



CAPITAL AREA TRANSIT SYSTEM

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**MEETING OF THE  
BOARD OF COMMISSIONERS OF  
CAPITAL AREA TRANSIT SYSTEM  
AND  
PUBLIC TRANSPORTATION COMMISSION  
OCTOBER 20, 2020  
4:30 p.m.  
BREC Administration Building  
6201 Florida Boulevard  
Baton Rouge, LA 70806**

**MINUTES**

**I. CALL TO ORDER: Mr. Mark Bellue**

Mr. Bellue called the meeting to order.

**II. ROLL CALL: Ms. Amie McNaylor**

Present at the meeting were Messrs. Bellue, Breaux, Cohran, Hill, Lambert, and O’Gorman and Mss. Green and Perkins. Mrs. Pierre was absent. Also present were Mr. Bill Deville, CEO; other CATS staff; Creighton Abadie, CATS attorney; and members of the public.

**III. APPROVAL OF MINUTES OF SEPTEMBER 22, 2020 MEETING: Mr. Mark Bellue**

Ms. Perkins moved to approve the minutes of the September 22, 2020, meeting and Dr. Breaux seconded the motion. Mr. Bellue invited public comment and there was none. The motion passed unanimously with no abstentions.

**IV. PRESIDENT’S ANNOUNCEMENTS: Mr. Mark Bellue**

Mr. Bellue thanked those assembled for attending the meeting.

Mr. Bellue reviewed the COVID-19 restrictions in place per BREC guidelines. He noted that any members of the staff and public who wished

to attend the meeting would need to observe from the hall once the allocated seats were filled.

Mr. Bellue reviewed the public comment process and noted that general public comments are heard at the end of the meeting.

## **V. ADMINISTRATIVE MATTERS**

### **1. Executive and Financial Report: Mr. Bill Deville and Executive Staff**

Mr. Deville shared that the FTA is working with the State of Louisiana on a vaccine for COVID-19 to be released to the public.

Mr. Deville let the board know that Governor Edwards announced last week that Louisiana will remain in Phase 3 for another four weeks, through November 6<sup>th</sup>, as he cautiously and incrementally releases restrictions.

Mr. Deville shared that the agency has installed sanitization stations at all admin facilities and has installed digital temperature check stations at employee, customer, and visitor entrances at the CATS OAM and Terminal facility, as well as the Donmoor office. A “how-to” video has been produced that lets both employees and visitors know the protocol for the temperature check stations, and these have been shared on the agency’s social media pages and the employee portal.

Mr. Deville gave the operations report for Ms. Williams, who was out. It was noted that there are currently 153 total operators. There are 107 active operators. The remaining operators are out as a result of COVID-19, FMLA, and Workers’ Comp.

Mr. Deville shared that ridership for September was 111,403. The on-time performance was 68.87%. The percentage of trips operated in September was 99.21%. The agency operated 196,900 miles. There were zero preventable accidents per 100,000 miles in September and 5,049 mean miles between road calls.

It was noted that CATS has hired Amy Cannon as the Interim Human Resources Director while a search for a director is conducted by Gallagher.

Human Resources and Operations are working together on a plan to bring operators back into service, including various forms of training. Human Resources Emotional Training will be October 28<sup>th</sup>.

**There was discussion of ridership and an inquiry was made as to whether ridership is down because of demand or reduced service. It was noted that service has decreased 30-40% and there is an hour between buses on most routes.**

**Ms. Soileau noted that CATS is beginning to work on the February 2021 service change; as we move forward, the agency will be looking at several options which depend on the phase of the pandemic and resource availability.**


**The BUILD grant agreement between the City-Parish and the USDOT has not yet been signed, but discussions regarding station design and other elements have been ongoing.**

**There are roadway repairs being done by DPW underway at the Cortana Transit Center.**

**Federal funding is being sought to fund amenities needed for the relocation of the downtown site to Florida at I110. The agency will be looking at traffic impacts.**

**CATS is awaiting word from LSU regarding the wiring instructions for the transfer of funds for the North Baton Rouge property.**

**CATS continues meetings with CRPC and the City of Baker for the Baker Park and Ride, and a planning study by CRPC and the City of Baker is the next step.**



