



CAPITAL AREA TRANSIT SYSTEM

*Connecting you to what matters.*

**PUBLIC HEARING OF THE  
BOARD OF COMMISSIONERS  
CAPITAL AREA TRANSIT SYSTEM  
AND  
PUBLIC TRANSPORTATION COMMISSION  
SEPTEMBER 22, 2020  
4:25 p.m.**

**MEETING OF THE  
BOARD OF COMMISSIONERS OF  
CAPITAL AREA TRANSIT SYSTEM  
AND  
PUBLIC TRANSPORTATION COMMISSION  
SEPTEMBER 22, 2020  
4:30 p.m.**

**CATS Administrative  
Office Building  
350 North Donmoor Avenue  
Baton Rouge, LA 70806**

**MINUTES OF THE PUBLIC HEARING**

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

**Mr. Bellue called the hearing to order and noted this was a public hearing only and no action would be taken until the board meeting.**

**There were no comments from the board members.**

**Anthony Garland of the ATU International stated that the union is not against the millage and noted it is a good thing to have for transit. The union objections are that the agency is not being run well. The issues need to be resolved and those are internal issues.**

**It was noted that the hearing and subsequent board meeting were being recorded and there was a live video and audio feed into the overflow room that was established to be in compliance with social distancing guidelines.**

There being no further comments, the hearing adjourned.

## **MINUTES OF THE BOARD MEETING**

### **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, Hill, Lambert, and O’Gorman and Mss. Green, Perkins, and Pierre. Mr. Cohran 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 AUGUST 18, 2020 MEETING: Mr. Mark Bellue**

Ms. Pierre moved to approve the minutes of the August 18, 2020, meeting and Ms. Green 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.

He noted that an “overflow” room had been set up to accommodate the members of the public in attendance.

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 let the board know that there were some early struggles with the on-time-performance but it has improved about 10% over the least three months.

Mr. Deville shared that the agency continues to run essential lifeline service and it will be in place until January. The agency continues to monitor ridership trends, news conferences, and announcements from local and state officials.

The COVID Task Force completed updating policies for COVID and is installing temperature checks and hand sanitizing stations will be coming next week.

Mr. Deville gave the operations report for Ms. Williams, who was out. It was noted that there are currently 156 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 August was 105,704. The on-time performance was 68.45%. The percentage of trips operated in August was 98.97%. The agency operated 203,556 miles. There were zero preventable accidents per 100,000 miles in August and 4,965 mean miles between road calls.

It was noted that the agency is hiring a Human Resources Consultant on an interim basis to work with the department. Gallagher will perform an executive search for a Human Resources Director on behalf of CATS.

CATS is holding a voter registration drive on September 30<sup>th</sup> and October 1<sup>st</sup> at the CATS terminal and at the Cortana Transit Center. There will also be a mask giveaway on those days.

Mr. Deville introduced the new CATS Planning Director Cheri Soileau. She comes to the agency with a great blend of expertise in service planning and is a certified planner with a number of years of experience in planning and MPO work.

Mr. Cutrone presented the August financials and noted that the total current assets as of August 31, 2020, are \$29,501,226. The total assets are \$56,132,869. The total current liabilities are \$7,864,637 and the total liabilities are \$11,360,595. The total net assets are \$44,772,274.

The total operating expenses for the month of August are \$1,962,991.

The total CATS-generated operating revenues for the month as of August 31, 2020, are \$90,712. The total non-federal subsidies for the month are \$1,481,667 and the total federal subsidies are \$1,896,482. The net operations balance as of August 31, 2020, is \$1,276,719.

2. Appointment of committee to evaluate the operations of CATS: Mr. Mark Bellue

**Mr. Bellue informed the members that he would be appointing a committee to make recommendations to the Board hopefully by the December meeting.**

**Vice-President Erika Green, Treasurer Kahli Cohran, and Board member Johnathan Hill expressed interest in serving on the committee. If anyone else is interested, he requested that the member let him know.**

**Some of the areas to be reviewed by the committee will be the flow of information between management and the board, board policy regarding authority levels for executing contracts, and the current performance measures and whether or not they need to be revised.**

**The goals and objectives of the committee will be defined by the members and they will make their presentation of recommendations to the board members and management.**

