



MINUTES
BOARD OF DIRECTORS REGULAR MEETING
November 12, 2020
3:30 p.m.

The minutes were approved as corrected.

Per the Governor’s COVID-19 Proclamation 20-28 Open Public Meetings Act, the Regular Board Meeting was remote and telephonic, with call-in access provided to all participants and attendees.

1. CALL TO ORDER

Chair Koch called the meeting to order at 3:31 p.m.

2. ROLL CALL

Representing	Attendee Name	Title	Status	Arrived
Franklin County #1	Bob Koch	Chair	Present	
Benton County	Shon Small	Vice Chair	Present	
Pasco	Ruben Alvarado	Director	Present	3:35
Kennewick	Bill McKay	Director	Present	
Richland	Phillip Lemley	Director	Present	
West Richland	Richard Bloom	Director	Present	
Prosser	Steve Becken	Director	Present	
Benton City	Lisa Stade	Director	Absent	
Franklin County #2	Clint Didier	Director	Absent	
The Union	Norma Nelson	Non-Voting Union Rep.	Present	

BFT Staff: Gloria Boyce, Wendi Warner, Ali Madison, Jeff Lubeck, Ayodeji Arojo, Keith Hall, Jerry Otto, Carrie Zimney, Michael Roberts, Gladys Diaz

Legal Counsel: Jeremy Bishop

3. Flag Salute

CHAIR KOCH led the attendees in the Pledge of Allegiance

4. PUBLIC COMMENT/INTRODUCTION OF VISITORS

CHAIR KOCH announced there is no public comment

5. APPROVAL OF AGENDA

There were no requested additions or changes to the agenda.

RESULT: APPROVED (Unanimously)
MOVER: LEMLEY
SECONDER: BLOOM

6. RECOGNITIONS

7. Citizen’s Advisory Network (CAN) Report

8. Board Committee Reports

CHAIR KOCH INVITED THE COMMITTEE Chairs to report on their respective committee meetings, which were held remotely. The meeting minutes were in the Board packet.

- A. **Operations & Maintenance Committee Report – 12/02/2020 – RUBEN ALVARADO, Chair**
Director Alvarado thanked Director Lemley for stepping in to lead the meeting. Director Alvarado later joined the committee meeting. Reported that the four items were recommended to be sent to the agenda as a Consent item.
- B. **Planning & Marketing Committee Report – 12/02/2020 – RICHARD BLOOM, Chair**
Director Bloom joined the Board Meeting after the committee reports. Director Stade requested to come back to her since she did not have her notes on hand.
- C. **Administration & Finance Committee – 12/03/2020 – STEVE BECKEN, Chair**
Director Becken reported that both items from the A&F Committee Meeting were recommended to go to the agenda as an Action item.

9. Consent Agenda

CHAIR KOCH read the consent items and invited a motion.

RESULT: APPROVED (Unanimously)
MOVER: BECKEN
SECONDER: LEMLEY

- A. October 8, 2020 Budget Workshop Meeting Minutes – Approve
- B. October 8, 2020 Regular Board Meeting Minutes – Approve
- C. October 27, 2020 Special Board Meeting Minutes – Approve
- D. October Voucher Summary – Approve
- E. Resolution 34-2020: Authorizing the General Manager to Declare Vehicles Identified in

Exhibit "A" as Surplus and Dispose per Resolution 62-2014

- F. Resolution 35-2020: Authorizing the General Manager to Release Request for Proposals for Janitorial Services
- G. Resolution 36-2020: Authorizing the General Manager to Release Request for Proposals for Landscaping Services
- H. Resolution 37-2020: Authorizing the Award of the Replacement of Rotary Two Post Hydraulic Lift Project to Northwest Lift & Equipment, LLC

PAYROLL

Check Register Number	Check Number/Number		Date of Issue	In the Amount	
521-20	80686	80691	10/9/2020	503,312.19	Payroll
522-20	80692	80697	10/17/2020	490,843.52	Payroll
			Total	994,155.71	

ACCOUNTS PAYABLE

Check Register Number	Check Number/Number		Date of Issue	In the Amount	
193-20	75883	75929	10/6/2020	85,313.21	MDSE
194-20	75930	76029	10/12/2020	508,740.55	MDSE
195-20	2874	2877	10/16/2020	396.00	TRVL ADV
196-20	VOID	75924	10/18/2020	(1,305.60)	VOID
197-20	ACH TRANS		10/18/2020	861,234.83	ACH TRANS
198-20	76030	76077	10/20/2020	99,255.20	MDSE
199-20	76078	76131	10/27/2020	447,008.37	MDSE
200-20	VOID	76007	10/28/2020	(661.24)	VOID
201-20	ACH TRANS		10/31/2020	211,008.64	ACH TRANS
			Total	2,210,989.96	

10. Action Items

- A. Resolution 38-2020: Adopt the 2020-2025 Transit Development Plan (TDP) – Keith Hall, Planning and Service Development Director

Mr. Hall presented the Transit Development Plan (TDP) to the Board. Stated that the TDP was put out for public comment but received no comment. The TDP and Capital budget was presented to the CAN. Nothing is being proposed, instead the purpose of the TDP is to comply with Washington State Department of Transportation (WSDOT) and Benton Franklin Council of Governments (BFCG).

