



MASS TRANSPORTATION AUTHORITY

MINUTES OF THE JULY 22, 2010 BOARD MEETING

PRESENT: Chairman, Paul Newman, Richard Abrams, Mike Zelle, Commissioner Jamie Curtis, John Northrup, Maxine Murray, Pastor Sean Thompson.

STAFF: Robert Foy, Judy Reynolds, Ed Benning, Lynn McLean, Steve Hamelin. Rebecca Peel, Jerry Ragsdale, Laura Skellenger, Charlene Kowalski.

GUEST: Barry Wolf, Timothy Johnson, Karl Petrich, Gary Mitchell, Denise Cox, Warren Franklin

ABSENT: Gregory Eason, Paul Luttenbacher, Sheldon Neeley.
Chairman Newman called the meeting to order at 8:05 a.m.

Comments of the Public:

Mr. Johnson from Hi-Tech Protection stated that he currently provides Mass Transportation Authority with police arresting authority downtown. Mr. Johnson stated that he has come to the Board meeting, because it was brought to his attention that some questions have been raised whether or not the Flint Police have arrest authority while providing security for the Mass Transportation Authority. Mr. Johnson explained to the Board of Directors that the Flint Police Officers that are providing security service to the downtown Transfer Center do have arrest authority power. The arresting authority consists of (24) twenty four hours a day, and (7) seven days a week, whether the Police Officers are on duty or off duty. Mr. Johnson also reports that there was some questions regarding his Security Guard Service that he also offers from Hi-Tech. A question was asked if Hi-Tech Security Guards have the arrest authority like the Police Officers do downtown. Mr. Johnson stated that his Security Guards can make a Public Citizen's arrest if a felony has occurred, and assist detaining an individual before the Police arrive, but the Security Guards **do not** have arresting authority, only the Police Officers have arresting authority. Mr. Johnson provided the State of Michigan Guidelines to the Board of Directors regarding the State of Michigan rules for Security Guards.

Mr. Johnson spoke about police jurisdiction; he stated that his Hi-Tech Police Officers jurisdiction is in the City of Flint. Mr. Johnson stated that each Police Department is responsible policing their own City for Jurisdiction and his Police Officers only patrol in the City of Flint where they have been designated to patrol and trained. Mr. Johnson stated Minutes of the July 22, 2010 MTA Regular Board meeting.

that other City Police jurisdictions are not able to come into Flint and start making arrests, where they are not designated.

Mr. Northrup asked if the information that he is providing to the Board has anything to do with the bid for Security Services.

Mr. Johnson responded and said yes.

Mr. Northrup asked Mr. Johnson to explain his issues about the bidding problems.

Mr. Johnson said he did receive the bidding packet and that there were several issues.

Mr. Foy spoke about the meeting he had with the D.M. Burr Security Company and explained the differences between Hi-Tech and D.M. Burr.

Mr. Foy mentioned that he has been very pleased with the performance from Hi-Tech.

Mr. Foy suggested to the Board that we put the Security bids on hold until further information is has been received.

Karl Petrich a City of Flint Police Officer from Hi-Tech, spoke about the Transfer Center. In the last three years since Hi-Tech has been providing their service with the ability to arrest individuals and removed them from the Transfer Center, the atmosphere is much more controlled. Officer Petrich reports that he is a Flint Police Officer and does have a relationship with the City of Flint Police Department and 911 for any incidents that come up at the Transfer Center. Officer Petrich commented on how the passengers and Mass Transportation Authority drivers come up to him and tell him how much safer they feel at the Transfer Center, with the Hi-Tech Officer's patrolling the Transfer Center. Officer Petrich thanked the Board of Directors for listening and stated he wanted to continue to provide this type of service to Mass Transportation Authority.

Maxine Murray asked if Officer Petrich if he physically makes the arrests. Officer Petrich responded and said, "Yes he physically makes the arrest at the transfer center and removes the individual from downtown for booking down at the City of Flint Police Department."

Maxine Murray asked how many arrests has he made. Officer Petrich said that in the last three years he has made over 100 arrests and most of arrests are for quality of life for the passengers that ride the Mass Transportation Authority public buses.

Warren Franklin 2104 Flamingo Lane, Flint, Michigan stated he is the Chief Stewart for the bus operator Division. Warren Franklin reported he witnessed, Officer Petrich who was on duty take down an individual that had a Handgun and Semi-automatic weapon concealed. Warren Franklin stated that the Mass Transportation Authority driver's come and tell Warren Franklin that they feel safer with arresting Officers down at the Transfer Center. Warren Franklin thanked the Board of Directors for listening.