**The Goodman Corporation has completed surveys with both the riders and bus operators. They are also in the process of collecting data to analyze origin/destinations throughout the planning area for the Microtransit service.**

**HNTB is working to collect the data for the Transit Development Plan and will be interviewing key staff as the first step of the organizational review task.**

**The Tyler Technology kick-off has taken place and training sessions are in Phase I; financial modules have been scheduled for the next three months.**

**Planning and Operations, along with AVL and Maintenance staff are seeking solutions for scheduling/AVL software.**

**Mr. Deville shared that Atlas Technical scheduled a kickoff meeting with the CATS CEO and its public engagement sub-consultant**

**Emergent Method. Atlas and Emergent conducted the second meeting with CATS staff on October 15<sup>th</sup>.**

**The Goodman Corporation is wrapping some of its research on the Microtransit project and they will be conducting a procurement workshop for CATS staff.**

**Mr. Cutrone presented the September financials and noted that the total current assets as of September 30, 2020, are \$31,068,894. The total assets are \$55,371,908. The total current liabilities are \$6,490,139 and the total liabilities are \$9,986,097. The total net assets are \$45,385,812.**

**The total operating expenses for the month of September are \$2,225,566.**

**The total CATS-generated operating revenues for the month as of September 30, 2020, are \$89,753. The total non-federal subsidies for the month are \$1,619,167 and the total federal subsidies are \$1,359,335. The net operations balance as of September 30, 2020, is \$613,538.**

## **VI. COMMITTEE REPORTS AND ANY ACTION THEREON**

### **1. Finance and Executive: Mr. Mark Bellue**

**Mr. Bellue noted the committee did not meet.**

### **2. Technical, Policies and Practices: Dr. Peter Breaux**

**Dr. Breaux noted the committee did not meet but that they are looking forward to receiving emergency plans from staff.**

### **3. Audit: Mr. Cohran**

**It was noted the committee did not meet.**

### **4. Planning: Mr. Kevin O’Gorman**

**Mr. O’Gorman noted the committee did not meet but a few of the board members did have an opportunity to meet with the new Planning Director.**

### **5. Community Relations: Ms. Linda Perkins**

Ms. Perkins referred the members to the highlights of the minutes of the October 14<sup>th</sup> meeting and shared the highlights. She noted the agency only had one customer complaint and there were zero pass ups for the month.

Ms. Perkins noted that Mr. Cooksey has moved from CATS On Demand and the new manager Serena Thomas would be at the November board meeting.

## **VII. ACTION ITEMS**

### **1. Consideration of authorization to approve absences of Kahli Cohran**

Mr. Bellue let the board know that this is a requirement when a board member misses two of any three regularly scheduled meetings.

Mr. O’Gorman moved that the board adopt the resolution approving the absences of Mr. Cohran and Mr. Lambert seconded the motion. Mr. Bellue invited public comment and there was none. The motion carried unanimously with no abstentions.

#### **RESOLUTION APPROVING ABSENCES OF KAHLI COHRAN**

**WHEREAS**, state law in Revised Statutes 48:1456E provides that a member of the CATS Board of Commissioners “shall be deemed to have abandoned his office upon failure to attend two of any three consecutive regularly scheduled meetings without an excuse approved by a resolution of the board at its next regular meeting”;  
and

**WHEREAS**, it was necessary for Kahli Cohran to be absent from the board meetings held on August 18, 2020, and September 22, 2020;

**BE IT RESOLVED** by the Board of Commissioners of Capital Area Transit System that it approves the absences of Kahli Cohran from its meetings held on August 18, 2020, and September 22, 2020.

### **2. Consideration to amend paratransit services contract with MV Transportation**

Ms. Thomas noted that CATS is requesting to change the rate from \$46.20 to \$55.44 because of the effect of the reduction in service due to COVID-19. She noted that this would not change the amount of the contract. The request is to be retroactive to January 2020.

It was noted there is no language referencing a pandemic in the contract so the contract would be amended to reflect that as a justification to amend the contract because this language was not added in 2017.

Ms. Thomas shared this amendment is needed because MV has suffered economic loss as a result of the pandemic and their service has been cut in half.

It was noted that CATS attorney Mr. Abadie has not seen the requested changes to the contract. There were questions as to whether the pandemic language was similar to other disaster language.