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

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

**Mr. Bellue referred the members to the minutes of the September 17<sup>th</sup> meeting and shared the highlights. He noted that all the action items to be presented were heard. The millage roll forward is being brought to the board with no recommendation or action taken by the F&E Committee. All other items were unanimously recommended to the full board.**

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

**Dr. Breaux referred the members to the minutes of the September 15<sup>th</sup> meeting and shared the highlights. He noted that there were no action items. The Emergency Preparedness Policy was presented and staff indicated all other items are a work in progress.**

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

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

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

**Mr. O’Gorman noted the committee met on August 21<sup>st</sup> and would be meeting again in the coming weeks.**

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

**Ms. Perkins referred the members to the minutes of the September 16<sup>th</sup> meeting and shared the highlights.**

**Mr. Cooksey informed the members that Mr. Jermaine Kelly was named MV Operator of the Quarter and will be eligible for the Operator of the Year.**

**Mr. Cooksey noted that CATS On Demand had 4,407 scheduled trips in August. Of the scheduled trips, 4,229 were completed; 32 were cancellations and 146 were no-shows.**

**Mr. Cooksey noted that 34% of the trips were subscription and 66% were demand trips. He informed the board that there was one valid complaint for the month.**

**Mr. Cooksey noted that the on-time performance for the month was 89%. It was noted that there was one road call for the month.**

**Mr. Cooksey shared that there may be an increase in ridership in October since Governor Edwards has moved the state to Phase 3.**

## **VII. ACTION ITEMS**

- 1. Consideration of authorization to purchase five support vehicles from State Contract**

**Mr. Godwin shared that the agency is seeking to purchase five Chevy Traverse vehicles to replace the aged Dodge Nitro vehicles that have been used by the Street Supervisors.**

**Mr. Lambert moved that the CEO is authorized to purchase five Chevrolet Traverse support vehicles from the State Contract for an amount not to exceed \$124,832.00 and Mr. Hill seconded the motion. Mr. Bellue invited public comment and Mr. Garland stated that the ATU submitted a pandemic policy to CATS in March and was never contacted. Mr. Bellue informed Mr. Garland that general public comments would be heard at the end of the meeting and that at this point, comments were being taken for this action item. Mr. Garland acknowledged his understanding. The motion passed unanimously with no abstentions.**

- 2. Consideration of authorization to renew graphic design services contract with Rokit Science Agency, Inc.**

**Ms. McNaylor informed the members that CATS is completing its second year with Rokit Science and the relationship has been productive and beneficial. She noted there was a summary in the member's packets of work that has been done in the last 12 months and noted that the agency pays a \$95 per hour fee for most of the work done, with the exception of photography and videography work.**

**The first year of the contract was not to exceed \$125,000 and the second year was not to exceed \$160,000. Through 11 months of the contract and projecting the cost for September, it is expected that CATS will have spent approximately \$135,000.**

**Mr. Bellue noted that he was pleased with the level of work produced, especially considering the pricing.**

**The contract is being recommended for renewal at the same cost, not to exceed \$160,000.**

**Ms. Perkins moved that the CEO is authorized to renew the graphic design services contract with Rokit Science Agency, Inc. for a period of one year and an amount not to exceed \$160,000.00 and Mr. Lambert seconded the motion. Mr. Bellue invited public comment and there was none. The motion passed unanimously.**

**3. Consideration of authorization to enter into a contract with Hitachi for technical services**

**Ms. Thomas shared that the contract is to work on the Accelerating Innovative Mobility (AIM) grant that was awarded to CATS by the FTA. This grant will work to improve the customer experience and introduce new technology.**

**There was no solicitation for the project because the vendor relationship had to be established prior to the grant application.**

**The project has a total cost of \$300,000. The grant award was \$250,000, and the local match from CATS will be \$50,000.**

**It was noted that CATS may consider rear-entry payment methods and tap pay options.**

**Ms. Perkins moved that the CEO is authorized to enter into a contract with Hitachi for technical services related to the AIM grant and Mr. Hill seconded the motion. Mr. Bellue invited public comment and Anthony Garland asked to speak on this item.**

**Mr. Garland inquired as to why the agency would invest in rear entry payment methods when the pandemic is over and people will move back to front entry.**

**It was noted that the agency is looking at long-term rear entry payment and not just for the period of the pandemic.**

**Mr. Garland inquired why this was being pursued when there will not be an attendant in the back and Mr. Bellue shared that this is simply one consideration.**

