



AGENDA
EXECUTIVE COMMITTEE MEETING
FRIDAY, DECEMBER 7, 2018 – 9:00 A.M.
OMNITRANS
1700 WEST FIFTH STREET
SAN BERNARDINO, CA 92411

The meeting facility is accessible to persons with disabilities. If assistive listening devices or other auxiliary aids or Limited English Proficiency services are needed in order to participate in the public meeting, requests should be made through the Board Secretary at least three (3) business days prior to the Committee Meeting. The Board Secretary’s telephone number is 909-379-7110 (voice) or 909-384-9351 (TTY). If you have comments about items on the agenda or other general concerns and are not able to attend the meeting, please mail them to Omnitrans at 1700 West Fifth Street, San Bernardino, California, Attention Board Secretary. Comments may also be submitted by email to BoardSecretary@omnitrans.org.

THIS MEETING IS AVAILABLE BY TELECONFERENCE AT THE FOLLOWING LOCATION AND WILL BE CONDUCTED IN ACCORDANCE WITH GOVERNMENT CODE SECTION 54953(B).

CITY OF ONTARIO, 303 EAST B STREET, ONTARIO, CA 91764

THIS LOCATION IS ACCESSIBLE TO THE PUBLIC AND MEMBERS OF THE PUBLIC MAY ADDRESS THE COMMITTEE FROM THIS TELECONFERENCE LOCATION

A. CALL TO ORDER

B. ANNOUNCEMENTS/PRESENTATIONS

1. Next Committee Meeting: January 5, 2019 – 9:00 a.m.
Omnitrans Metro Facility

C. COMMUNICATIONS FROM THE PUBLIC

This is the time and place for the general public to address the Board for items that are not on the agenda. In accordance with rules applicable to meetings of the Executive Committee, comments on items not on the agenda and on items on the agenda are to be limited to a total of three (3) minutes per individual.

D. POSSIBLE CONFLICT OF INTEREST ISSUES

N/A

E. DISCUSSION ITEMS

1. Approve Executive Committee Minutes – November 2, 2018
2. CEO/General Manager’s Report – (Verbal Report) - *P. Scott Graham*

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F. BOARD BUSINESS

Closed Session

Conference with Labor Negotiator, P. Scott Graham, concerning labor negotiations with Amalgamated Transit Union Local No. 1704 regarding the Coach Operator Unit, pursuant to Government Code Section 54957.6

G. REMARKS AND ANNOUNCEMENTS

H. ADJOURNMENT

E. DISCUSSION ITEMS

1. Approve Executive Committee Minutes – September 7, 2018

M/S (Spagnolo/Lilburn) that approved the Executive Committee Minutes of September 7, 2018. Roll call vote was taken and the motion was passed unanimously by Members present.

2. Adopt Calendar Year 2019 Committee Meeting Schedule

M/S (Spagnolo/Roberts) that adopted Calendar Year 2019 Executive Committee Schedule, set for 9:00 a.m., the first Friday of each month. Roll call vote was taken and the motion was passed unanimously by Members present.

3. Amendments to Proposed Omnitrans System Commercial Advertising Policy and Content Guidelines to Address 9th Circuit Decision in American Freedom Defense Initiative (AFDI) v. King County

General Counsel Haviva Shane provided a brief background on this item as detailed in the staff report and reviewed some changes made to the draft Omnitrans advertising policy to address the recent 9th Circuit ruling in the case of AFDI v. King County. The Committee agreed with the changes and some additional changes were discussed also based on the court ruling. The Committee agreed to removal of the term “inappropriate” from the provision in the policy regarding graphic images, and to revision of this section as noted by Ms. Shane. The Committee also agreed to addition of a new provision that would be similar to the provision upheld by the court in the 9th Circuit decision, restricting advertising that would disrupt the provision of transit services.

M/S (Avila/Roberts) that recommended the Board of Directors approve the Omnitrans System Commercial Advertising Policy and Content Guidelines for Agency assets with an effective date of January 1, 2019, as amended by the Executive Committee on November 2, 2018. Roll call vote was taken and the motion was passed unanimously by Members present.

4. CEO/General Manager’s Report

CEO/General Manager, P. Scott Graham reported the following items:

- Meeting held with Best Best and Krieger’s in-house lobbyist, Syrus Devers, to discuss the next steps in moving forward with the draft legislation changing Omnitrans from a joint powers authority to a statutorily created special transit district. Representatives from Assemblymember Eloise Gomez Reyes’ and Senator Connie Leyva’s office attended the meeting to hear more about the legislation.
- The accident involving a Metrolink train on 29 October is under investigation and Omnitrans attorney Karen Feld is handling the litigation.

- Director of Operations, Shawn Brophy, will be joining the Omnitrans senior leadership team on 13 November.

F. BOARD BUSINESS

There was no Closed Session.

G. REMARKS AND ANNOUNCEMENTS

There were no remarks and announcements.

H. ADJOURNMENT

The Committee adjourned at 9:49 a.m. The next Executive Committee Meeting is scheduled Friday, December 7, 2018, at 9:00 a.m., with location posted on the Omnitrans website and at the Omnitrans San Bernardino Metro Facility.

Prepared by:

Araceli Barajas, Executive Staff Assistant