

FINANCE SUBCOMMITTEE BOARD OF DIRECTORS MEETING



Meeting Notice:

Due to the COVID-19 pandemic, state of emergency and Governor Beshear's Executive Orders regarding social distancing, this meeting of the TARC Board of Directors will be held via video-conference pursuant to Senate 150 (as signed by the Governor on March 30, 2020) and Attorney General Opinion 20-05, and in accordance with KRS 61.826, because it was not feasible to offer a primary physical location for the meeting.

The next meeting of this subcommittee of the TARC Board of Directors will be:
Tuesday, June 15 at 1:30 p.m.

Pursuant to the Americans with Disabilities Act, persons with a disability may request a reasonable accommodation for assistance with the meeting or meeting materials. Please contact Ashlie Woods at 502.561.5108. Requests made as early as possible will allow time to arrange accommodation.

Meeting Instructions:

Join Zoom Meeting:

<https://zoom.us/j/95912481977?pwd=T0xXQ08zUkRuVVJSUUhGT3JPbGtqUT09>

Meeting ID: 959 1248 1977

Passcode: 112646

One tap mobile: +13017158592,,95912481977#

Audience and/or TARC staff can join via Zoom; public comments may be submitted in the Chat feature of Zoom, or by calling 502-585-1234 or at www.ridetarc.org

FINANCE SUBCOMMITTEE BOARD OF DIRECTORS MEETING



Agenda

- | | | | |
|------|--|----------------|-------------|
| I. | Quorum Call / Call to Order | Mary Morrow | 1:30 |
| II. | Staff Reports | | 1:35 - 2:00 |
| | a. May Financial Statements | Tonya Carter | |
| III. | Presentation on Board Meeting Action Items | | 2:00 - 2:15 |
| | a. Resolution 2021 – 19
Updated TARC Travel Policy | Pat Mulvihill | |
| | b. Resolution 2021 – 20
Revised TARC Company Car Policy | Pat Mulvihill | |
| | c. Resolution 2021 – 21
Studio Kremer | Geoffrey Hobin | |
| IV. | Proposed Agenda Items / Next Meeting Date | Carrie Butler | 2:15 – 2:20 |
| | a. Professional Services for Website Redevelopment | | |
| | b. Transit Scheduling Professional Services | | |
| | c. Officer Election and Committees for FY 2022 | | |
| V. | Adjournment | | 2:25 |



MEMORANDUM

To: Mary Morrow, Chair of TARC Board of Directors

From: Carrie Butler, Executive Director

Date: June 22, 2021

Re: Resolution 2021-19—Amend and Readopt Travel Policy (Travel Policy)

Thankfully, travel is opening up around the country with the COVID-19 pandemic hopefully on its way out for good. Accordingly, TARC thought it should revisit its Travel Policy and update it, if necessary, as TARC expects that its employees will need to travel to attend in person meetings or conferences. TARC's most recent Travel Policy has been in effect since January 2015.

In reviewing the Travel Policy, TARC made several changes. A summary of those changes is as follows:

- Approvals: The Chair of the Board of Directors approves The Executive Director's travel. The Vice-Chair approves the Chair of the Board's travel. The Executive Director approves everyone else's travel.
- Out-of-State vs. Local Travel: All out-of-state travel must be pre-approved. Local travel consists of travel within a 90-mile radius from TARC Headquarters and does not require pre-approval.
- Travel Advances: TARC no longer provides travel advances.
- Hierarchy of Travel: TARC encourages a priority of travel when in other cities, starting with mass transit, then taxi and/or UBER/Lyft, and finally rental cars, which must be pre-approved.
- Receipts and Incidentals: TARC requires receipts except for certain incidental tips (i.e., skycaps, bellhops and maids).
- Expense Reports: Expense reports go to the Chief Financial Officer and then to the Executive Director.
- Meals: Meals will be reimbursed up to a maximum of \$75.00 per day including tips and taxes, but an employee can exceed the maximum total if it is determined to be necessary and documented.
- Local Travel: Local travel reimbursements are done on a monthly basis.

If you should have any questions about the Travel Policy, please call me at 561-5100 if you have any questions. Thank you.



RESOLUTION 2021-19

Amend and Readopt Travel Policy

A Resolution amending and readopting the Transit Authority of River City (TARC) Travel Policy and Regulations (Travel Policy).

WHEREAS, TARC's most recent Travel Policy has been in effect since January 2015; and

WHEREAS, since travel is opening up around the country with the COVID-19 pandemic hopefully behind us for good, TARC thought it should revisit its Travel Policy and update it, if necessary; and

WHEREAS, TARC has updated its travel policy to include, but not be limited to, ensuring that all out-of-state travel has prior approval by the proper authority, eliminating cash advances for travel expenses, setting out the maximum meal allowance for reimbursement per day and can only exceed this maximum if it's deemed necessary and documented, and defining local travel and setting out a process for reimbursement for such travel; and

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE TRANSIT AUTHORITY OF RIVER CITY HEREBY RESOLVE THAT:

(A) TARC hereby amends and readopts the attached Travel Policy.

(B) The requirements contained herein are effective immediately and apply to all travel by employees and/or Board members.

