

**JOINT POWERS AGREEMENT
MARIN PUPIL TRANSPORTATION AGENCY
BOARD OF DIRECTORS
c/o San Rafael High School District Business Office
310 Nova Albion Way San Rafael**

**MINUTES
January 15, 2020**

BOARD MEMBERS PRESENT:

Robert Clark (Sausalito – Marin City), Corbett Elsen (Tamalpais), Carlos Estrella – 8:18 a.m. (Reed), Midge Hoffman – 8:25 a.m.(Ross Valley), Doug Marquand (San Rafael Elementary & High School Districts), Paula Rigney – 8:39 a.m. (Larkspur – Corte Madera), Michele Rollins (Mill Valley), Kirsten Starsiak (Kentfield) & Deborah Wolfe – 8:19 a.m. (Ross).

BOARD MEMBERS ABSENT:

No absences.

STAFF PRESENT:

Dennis Petri, Executive Director

GUEST(S):

Jose Bazurto (First Student Location Manager for San Rafael)
Josue Calvo-Perez (First Student Location Safety Manager for San Rafael)
Kristi Dahlstrom (co-Director of Special Education for MCOE).

Note: On January 14, 2020 we were notified that our meeting room – originally scheduled for the Board Room – was changed to the Cabinet Room.

CALL TO ORDER:

Chairperson Michele Rollins called the Board of Directors meeting to order at 8:15 a.m. in the Cabinet Room at the Marin County Office of Education building located at 1111 Las Gallinas Avenue in San Rafael.

ACTION SESSION:

1. **Approval of Agenda (8:15 a.m.):** -- Members approved the agenda as presented.
(M/Corbett Elsen, S/Doug Marquand)

Vote by member:

Aye: Clark, Elsen, Marquand, Rollins, Starsiak
* Doug Marquand's vote counts as 2. He represents 2 school districts.

Nay: No members

Abstention: No members

Absent: Estrella, Hoffman, Rigney, Wolfe

2. **Approve Updated Financial Spreadsheets (8:16 a.m.):** Dennis noted that there are no changes to the Budget. Changes to the Bill Back figures are a result of the December student counts. The Board review their school districts' new Bill Back figures, but had no questions. Then, the Board approved the changes to the Financial Spreadsheet as presented.

(M/Corbett Elsen, S/Doug Marquand)

- a. **Updated Budget for 2019 – 2020.**
- b. **Updated Bill Back figures for 2019 – 2020 (with current student rider counts).**
- c. **2019 – 2020 Budget Analysis Data Sheet.**

Vote by member:

Aye: Clark, Elsen, Estrella, Marquand, Rollins, Starsiak
* Doug Marquand's vote counts as 2. He represents 2 school districts.

Nay: No members

Abstention: No members

Absent: Hoffman, Rigney, Wolfe

Note: Treasurer Carlos Estrella joined the meeting at 8:18 a.m. as Action Item #2 was under discussion.

3. **Discussion and Action on the Transportation Contract Extension with First Student, Inc. (8:19 a.m.):** Chairperson Michele Rollins introduced this agenda item that was first reviewed at our December 11, 2019 meeting. New information and cost increase justifications that were submitted by Mark Frith, First Student's Area General Manager were also reviewed.

Members of the Board of Directors offered the following comments about this Agenda Item:

Treasurer Carlos Estrella: The majority of times we can see cost increases coming (such as gas price increases, water, etc.). However, this large an increase of bus rates by First Student was a complete surprise. Estrella was concerned that First Student didn't notify the MPTA of pending increases. This appears to be poor planning on the part of First Student staff and a difficult financial burden to the MPTA and its member school districts.

Debbie Wolfe: If First Student staff had communicated early the surprise factor would have been eliminated.

Treasurer Carlos Estrella: As noted earlier, price increases for utilities such as water have generally been communicated by the responsible agency with advance notice. Sometimes notice is as long as 12 to 18 months – including justification facts and figures.

Vice Chairperson Doug Marquand: I agree with Carlos' comments. We want First Student as a partner in providing service, not as the bearer of increases of such magnitude with little or no advanced notice. The MPTA should have been warned early of the pending rate increases.

Debbie Wolfe: All school districts look ahead in budgeting matters 2 to 3 years.

Secretary Midge Hoffman: I agree with comments made by Doug and the others. The lack of notice is upsetting.

Corbett Elsen: A "no surprise rule" should be in place. We could have planned ahead if we knew early, now we are in a reactive phase instead.

First Student Contract Manager Jose Bazurto: First Student staff has been looking at all cost factors. The changes to rate increases were made do to large cost increases – not poor planning. New staff members at First Student read the contract language and were focused on meeting the 5 year renewal language.

Chairperson Michele Rollins: I understand that staff was upholding new contract extension notice wording. In the future we should be working together. Use a 3 year cycle of budget projections. Early communication is needed. Studying cost increases within the Bay Area would be a good idea.