**Shavez Smith asked when the program would be implemented and it was noted that CATS and Hitachi would come back at a later date with implementation plans. Ms. Green noted the paperwork states a timeline of September 2020-2023.**

**Mr. O’Gorman asked if CATS would be required to pay additional funds related to the project with Hitachi and Ms. Thomas said the project would require more money. The agency will continue to seek additional grant funding to maintain the project once the initial grant is expended. Ms. Thomas indicated that staff would bring any future expenditures to the Board for approval.**

**The motion passed unanimously with no abstentions.**

**4. Consideration of authorization to bind Automobile Physical Damage Coverage with renewal premium not to exceed \$74,900**

**Ms. Thomas noted that CATS is required to have terrorism coverage and the renewal of the current automobile physical damage policy covers all vehicles owned by CATS, as well as the property at 2250 through September 2021. Stone Insurance is the agency of record for this policy.**

**Mr. Lambert moved that the CEO is authorized to renew the automobile physical damage coverage for an amount not to exceed \$74,900.00 and Ms. Pierre seconded the motion. Mr. Bellue invited public comment and there was none. The motion passed unanimously.**

**5. Consideration to amend bylaws to designate the principal office of CATS**

Mr. Abadie noted this was a housekeeping matter and it pertains to the posting of notices.

After a brief discussion, it was decided that this item would be deferred.

6. **Adopt and levy the adjusted millage rate of 10.060 mills as determined at reassessment for the City of Baton Rouge for 2020 and to adopt and levy the adjusted tax millage rate of 9.600 mills as determined at reassessment for the City of Baker for 2020**

Following Mr. Bellue's reading of the item, Mr. Abadie read the resolution set forth below into the record.

Mr. Abadie noted that this is not the "roll forward" item. It is the item that must be considered annually for CATS to receive its property tax revenue.

2020 was a reassessment year and since the taxable value of the property in Baton Rouge and in Baker increased, the millage rates for each are adjusted down to so that the agency receives the same amount of funds as it did the prior year. The "roll forward" up to the maximum millage rates will be considered after this item.

Ms. Pierre moved that the board adopt the following resolution and Ms. Perkins seconded the motion. Mr. Bellue invited public comment and there was none. A roll call vote was taken and voting "yes" were Messrs. Bellue, Breaux, Hill, Lambert, and O'Gorman and Mss. Perkins and Pierre. There were no "no" votes and no abstentions. Mr. Cohran and Ms. Green were absent. The motion passed unanimously by a vote of seven (7) "yes" votes and zero "no" votes.

#### **RESOLUTION**

**BE IT RESOLVED**, by the Board of Commissioners of Capital Area Transit System of the Parish of East Baton Rouge, Louisiana, in a public meeting held on September 22, 2020, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the following adjusted millage rates be and they are hereby levied upon the dollar of the assessed valuation of all property subject to ad valorem taxation within said Parish for the year 2020, for the purpose of raising revenue:

#### **MILLAGE**

**Capital Area Transit System**



**tax in the City of Baton Rouge 10.060 mills**

**Capital Area Transit System  
tax in the City of Baker 9.600 mills**

**BE IT FURTHER RESOLVED** that the Assessor of the Parish of East Baton Rouge, shall extend upon the assessment roll for the year 2020 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.

- 7. Adopt the increased ad valorem tax millage rate of 10.600 mills to be levied for the City of Baton Rouge for 2020 and to adopt the increased ad valorem tax millage rate of 10.600 mills to be levied for the City of Baker for 2020 (Roll Forward)**

Following Mr. Bellue's reading of the item, Mr. Abadie read the resolution set forth below into the record. He noted this is the roll forward item.

Mr. Abadie informed the members that unless the agency "rolls forward", the agency will receive the same amount of funds from property tax revenues for Baton Rouge and Baker as last year. If the agency votes to "roll forward" to its maximum mileage rate of 10.600 mills, the rate set in 2012, for Baton Rouge and for Baker, the increase in tax revenue to CATS from Baton and from Baker would be approximately \$1,075,000.

Mr. Abadie shared that the "roll forward" is not required for 2020, but it must be done prior to the next reassessment. If it is not done, the adjusted mileage rates will remain.

