

# CATS

CAPITAL AREA TRANSIT SYSTEM

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**MEETING OF THE  
BOARD OF COMMISSIONERS OF  
CAPITAL AREA TRANSIT SYSTEM  
AND  
PUBLIC TRANSPORTATION COMMISSION  
DECEMBER 18, 2018  
4:30 p.m.  
BREC Administration Building  
6201 Florida Boulevard  
Baton Rouge, LA 70806**

## **MINUTES**

**I. CALL TO ORDER: Mr. Jim Brandt**

Mr. Brandt called the meeting to order.

**II. ROLL CALL**

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

**III. APPROVAL OF MINUTES OF NOVEMBER 13, 2018 MEETING**

Ms. Perkins moved to approve the minutes of the November 13, 2018, meeting and Ms. Pierre seconded the motion. Mr. Brandt invited public comment and there was none. The motion passed unanimously with no abstentions.

**IV. PRESIDENT’S ANNOUNCEMENTS**

Mr. Brandt provided a review of the public comment process.

Mr. Brandt noted that CATS employees would be hosting a Christmas party on Thursday, December 20<sup>th</sup> from 12:00 p.m. until 4:00 p.m. and noted that all board members were invited to attend.

**Mr. Brandt reminded the members that annual officer elections would take place in February and any member wishing to hold an officer position should let the Nominating Committee Chair Ms. Green know of their interest.**

**V. SAFETY MOMENT**

**Ms. Simpson shared a safety moment centered on slips, trips, and falls.**

**VI. ADMINISTRATIVE MATTERS**

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

**Mr. Brown noted that CATS made the following hires in November: Customer Care – 1 Representative; and there was one internal promotion to Customer Care Lead Representative. He noted that agency is participating in a donation effort of winter items to St. Vincent DePaul during December.**

**Ms. Dwana Williams shared that, in Operations, there are currently 130 active operators.**

**Ms. Williams updated the members on the performance measures. She noted that CATS had 216,023 passenger trips in November. There were 2.3 preventable accidents per 100,000 miles. Ms. Williams shared that there were 339.4 trips cancelled in November of the approximately 35,000 trips for the month. The percentage of on-time trips was 66.8%. There were 27.3 complaints per 100,000 miles in November. Ms. Williams shared that there were 1,756.3 miles between mechanical failures and 5,340.7 miles between road calls.**

**Mr. Deville reported that CATS held the second round of customer satisfaction surveys for 2018 in November; ETC Institute is compiling the data and it will be presented in early 2019.**

**The Division of Administration is in the process of completing the sale of the LSU property in North Baton Rouge to CATS. There are various legal requirements to be met, and the sale may be final in the second quarter of 2019.**

**The Cortana Transit Center construction solicitation has been posted and a pre-bid conference has been held. The projected milestones are as follows: bid advertisement – December 2018; contract award – January 2019; begin revenue service – May, 2019.**

**CATS recently participated in a series of stakeholder workshops conducted by HNTB on behalf of the City-Parish in conjunction with CATS and the Redevelopment Authority. Phase One of the outreach focused on elected leaders and community stakeholders to outline the scope and intent of the redefinition study, obtain concerns, and map out proposed funding structures.**

**The Service Improvement Plan is scheduled for implementation on February 24, 2019; this date coincides with the first of three run-cuts outlined in the labor agreement. Staff is working to ensure this deadline is met and that customers are fully educated on the new service before the implementation occurs.**

**Ms. Rhonda Williams shared that CATS had \$214,760 in self-generated revenue for November. There was \$1,564,583 in non-federal revenue and \$369,800 in federal revenue for a total of \$2,149,143 in operating revenue for November. Year to date the agency has collected \$24,938,291 in total operating revenue.**

**The operating expenses for November were \$2,675,523. Year to date the agency has spent \$24,040,561 in operating expenses.**

**Ms. Williams reported on the Key Performance Indicators for November and noted that in grants, the Grants Manager has been revising existing grants and reallocating existing award funds with the FY2019 budget.**

**The agency spent \$115,000 in overtime in November that is primarily related to operator terminations, which have led to supervisors filling trips where possible.**

**It was noted there was no update on the Medicaid process.**

**Ms. Williams shared that the farebox committee plans to reconvene in January to discuss the recommendations made by the committee.**

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

### **1. Finance and Executive: Mr. Jim Brandt**

**Mr. Brandt referred the members to the minutes of the committee's December 13<sup>th</sup> meeting in their packets. He shared the highlights and noted that the action items would be considered later in the meeting. He noted that all items except the general liability insurance came with a unanimous recommendation; this item comes with no recommendation to allow for the negotiation of final pricing. He let**

the members know that the 2019 Budget comes with a unanimous recommendation for adoption.

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

Dr. Breaux referred the members to the minutes of the committee's December 10<sup>th</sup> meeting in their packets. He shared the highlights and noted that the policy being considered comes with a unanimous recommendation from the TPP Committee.