First Student Contract Manager Jose Bazurto: The Bay Area market is tough. There is a real competition for professional drivers.

Vice Chairperson Doug Marquand: We understand wages increase. However, other costs associated with First Student's rate increase background do not justify a 13% overall rate increase. This is an exponentially large increase without adequate justification. This increase is much more than Cost of Living Increases (COLA).

Treasurer Carlos Estrella: All school districts are in the business of projecting cost increases. Again, we should have received adequate heads up – no surprises. We want to promote our relationship with First Student working together as a team.

Robert Clark: Using the 13% cost increases, we can now plan ahead on how this will affect our budgets.

At this point, Board members did not have any further comments.

Chairperson Michele Rollins called for a motion to approve the contract extension with First Student for the next five (5) years. The increase in costs will be as proposed by Mark Frith after meeting with Michele and Dennis. Attached is the amended proposal from First Student. (**Minutes Attachment 1**)
(M/Doug Marquand, S/Debbie Wolfe)

Vote by member:

Aye: Clark, Elsen, Estrella, Hoffman, Marquand, Rollins, Starsiak, Wolfe

* Doug Marquand's vote counts as 2. He represents 2 school districts.

Nay: No members

Abstention: No members

Absent: Rigney

Note: Chairperson Michele Rollins asked Dennis to communicate the Board's request that in the future, we wish to work together as a team. Dennis agreed to do so.

Note: Member Debbie Wolfe joined the meeting at 8:19 a.m. as Action Item #3 was under discussion.

Note: Guest Josue Calvo-Perez joined the meeting at 8:20 a.m. as Action Item #3 was under discussion.

Note: Secretary Midge Hoffman joined the meeting at 8:25 a.m. as Action Item #3 was under discussion.

Note: Guest Kristi Dahlstrom joined the meeting at 8:29 a.m. as Action Item #3 was under discussion.

Special Note:

At 8:36 a.m., Agenda Item #3 concluded. Since we were running late for our Time Certain speaker, Chairperson Michele Rollins asked to proceed to Time Certain now. The Board will complete the balance of the meeting agenda at the conclusion of the Time Certain presentation.

TIME CERTAIN – Scheduled for 8:30 a.m. (Actual time 8:37 a.m. to 8:40 a.m.)

Time Certain – Transportation Issues & Discussion: -- This time is set aside for discussion with representative(s) of the Marin County Office of Education. This month Kristi Dahlstrom co-Director of Special Education was in attendance.

Kristi reported on the following:

- a. Generally, there is not a lot of new information to share.
- b. As Janelle noted last month, the dates for the Extended School Year (ESY) have been set already. They are June 22 to July 17, 2020 (for 4-week programs) and June 22 to July 31, 2020 (for 6-week programs).
- c. The Marin County Office of Education is looking at possible classroom space changes from one campus to another for next school year. Final decisions are forthcoming.
- d. Projections show a large increase in next school year's 3rd to 5th graders. However, there are less Middle School students expected than are now served by MCOE programs.
- e. The potential impact of later class start times for Middle School and High School students are still an open question at this time.

The Time Certain agenda item ended at 8:40 a.m. The Board thanked Kristi for her attendance and input.

Note: Member Paula Rigney joined the meeting at 8:39 a.m. as our Time Certain Agenda Item was under discussion.

ACTION SESSION (Continued):

4. **Biyearly Review and Approval of the Conflict of Interest Code (MPTA Policy 2019-03) – (8:40 a.m.):** Dennis explained that the Conflict of Interest Code was approved by the Board at our June 12, 2019 meeting and there have not been any changes to the Code since. However, regulations call for biyearly review and approval of this policy in even-numbered years. As such, January 2020 is the first year for this review.

Members of the Board did not have any questions. The Board unanimously approved the Conflict of Interest Code as presented and required by the biyearly review process. (M/Debbie Wolfe, S/Carlos Estrella)

Vote by member:

Aye: Clark, Elsen, Estrella, Hoffman, Marquand, Rigney, Rollins, Starsiak, Wolfe
* Doug Marquand's vote counts as 2. He represents 2 school districts.

Nay: No members

Abstention: No members

Absent: No Members

CONSENT AGENDA (8:40 a.m. to 8:41 a.m.)

Note: All items appearing on the Consent Agenda are approved in one action by the Board of Directors. Board members, staff, or members of the public may request that an item be pulled for discussion prior to Consent Agenda approval.

Approval Items:

CA-1. Approve Minutes of December 11, 2019 Board Meeting.

CA-2. Approve Financial Documents as follows:

- a. **Vendor Warrant Expenses for December 2019.**
- b. **Warrant registers (Backup data for December). 2 Sheets attached.**

Acknowledge & Accept Items:

CA-3. Acknowledge & Accept the Monthly Student Count Tally Sheet – inclusive through December 2019.