It was noted that many agencies are choosing to forego the roll forward given the hardships being faced by so many families related to COVID-19.

There were no public comments. A roll call vote was taken. There were no "yes" votes. Voting "no" were Messrs. Bellue, Breaux, Hill, Lambert, and O'Gorman and Mss. Perkins and Pierre. Mr. Cohran and Ms. Green were absent. The motion failed by a vote of seven (7) "no" votes and zero "yes" votes.

## **RESOLUTION**

**BE IT RESOLVED, by the Board of Commissioners of Capital Area Transit System of the Parish of East Baton Rouge, Louisiana, in a public meeting held on September 22, 2020, which meeting was conducted in accordance with the Open Meetings Law and the additional requirements of Article VII, Section 23(C) of the Louisiana Constitution and R.S. 47:1705(B), that the taxing district voted to increase the millage rates, but not in excess of the prior year's maximum rates, on all taxable property shown on the official assessment roll for the year 2020, and when collected, the revenues from said taxes shall be used only for the specific purposes for which said taxes have been levied. Said millage rates are:**

	<b>Adjusted Rate</b>	<b>2020 Levy</b>
<b>Capital Area Transit System tax in the City of Baton Rouge</b>	<b>10.060 mills</b>	<b>10.600 mills</b>
<b>Capital Area Transit System tax in the City of Baker</b>	<b>9.600 mills</b>	<b>10.600 mills</b>

**BE IT FURTHER RESOLVED that the Assessor of the Parish of East Baton Rouge, shall extend upon the assessment roll for the year 2020 the taxes herein levied, and the tax collector of said Parish shall collect and remit the same to said taxing authority in accordance with law.**

Since there were members of the public present to speak and since the next two items may require executive session, Mr. Lambert moved to amend the agenda to take public comments ahead of action items 8 and 9 and Ms. Perkins seconded the motion. Mr. Bellue invited public comments and there was none. The motion passed unanimously with no abstentions. Ms. Green was not present for the vote.

**VIII. PUBLIC COMMENT**

Mr. Garland spoke and stated that he presented a written statement to the board. The union presented a pandemic policy and nothing has been discussed since it was given to management. There should be a joint labor- management discussion.

Mr. Garland noted there is a loophole allowing the CEO to sign contracts in an amount up to \$50,000.

The union has made a records request and would like a response.

Employees are not treated with respect and the agency has bad buses that need to be addressed.

**Mr. Garland wants a forum for these issues to be handled internally.**

**Connie Drake spoke and stated it isn't fair to paint a picture that things are so bad simply because employees have been terminated. Things were never this bad for those employees when the employees were working here.**

## **IX. CONTINUATION OF ACTION ITEMS**

- 8. Consideration of authorization to settle the claims of Michael Rhines 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 677,953, Section 26; and that Michael Rhines is the plaintiff and Calpurnia Dotson and Capital Area Transit System are the defendants.)**

**Mr. Lambert moved that the board enter executive session to discuss the pending lawsuits in Action Items 8 and 9. Ms. Pierre seconded the motion. Mr. Bellue invited public comment and there was none. The motion passed unanimously with no abstentions. Ms. Green was not present for the vote.**

**After returning from executive session, Ms. Pierre moved that the CEO is authorized to settle the claims of Michael Rhines for the sum of Fifty-Five Thousand and 00/100 (\$55,000.00) Dollars plus court costs under the terms and conditions of the settlement and judgement payment policy adopted by the Board on July 20, 2004 as amended. Mr. Lambert seconded the motion. Mr. Bellue invited public comment and there was none. The motion passed unanimously. Ms. Green was not present for the vote.**

- 9. Consideration of authorization to settle the claims of Donnie Carey 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 657,491, Section 21; and that Donnie Carey is the plaintiff and Capital Area Transit System and Gloria Smith are the defendants.)**

**After returning from executive session, Ms. Perkins moved that the CEO is authorized to settle the claims of Donnie Carey for the sum of**

**Twenty Thousand and 00/100 (\$20,000) Dollars plus court costs under the terms and conditions of the settlement and judgment payment policy adopted by the Board on July 20, 2004 as amended. Mr. Lambert seconded the motion. Mr. Bellue invited public comment and there was none. The motion passed unanimously with no abstentions. Ms. Green was not present for the vote.**

**X. ADJOURNMENT**

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

**DRAFT**