Minutes of the June 22, 2010 Finance Committee: Mr. Newman moved, supported by Mr. Abrams to approve the June 22, 2010 Finance Committee meeting. Motion passed unanimously.

Minutes of the June 24, 2010 Regular Board Meeting: Mr. Newman moved, supported by Mr. Abrams to approve minutes of June 24, 2010 Regular Board Meeting, with noted corrections. Motion passed unanimously.

Minutes of the July 22, 2010 Regular Board meeting

Approval of Resolutions:

(Resolution #10-26) Authorizing Robert J. Foy, General Manager to enter into an agreement with Willing Glass to remove existing insulated window units and install new insulated window units at the MTA Transfer Center for the Arts in Transit Project, in an amount not to exceed \$31,250.00.

Mr. Abrams stated that the Finance Committee reviewed this item and has moved to recommend the approval by the full Board, therefore Mr. Abrams moved Resolution #10-26. Motion passed unanimously.

(Resolution #10-27) Authorizing Robert J. Foy, General Manager to enter into a Lease agreement with SUBWAY REAL ESTATE, LLC, for Vendor Space Number (1) at the Downtown Transfer Center to operate a Subway Restaurant pursuant to the attached Lease/Rider, subject to final review and approval by the Mass Transportation Authority Legal Counsel, for a period of One (1) year, with an option for nine (9) One (1) year renewals, at 8% of monthly gross sales.

Mr. Abrams stated that the Finance Committee reviewed this item and has moved to recommend the approval by the full Board, therefore Mr. Abrams moved Resolution #10-27. Motion passed unanimously.

(Resolution # 10-28) Authorizing Robert J. Foy, General Manager to enter an Agreement with Securitas to provide Security Guard Service for an annual cost of \$294,070.40 with a two (2) year contract, in a total amount not to exceed \$588,140.80. D.M. Burr to provide certified officers with arrest authority for an annual cost of \$95,222.40 with two (2) year contract, in a total amount not to exceed \$190,444.80

Mr. Abrams stated that the Finance Committee reviewed this item and had moved to recommend the approval by the full Board, but new information has been received at this Board meeting, therefore Mr. Abrams recommend to refer #10-28 resolution back the MTA staff for further information. Motion Passed unanimously.

Mr. Newman mentioned that there have been several discrepancies with how information is put out for bids. Mr. Newman wanted to make clear to Purchasing that all potential bidders must have a clear understanding on the scope of work. This Board must understand what is being requested in the Request for proposals. There has been other examples where this has occurred.

Mr. Foy stated that he will take appropriate action to see that the Purchasing Department communicates the proper information out for bidding.

General Manager's Report:

Chairman Newman ruled that the General Manager's Report has been received and filed.

Mr. Foy mentioned to the Board of Directors that we are in some challenging times, and that he has spoken with Senator Cherry, Senator Levin, Senator Stabenow office and they expressed to Mr. Foy that there will not be any appropriations until after October 2010. Mr. Foy said he will keep the Board informed as we go through these trying times.

June, 2010 Income/Expense Statement

Chairman Newman ruled that the June 2010 Income/Expense report Statement be received and filed.

June, 2010 Ridership Statistic Report

Chairman Newman ruled that the June 2010 Ridership Report be received and filed.

June, 2010 Complaint Statistic Report

Chairman Newman ruled that the June 2010 Ridership Report be received and filed.

June, 2010 Fixed Route On Time Report

Chairman Newman ruled that the June 2010 Fixed Route On-Time Report be received and filed.

Executive Session:

Attorney Barry Wolf advised the Board that an Executive Session was necessary to discuss the two different matters pending litigation in the Genesee County Circuit Court involving the Mass Transportation Authority, Timothy Bell vs. Mass Transportation Authority, Genevieve Vickers vs. Mass Transportation Authority. Discussion in open session may jeopardize MTA's position.

Mr. Northrup moved, supported by Mr. Abrams to move into Executive Session for the purpose as stated by the Attorney.

Roll Call vote: Maxine Murray, Paul Newman, Richard Abrams, Mike Zelle, Pastor Seon Thompson, Jamie Curtis, John Northrup.

Regular Session of the MTA Board was suspended at 8:52 a.m.

Mr. Northrup moved, supported by Mr. Zelle to go out of Executive Session.

Regular session of the MTA Board reconvened at 9:12 a.m.

Mr. Northrup moved, supported by Mr. Abrams to accept the recommendation of council relative to Timothy Bell vs. Mass Transportation Authority and Genevieve Vickers vs. Mass Transportation Authority. Motion passed unanimously.

Comments of Board Members

None

Adjournment

Meeting was adjourned at 9:12 A.M.