15,000.

By Motion (Brown/O'Connell), the Board adopted Resolution #13-003 approving ATN's revised Procurement Guidelines, with a modification to change the Executive Director's spending limit from \$5,000 up to \$15,000.

AYES: 11
NOES: 0
ABSTAIN: None

- 12.** Authorize Executive Director to release Request for Proposals (RFP) for construction, demolition and tenant improvement services for Anaheim Resort Transportation new operating and maintenance facility. Review and approve RFP #13-002 to select the best qualified contractor

ATN prepared a draft RFP for demolition and tenant improvement so that when the construction documents are prepared the RFP may be released. It is expected that proposals would be received in April and construction could begin as soon as possible in order to shorten the time ATN would be paying rent and mortgage on two sites. The RFP includes selection criteria. ATN is not required to conform to prevailing wage.

By Motion (Brown/Robinson), the Board authorized the release of the RFP for construction services.

AYES: 11
NOES: 0

ABSTAIN: None

13. Adopt Resolution #13-004 authorizing Executive Director and ATN legal counsel to prepare documents necessary for the formation of a single asset entity -- ATN Asset Holding Company, LLC. Authorize expedited filing of Articles of Incorporation to meet certain filing deadlines

The ATN needs to approve articles of incorporation by the time escrow closes in April in order to hold property in order to safeguard ATN in case something happens in excess of insurance.

By Motion (Brown/Alder), the Board authorized the expedited filing of Articles of Incorporation.

AYES: 11
NOES: 0
ABSTAIN: None

14. Addition and re-alignment of ART bus stop to enhance access and service for the Shops and Anaheim GardenWalk

At the request of Anaheim GardenWalk, the Board is being asked to consider realigning routes 1, 3, 4, 5, 6 and 12 in order to provide an additional stop along Disney Way near the movie theater. The stop would be located along the street rather than on property. Service would begin at 11:00 am as the shops open, which would fall after the morning ART rush. The routes under consideration would continue to run on 20-minute headways. The Board directed staff to evaluate the left-hand turning moving from Katella to Harbor.

By Motion (Brown/Dawson), the Board approved the addition and re-alignment of ART bus stops to enhance service to Anaheim GardenWalk. Director Alder abstained from the vote.

AYES: 10
NOES: 0
ABSTAIN: 1

15. Award a three-year agreement with two one-year options to Electronic Data Magnetics, Inc. (EDM) for the printing and production of ART passes.

This item was moved to the March Board meeting.

16. Other Business:

Several hotels in Huntington Beach have approached ATN to inquire about providing connecting ART service between Anaheim and Huntington Beach. The Executive Director wanted to present this information to the Board to determine if there was interest in pursuing such an option. Currently, the proposal would be for seasonal bi-directional service during summer, spring break and Christmas. If this is pursued, ATN would need to evaluate the cost, impacts on paratransit, Title VI and PUC and have discussions with OCTA, the City of Anaheim, the City of Huntington Beach.

Many on the Board expressed interest and indicated that guests have a desire to get to the beach from Anaheim. There were questions about whether ART has enough buses and if ART would be able to keep up with anticipated heavy demand. There was also discussion about ATN's franchise agreement that calls for 98% of service miles to be within the City of Anaheim. It was requested that they Huntington Beach hotels send a letter outlining the parameters of the proposal. As directed, staff will continue discussions and will bring this item back to the board in the future.

In response to a question, the Executive Director provided an update on the status of the Ticket Vending Machine at Grand Plaza and the installation of electronic signage throughout The Resort. At a previous meeting the Board agreed to only install the electricity and pad for the TVM at Grand Plaza. The purchase of a TVM would be considered as demand warranted and funding became available.

The electronic signage was installed at the Anaheim Train Station and at Staybridge Suites. The City's permit for the sign at Grand Plaza was not approved. A California Civil Engineer must sign-off on the plans prior to approval. The Executive Director also explained that the annual federal apportionment is currently being held up due to the FTA and Department of Labor.

CLOSED SESSION:

Closed session convened at 4:35 p.m.

1. Conference with real property negotiator Executive Director Diana Kotler, pursuant to Government Code Section 54956.8, concerning potential terms and conditions of acquisition and/or disposition of the property identified below:

Property Location: 1354 South Anaheim Boulevard, Anaheim, California 92805
Owner/Negotiating Party: Walter J. Furie and Gladys Furie
c/o Farmers & Merchants Bank Trust

Adjourn Closed Session at 5:35 p.m. ATN legal counsel, Mr. Whitaker, made a report. No action to report.

Next regular ATN Board of Directors meeting will take place at the Anaheim Convention Center Room 206, 800 West Katella Avenue, Anaheim, on Wednesday, March 27, 2013.