There being no questions, CHAIRMAN KOCH called for a vote.

RESULT:	APPROVED
MOVER:	BECKEN
SECONDER:	ALVARADO

B. Resolution 39-2020: Authorizing the Award of Bus Stop Concrete Pad Construction Project to ESF Development, LLC – Keith Hall, Planning and Service Development Director

Mr. Hall presented the Bus Stop Concrete Pad Construction Project to the Board. The resolution is to award the bid to ESF Development, LLC. Explained how they ultimately chose ESF.

There being no questions, CHAIRMAN KOCH called for a vote.

RESULT:	APPROVED (Unanimously)
MOVER:	LEMLEY
SECONDER:	BLOOM

C. Resolution 40-2020: Authorizing the General Manager to Grant a Water & Sewer Easement to the City of Kennewick – Keith Hall, Planning and Service Development Director

Mr. Hall presented to the Board the resolution involving a water and sewer easement to the City of Kennewick which is related to the Three Rivers Transit Center. Explained that the water easement serves as an access to a bit of land that is behind the transit center. That property has been developed and the City of Kennewick is requiring for a Certificate of Occupancy for the developer and for BFT to clean up the easements.

A brief discussion was held between Mr. Hall and some of the directors.

There being no questions, CHAIRMAN KOCH called for a vote.

RESULT:	APPROVED (Unanimously)
MOVER:	ALVARADO
SECONDER:	STADE

D. Resolution 41-2020: Approving the Updated Capital Improvement Plan, Adopting the Fiscal Year (FY) 2021 Operating & Capital Budgets, and Authorizing the General Manger to file all FY 2021 Federal and State Grants – Jeff Lubeck, Financial Services Director

Mr. Lubeck presented to the Board the updated Capital Improvement Plan which adopts the fiscal year 2021 Operating and Capital Budgets and authorizes the General Manager to file all Fiscal Year 2021 Federal and State grants. Mr. Lubeck explained that this is the final version of the capital and operating budget. Explained that there were two changes to the operating budget.

There was a decrease in insurance expenses and an increase related to interest expense. Stated that the document was out for public comment for 30 days, but no comments were received.

There being no questions, CHAIRMAN KOCH called for a vote.

RESULT:	APPROVED (Unanimously)
MOVER:	BECKEN
SECONDER:	ALVARADO

E. Resolution 42-2020: Authorizing the Ben Franklin Transit Board of Directors to Adopt the Revised Tuition Reimbursement Policy – Wendi Warner, Human Resources and Labor Relations Director

Ms. Warner presented to the Board the Revised Tuition Reimbursement Policy. Stated that the last version was updated in 2006 and since then, there has been a number of advancements in methodology for higher education in terms of delivering courses and instruction. The current policy does not cover any educational courses that were taken on an online platform. This revised policy would make online courses covered.

After a brief discussion, CHAIRMAN KOCH called for a vote.

RESULT:	APPROVED (Unanimously)
MOVER:	BECKEN
SECONDER:	STADE

11. Discussion & Informational Items

A. Ridership and Service Update

Keith Hall, Planning and Service Development Director

Mr. Hall gave the Board a monthly ridership update. Ridership for Fixed Route increase, while it decreased for Dial-A-Ride. CONNECT service saw an increase in ridership as of October 26 and Vanpool is slowly increasing their ridership.

After a brief discussion with Director Bloom, Mr. Hall explained that he will work on getting the Vanpool numbers on the next meeting.

After further questions asked, CHAIRMAN KOCH moved on to the next item on the agenda.

12. Staff Reports & Comments

A. Legal Report

Mr. Bishop stated that they were hoping for an Executive Session this Board Meeting but will instead have it for next Board Meeting in December. **Mr. Bishop read the PERC notice and is attached hereto.**

After a brief discussion, CHAIRMAN KOCH moved on to the next item on the agenda.

B. Financial Report

Jeff Lubeck presented to the Board the financial status through the end of September 2020. Revenues are still going strong. Year to date shortfall compared to budget was around the 8% range, 8% under budget. There are three departments with high expenditures which are all due to COVID in which those costs are being supplemented by CARES funding.

After a discussion, CHAIRMAN KOCH moved on to the next item on the agenda.