CA-4. Acknowledge & Accept Spreadsheet of Students Listed by School of Attendance for December 2019:

Chairperson Michele Rollins reviewed the Consent Agenda for the Board. There were no questions from the Board, so they unanimously approved the Consent Agenda as presented. (M/Midge Hoffman, S/Debbie Wolfe)

Vote by member:

Aye: Clark, Elsen, Estrella, Hoffman, Marquand, Rigney, Rollins,
Starsiak, Wolfe
* Doug Marquand's vote counts as 2. He represents 2 school
districts.
Nay: No members
Abstention: No members
Absent: No Members

CLOSED SESSION (8:42 a.m. to 8:56 a.m.)

1. Public employee performance evaluation (Title: Executive Director) and conference with labor negotiators (Unrepresented employee: Executive Director) pursuant to Government Codes 54957 & 54957.6.
2. Performance Evaluation for Executive Director (July 1, 2018 through June 30, 2019).
3. Current contract for Executive Director (approved on February 14, 2018).
4. Executive Director's Contract (including proposed revisions).
5. Contract Revisions for Executive Director Approval form.
6. Salary Survey.

Reporting Out of Closed Session (8:56 a.m.)

Chairperson Michele Rollins announced that no Action was taken on the Closed Session Items.

DISCUSSION SESSION (8:56 a.m. to 9:02 a.m.)

[ALL ITEMS BELOW ARE INFORMATIONAL ITEMS]

1. **Ongoing: Discussion on California Senate Bill 328 concerning school start times for Middle School & High School programs. A copy of the Senate Bill is attached for your reference.**

Corbett Elsen noted that staff at Redwood High School and Tamalpais High School are looking at later start times in accordance with Senate Bill 328. No decisions have been made at this time.

2. **First look at the proposed 2020 – 2021 Budget & Bill Back Spreadsheets.**
 - a. **Initial proposed budget for 2020 – 2021.**
 - b. **Initial proposed bill back figures for 2020 – 2021.**
 - c. **Comparison Chart for Bill Back Projections 2019-2020 vs 2020-2021.**

Dennis gave a quick review of the first look at the proposed 2020 – 2021 Budget and Bill Back figures. The financials include a 13% rate increase for First Student.

3. **Future agenda items requested by Board members:** There were no additional items requested by Board members. Discussion Item #1 (above) will continue to remain on future Agendas until further notice.

A brief discussion ensued:

Corbett Elsen: Corbett hopes that Jose Bazurto relays to management staff what the Board discussed about working as a team and better, timelier communication.

Executive Director Dennis Petri: We should look at our contract language for liquidated damages (actually worded as “Assessment of Charges against Contractor”). There are concerns on the level of service provided that results in students being late for school.

Chairperson Michele Rollins: After we secure the contract extension, let’s look at service issues and the potential for charging for damages as outlined in the transportation contract.

Vice Chairperson Doug Marquand: San Rafael City Schools uses First Student for home-to-school transportation. We document any contract or service issues and charge First Student as allowed in our agreement.

Executive Director Dennis Petri: I am concerned about loss of student classroom minutes when buses are late to school.

Treasurer Carlos Estrella: The Reed Union School District also contracts with First Student for home-to-school transportation. We have wording for damages as well. Generally, we are satisfied with the First Student contract in place.

4. **Discuss other business:** There was no other business to discuss.
5. **Set next meeting.**
February 12, 2020

ADJOURNMENT: 9:02 a.m.

Scheduled meetings for the 2019 – 2020 school year:

February 12, 2020
March 18, 2020
April 22, 2020
May 20, 2020
June 10, 2020



MARIN PUPIL TRANSPORTATION AGENCY
HOME TO SCHOOL TRANSPORTATION SERVICE
PRICE SHEET
CONTRACT PERIOD: 9/1/2020 - 8/31/2025

Rate increase

13.00%

HTS

Type I Wheelchair-Ambulatory Combination
Type II 16-24 Ambulatory
Type II Wheelchair- Ambulatory Combination

FY2020-2021	
Base Rate	
4 hour	Excess
\$ 528.98	\$ 41.35
\$ 519.07	\$ 41.35
\$ 526.12	\$ 41.35

Therapy and Activity Trips

All Bus Types

Minimum Call Out, Hours

Minimum Charge Rate

Rate Additional Hours

Layover Per Diem

2
\$ 148.44
\$ 74.22
\$ 176.33

Bus Monitors

1-4 Hours, per hour

>4 up to 6 Hours, per hour

\$ 39.28
\$ 39.28

Years 2 - 5: Effective September 1 of each year, the above rates shall be adjusted based on the increase in the Urban Consumer Price Index (CPI) for the San Francisco area, as reported by the U.S. Department of Labor for the June-to-June 12-month period immediately preceding the adjustment date, at no time shall the increase exceed 3.5%.

All other terms and conditions of the contract remain unchanged.

MA-1