**3. Audit: Mr. Cohran**

Mr. Cohran noted the committee did not meet.

**4. Planning: Mr. Kevin O'Gorman**

Mr. O'Gorman referred the members to the minutes of the committee's December 14<sup>th</sup> meeting in their packets. He shared the highlights and noted the Strategic Plan would come to the board in early 2019 for adoption.

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

Ms. Perkins referred the members to the minutes of the committee's December 12<sup>th</sup> meeting in the packets. She shared the highlights of the meeting and noted that she was able to attend a customer service training class with operators and found the experience to be very eye-opening.

Mr. Bryan Basford of MV Transportation noted that there were 7,489 scheduled trips; of those, 644 were cancellations and 217 were no-shows. He noted that CATS On Demand did not operate on Thanksgiving, and the days before and after the holiday were very light. There were five complaints for the month and the on-time percentage was 93.6%.

**VIII. ACTION ITEMS**

**1. Consideration of amendment of CATS Settlement and Judgment Payment Policy**

Per the policy adopted by the board, CATS pays fleet liability claims on a quarterly basis. The current annual amount CATS allocates for this fund has been \$200,000; this year, the amount that is budgeted is \$300,000.

Mr. Abadie noted that each claim receives a prorated payment quarterly and once the balance due for a claim reaches \$1,000 or less, the claim is paid in full. Mr. Abadie recommends that the pay in full amount be raised to \$2,000, which would allow the agency to close more claims. He noted that there are approximately 25 settlements that would close under this increased amount.

Mr. Abadie stated that he would research whether or not it would be feasible and advantageous to increase the amount to \$5,000.

Ms. Pierre moved that the following resolution be adopted and Mr. Cohran seconded the motion. Mr. Brandt invited public comment and there was none. The motion passed unanimously with no abstentions.

**RESOLUTION OF CATS BOARD OF COMMISSIONERS  
AMENDING EARLIER ADOPTED PROCEDURE FOR PAYING  
SETTLEMENTS AND JUDGMENTS**

**BE IT RESOLVED** by the Board of Commissioners of Capital Area Transit System that it hereby amends the resolution originally adopted on July 20, 2004, as amended in 2005, 2011 and 2016, that provides for a procedure for paying settlements and judgments, by amending the language as follows:

Under the heading of "Settlement Payment Procedure", amend Section 5(B) to the following:

- B.** If after the quarterly budget allocation the Settlement Account balance is greater than the total amount of approved settlements, then the settlements shall be paid in full. If the total amount of settlements is greater than the Settlement Account balance, then any settlements (or the remaining amounts to be paid on individual settlements) which are \$2,000.00 or less per claimant shall be paid from the balance in the Settlement Account to the extent funds are available to do so. If there are not adequate funds available, such claimants shall be paid on a prorata basis. If funds remain in the Settlement Account after the payment of these \$2,000.00 or less claims, then the amount of the balance shall be divided by the total monetary amount of the settlements then payable and the resulting percentage will be applied to each settlement to calculate the amount to be paid to each claimant. This procedure will be repeated at the end of each quarter.

**BE IT FURTHER RESOLVED** that this amendment shall be effective

for payments made at the end of the first quarter of 2019.

**2. Consideration of award of general liability insurance contract**

Mr. Brown shared that this is a contract for the general liability, employee benefit liability, management liability, employment practices liability, law enforcement liability, property, crime, and inland marine insurances. He noted that CATS sought quotes with the help of Arthur J. Gallagher, the agent of record. Two firms provided quotes; Travelers Insurance, the current provider, and Stone Insurance, Inc.

Mr. Brown shared that Stone Insurance, Inc. provided lower premiums than the current provider; the difference being \$11,558. After discussion at the F&E Committee meeting, staff was able to remove the taxes – \$1,236.17 – from the total of the quote.

The total premium is \$85,353.00, a savings of \$12,754 from 2018.

Mr. Cohran moved that the CEO is authorized to award the contract for general liability insurance to Stone Insurance, Inc. and Ms. Perkins seconded the motion. Mr. Brandt invited public comment and there was none. The motion passed unanimously with no abstentions.

**3. Consideration of approval of CATS Emergency Preparedness and Recovery Plan**

Ms. Eckert shared that the purpose of the policy is to capture all the information relevant to CATS' ability to withstand an emergency and to document the steps that CATS will follow if an emergency occurs in order that business continuity is restored.

Ms. Eckert noted that many of the details included therein already existed in various forms, but they have not been compiled into one document. She shared that an internal committee has been meeting weekly for approximately three months and has dedicated many hours to creating this plan.

It was noted that each emergency scenario is self-contained and has its own appendix.

The committee responsible for the Plan will meet quarterly to review the plan and update it as necessary. There will also be a meeting after any emergency where the plan is activated; this will help

determine what worked, what did not, and what revisions need to be made.

Ms. Eckert noted that the plan will be available on the employee portal and there will also be physical copies in all the departments for easy access.