C. General Manager's Report

Gloria Boyce, General Manager, provided the Board with a review of this month's notable topics:

a. Government Affairs Update

i. Federal

1. Senate Appropriations Committee released their FY21 Transportation and Housing Appropriations bill (HUD) and bus programs received a significant plus-up of \$571 million. The House and Senate and shooting to have their appropriations completed by December 11.
2. The White House blocked a CDC order to wear masks on public transportation to prevent the spread of COVID.

b. State

- i. No updates on I976.

c. Operations

- i. Operations met all scheduled pullouts last month.
- ii. Maintenance has performed winter preseason inspection on all vehicles.
- iii. HEPA filters should arrive soon for fixed-route vehicles.
- iv. Operations and Safety Department have implemented an agency wide incident software last month called Everbridge.
- v. The Planning, Procurement and Training Departments completed their move to 1355 satellite office. Marketing and Community Outreach will begin their move shortly.
- vi. Looking ahead, with Pasco schools reopening December 3, two temporary routes will end, and five Pasco routes will return to normal.
- vii. Recognized BFT employees for following CDC guidelines and commitment to keeping the vehicles clean.

Ms. Boyce closed he report and opened for questions. Brief discussion was held.

There being no further questions, CHAIRMAN KOCH moved on to the next item on the agenda.

13. Board Member Comments

A. CHAIRMAN KOCH –

B. SHON SMALL –

- C. BILL MCKAY –
- D. STEVE BECKEN
- E. CLINT DIDIER –
- F. RICHARD BLOOM – Apologized to the Board for being late to the Board Meeting.
- G. PHILLIP LEMLEY –
- H. RUBEN ALVARADO –
- I. LISA STADE – Stated that Benton City Elementary has opened up from K-5th grade.
- J. NORMAL NELSON – Thanked the Board for having the Special Board Meeting to approve two union contracts.

14. **Next Meeting**

Regular Board Meeting – Thursday, December 10, 2020 7:00 p.m.

15. **Executive Session**

16. **Adjournment**

CHAIR KOCH adjourned the meeting at 4:44 p.m.



Gladys Diaz, Clerk of the Board

12-10-2020

Date

NOTICE TO EMPLOYEES OF UNFAIR LABOR PRACTICE

CASE: 132878-U-20

DECISION: 13249-PECB

STATE LAW GIVES YOU THE RIGHT TO

- self-organize, join, or assist labor or employee organizations.
- bargain collectively through a representative of your choice.
- refuse to pay dues to a union unless you have affirmatively agreed to make such payments.

THE WASHINGTON STATE PUBLIC EMPLOYMENT RELATIONS COMMISSION (PERC) CONDUCTED A LEGAL PROCEEDING, ISSUED A RULING THAT BEN FRANKLIN TRANSIT COMMITTED AN UNFAIR LABOR PRACTICE, AND ORDERED THAT THIS NOTICE BE POSTED TO EMPLOYEES:

WE UNLAWFULLY MADE CHANGES TO THE STATUS QUO CONCERNING WAGES, HOURS, OR OTHER TERMS AND CONDITIONS OF EMPLOYMENT OF EMPLOYEES WHO ARE THE SUBJECT OF A REPRESENTATION PETITION PENDING BEFORE THE COMMISSION.

TO REMEDY OUR UNFAIR LABOR PRACTICE(S):

WE WILL RESTORE THE STATUS QUO ANTE BY PERMITTING EMPLOYEES TO TAKE HOME EMPLOYER-OWNED VEHICLES AT THE END OF THEIR SHIFTS, WHICH EXISTED FOR THE EMPLOYEES IN THE PROPOSED BARGAINING UNIT PRIOR TO THE CHANGE FOUND UNLAWFUL IN THIS ORDER.

WE WILL MAKE ALL EMPLOYEES IN THE PROPOSED BARGAINING UNIT WHOLE FOR THEIR EXPENSES FOR COMMUTING BETWEEN WORK AND HOME DURING THE PERIOD FROM THE EFFECTIVE DATE OF TERMINATION OF THE TAKE-HOME-CAR POLICY ON OR ABOUT JULY 1, 2020, UNTIL THE EFFECTIVE DATE OF THE REINSTATEMENT OF THE TAKE-HOME-CAR POLICY BY PAYMENT TO THEM AT THE BUSINESS MILEAGE RATE(S) IN EFFECT AT THAT TIME UNDER REGULATIONS OF THE FEDERAL INTERNAL REVENUE SERVICE MULTIPLIED BY THEIR ROUND-TRIP MILEAGE.

WE WILL NOT IN ANY OTHER MANNER INTERFERE WITH, RESTRAIN, OR COERCING EMPLOYEES IN THE EXERCISE OF THEIR COLLECTIVE BARGAINING RIGHTS UNDER THE LAWS OF THE STATE OF WASHINGTON.

BEN FRANKLIN TRANSIT

BY: _____
Name and Title of Authorized Representative

DATE: 11/5/20

The decision relating to this violation can be found on the PERC website at <https://decisions.perc.wa.gov>.

THIS NOTICE MUST BE POSTED FOR 60 CONSECUTIVE DAYS
AND MAY NOT BE ALTERED, DEFACED, OR COVERED.



Questions? Visit perc.wa.gov or contact a PERC unfair labor practice administrator:

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