There was a question related to the timing of the service rate increase and whether it would revert to the original rate and Ms. Thomas indicated it would revert to the original rate in January.

There was a question as to whether Ms. Thomas had been in contact with MV regarding this proposed change and Ms. Thomas noted that she had been in contact with MV.

There was an inquiry regarding the cash flow of MV and whether they could wait an additional month and Mr. Deville indicated they can wait.

It was decided that this item would be deferred until the next board meeting.

**3. Consideration of authorization to amend employment and labor services contract with Breazeale, Sachse, & Wilson, LLP**

Ms. Thomas shared that the contract for the legal services of Murphy Foster was exhausted and there needed to be an increase in the amount of the contract from \$50,000 to \$125,000.

Ms. Thomas noted this was based on billable rates, the work Mr. Foster has done, and the work remaining. She shared that the firm has done additional work related to investigations and there is more work pending.

Anthony Garland made a public comment and stated that CATS has three attorneys on its payroll. The Human Resources Department is dysfunctional and the management will not let them do their job. He said that Murphy Foster is not an HR professional.

**George Decuir stated that he objected to the agency spending any more of CATS money on this fee. He noted it will cost CATS already more than \$100,000 in arbitration costs plus salary. Mr. Decuir stated that the CARES Act should not be used for this.**

**Ms. Green inquired as to whether there is a State hourly rate scale for legal fees. It was noted that the Attorney General's Office publishes an hourly fee schedule for state agencies and that there are exceptions to that schedule.**

**Ms. Green asked if this original contract was within the fee range and Ms. Thomas stated it was, and she stated that the work to be done would also be within range when Ms. Green inquired.**

**There was no motion on this item. Mr. Bellue recommended that this item be deferred and it was requested that the staff provide more detail on the cost, comparison to legal expenses in past years, and other relevant information.**

**4. Consideration of authorization to execute task order for rider and stakeholder surveys with HNTB**

**ETC Institute will be conducting surveys for the agency, and CATS has worked with them in the past.**

**Ms. Perkins moved that the CEO is authorized to execute a task order for rider and stakeholder surveys with HNTB for an amount not to exceed \$78,104 and Mr. Hill seconded the motion. Mr. Lambert abstained. Mr. Bellue invited public comment and there was none. The motion passed with one abstention.**

**VIII. PUBLIC COMMENT**

**Mr. Garland spoke and stated that he could see why there was a deficit every year when the board lets Mr. Deville spend so much money. The union wants to have a public reckoning and the board is not interested.**

**Mr. Garland stated that looking at the triennial reports shows a deficiency in competence. He said Mr. Deville goes over budget every single year.**

**Mr. Garland stated that if Murphy Foster is going to do the job of Human Resources, there is no need to have an HR Department. If the agency is going to have Mr. Foster in the role of Human Resources and COO then there is no need to have those positions.**

**Mr. Garland stated that the agency spends 90% of the budget on consultants doing the work that should be done by people that are hired by CATS.**

**Mr. Garland stated that the CAO does not have a degree and she does not know what to do. She was hired as a consultant in the summer of 2019 and the financial committee warned CATS it would run a deficit by the end of the year of \$3.5 million. The agency hired Ms. Thomas for a six month period but gave her the permanent job in October and what happened to the rest of her contract? Mr. Garland stated that Ms. Thomas was being investigated by the State Licensing Board and was fined to the max for unethical practices but she is a signature on CATS accounts.**

**Mr. Deville stated for the record that Mr. Garland is completely wrong about the deficit remarks and he would get a report to the board between now and the next board meeting.**

**Yvette Rhines asked who looks into cancellations and why the board is not paying closer attention to that metric.**

**Ms. Rhines inquired if CATS is increasing the rate for MV for the riders or just for the consultants.**

**Darryl Hurst stated that CATS needs to look into the ditches near CATS bus stops. The agency needs to provide better maintenance and lighting at its stops.**

**Mr. Garland spoke again and reiterated the agency deficiencies.**

**IX. ADJOURNMENT**

**Ms. Perkins moved to adjourn the meeting and Mr. Hill seconded the motion. The motion passed unanimously with no abstentions.**