Mr. Thomas moved that the CATS Emergency Preparedness and Recovery Plan be adopted and Dr. Breaux seconded the motion. Mr. Brandt invited public comment and there was one. Reverend Alexis Anderson inquired how the plan will be disseminated to the public and how it will be distributed to signage. The motion carried unanimously with no abstentions.

#### **4. Consideration of approval of 2019 Budget**

Ms. Rhonda Williams shared that the 2019 Operating Budget is \$26,999,987, which is a five percent increase over 2018.

Ms. Williams briefed the board members on the highlights contained in the budget. Some of those highlights include the first quarter 2019 implementation of the Service Improvement Plan; a \$400,000 decrease in CATS On Demand paratransit services; the first-ever acquisition and delivery of three electric buses; and the construction and completion of the Cortana Transit Center.

It was noted that the majority of operating revenue comes from the property tax millage and federal grants, and that the balance comes from the Parish Transportation Fund, the Hotel/Motel tax, and advertising revenue.

Ms. Williams shared that the operating expenses for 2019 will be aided in the delivery of eight new Gillig diesel buses to replaced aged vehicles as well as increased recruitment to reach a full complement of operators. The agency will continue its efforts to upgrade technology and this includes the implementation of a new, state-of-the-art financial management system.

CATS will continue to focus attention on the items in the Capital Improvements and Investments Plan (CIIP). To that end, the agency will kick-off several projects, including a Bus Rapid Transit (BRT) route on Plank Road, as well as several transit centers. The CIIP calls for the acquisition of sixteen revenue and four non-revenue vehicles to obtain an average fixed route fleet age of less than four years.

Ms. Williams shared that there is an increase of \$100,000 – to \$300,000 total – for the settlement payments, with \$40,000 continuing to be the allocation for judgments.

Mr. Cohran moved that the full board adopt the resolution approving the 2019 budget and Ms. Perkins seconded the motion. Mr. Brandt invited public comment and there was none. The motion passed unanimously with no abstentions.

**Resolution of CATS Board of Commissioners  
Approving 2019 Budget**

**BE IT RESOLVED** by the Board of Commissioners of Capital Area Transit System that the attached document setting forth the 2019 budget for the Capital Area Transit System, which has been made available for public inspection and presented to the Board, is hereby approved.

**BE IT FURTHER RESOLVED** that the agency's Chief Executive Officer shall have the authority to make changes to the line item amounts of the operating budget without the approval of the Board of Commissioners if the change does not exceed ten percent (10%) in either direction. If the change exceeds a ten percent (10%) variance in either direction, the agency's Chief Executive Officer shall have to return to the Board of Commissioners for approval. In no event may the amounts for total revenues or total expenditures be changed without approval of the Board of Commissioners.

5. **Consideration of authorization for the CEO to settle the claim of Willis Travis, Sr. and Marie Travis under the terms of the settlement and judgment payment policy adopted by the Board on July 20, 2004 as amended. (This matter might possibly be discussed in executive session. As required by the Open Meeting Law, notice is hereby given that this claim is pending in the 19<sup>th</sup> Judicial District Court and is Suit Number 656,552, Sec. 22; and that Willis Travis, Sr. and Marie Travis are the plaintiffs and Capital Area Transit System and Michelle Moore are the defendants.)**

Mr. Brandt moved to enter executive session to discuss the pending litigation referenced in action items 5 and 6 and Mr. Cohran seconded the motion. Mr. Brandt invited public comment and there was none. The motion passed unanimously with no objection.

6. **Strategy session regarding the claims of Arthur Davis, Sr., Arthur Davis, Jr., Artisha Davis, and Carla Davis. (This matter might possibly be discussed in executive session. As required by the Open**



Meeting Law, notice is hereby given that this claim is pending in the 19<sup>th</sup> Judicial District Court and is Suit Number 640,054, Sec. 22; and that Arthur Davis, Sr., Arthur Davis, Jr., Artisha Davis, and Carla Davis are the plaintiffs and Capital Area Transit System and Eric Marselis are the defendants.)

Thereafter, the board reconvened in open session.

Mr. Brandt moved that the CEO is authorized to settle the claim of Willie Travis, Sr. and Marie Travis for the sum of fifty-five thousand and 00/100 (\$55,000) dollars under the terms of the settlement and judgment payment policy adopted by the Board on July 20, 2004 as amended and Ms. Pierre seconded the motion. Mr. Brandt invited public comment and there was none. The motion passed unanimously with no objection.

#### **IX. PUBLIC COMMENTS**

Mr. Ahmed Furqan commented that the community of Alsen and St. Erma Lee has no service and the closest stop is two miles. He shared that he had a petition with signatures requesting that service be added.

Reverend Alexis Anderson shared that things have not improved since her last visit to the board. There is failure to adhere to ADA regulation and there was no communication of Route 12 changes to the public. She inquired of the appeals process when customers have been banned from using the system. There is no weekend coordination and drivers are rude all the time.

#### **X. ADJOURNMENT**

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