ADOPTED THIS 22nd DAY OF JUNE, 2021

Mary Morrow, Board Chair

TRANSIT AUTHORITY OF RIVER CITY TRAVEL POLICY AND REGULATIONS



General Policy

It is TARC's policy to reimburse Board members, employees, and other authorized agents for the actual cost of all necessary travel and other reasonable expenses incurred in conducting TARC business. Prudence and good judgment are expected to be used in incurring travel and other expenses. The TARC Expense Report form should be used to account for all travel and other expenses.

These regulations shall apply to all TARC Board members, employees, and other authorized agents including legal counsel and consultants.

Approval

The Executive Director shall enforce all provisions set forth in these regulations where the travel pertains to employees and other authorized agents. The Chair of the Board of Directors shall enforce all provisions where the travel pertains to members of the Board and the Executive Director. The Vice-Chair shall approve all travel expenses of the Chair of the Board. Except in the case of an emergency, all out-of-state travel, as defined below, should be approved prior to such travel.

Exceptions to these regulations or any expenses claimed in excess of allowable limits may be approved for reimbursement by the Executive Director or Chair of the Board, if in his/her opinion, the deviation does not violate the intent of these regulations and the total expenditures claimed are not unreasonable considering the circumstances under which such expenses were incurred. All expense reports should be turned into the Chief Financial Officer ("CFO") for review and signature before submitting final expense report to the Chair of the Board, Vice-Chair of the Board, or the Executive Director, as the case may be.

Travel Authorization

A. Board Members and Employees

All travel by employees that is beyond a 90-mile radius from TARC headquarters at 1000 W. Broadway, Louisville, Kentucky 40203 ("out-of-state travel") shall be at the discretion of the Executive Director and requires his or her prior approval before any out-of-state travel is authorized. Any employee requesting out-of-state travel for a meeting or conference must complete a Travel Request form, which must be signed by the employee's department head, the CFO and submitted to the Executive Director for prior approval before any out-of-state travel is authorized.

1. The Chair of the Board must approve out-of-state travel expenses of the Executive Director and Board members prior to the travel except in the case of an emergency.
2. The Vice-Chair of the Board must approve out-of-state travel expenses of the Chair of the Board prior to the travel, except in the case of an emergency.
3. Within ten working days after returning from a trip, all out-of-state travelers must submit a travel expense report which includes all costs and expenses and receipts thereof associated with the travel.

B. Other Agents

Legal counsel, consultants under contract to TARC, and any other agents who must travel on behalf of TARC shall follow the procedures outlined for out-of-state employee travel. They must receive prior written approval from the Executive Director by completing a Travel Request form. They must file a complete expense report, including receipts, within ten (10) working days of returning from a trip.

Travel Advance

TARC will not issue travel advances you must use your own resources and submit an expense report upon returning for approved reimbursement of reasonable travel expenses.

Receipts

Original receipts should be turned in for expenses, including but not limited to, airline tickets, hotel bills and transportation fares. Expenses without a receipt are not reimbursable; with the exception of public mass transit fares and tips of no more than \$10 per day or per occurrence for service personnel such as bellhops, maids and skycaps. Receipts for expenses paid by company credit card are required to appear on the expense report with the submission of a receipt copy as well.

Expense Reports

All Expense Reports forms must be submitted to the CFO within ten (10) working days after returning from a trip. Once signed by CFO it will go to Executive Director. After approval, the expense report will be forwarded to the Finance department for processing. Expense Reports from Board members shall be forwarded to the Chair of the Board for approval. Expense Reports from the Chair of the Board shall be forwarded to the Vice-Chair of the Board for approval.

Registration Fees

TARC will pay all necessary registration fees, tuition, etc. for approved meeting and conferences, including the cost of official banquets, luncheons and breakfasts.

Transportation

Transportation used shall be the most economical and standard mode, via the most direct and usual route. Additional expenses incurred by using other means or routes shall be the responsibility of the Board member, employee or other authorized agent.

The Executive Assistant or Executive Administrator shall manage arrangements for out-of-town transportation and registration arrangements. Suggestions for flights and hotels from employee may not be guaranteed.

When traveling by common carrier (plane, train or bus), tourist or coach accommodations shall be used. Discount air rates should be used whenever they are available.

Any transportation expenses incurred by guests accompanying Board members, employees, and other authorized agents shall be the responsibility of the individual.

While the employee is on travel status, TARC will pay for required travel expenses. It is recommended that employees use the following priorities in selecting local conveyance: first, mass transit; second, taxi, uber/lyft; or third, rental car. Employees must be able to explain why

they failed to use a public mass transit entity upon request for reimbursement. Use of rental car requires prior written approval of the Executive Director, or Chair of the Board or Vice-Chair of the Board, as the case may be.

TARC will not reimburse travel expenses, which are not necessary to conduct official business while on travel status, such as sightseeing, or other travel made at the employee's option or for personal business.

If traveling by automobile, either locally or out-of-town, individuals shall first seek to use a vehicle from the TARC motor pool. In the event that no TARC pool vehicle is available, TARC shall reimburse employees who use their personal automobiles for official business at the current mileage allowance. Please contact the Finance Department for the correct mileage rate to be used because the rate does change. TARC will pay the employee for mileage based on the number of road miles between TARC and the destination. The total amount allowable for mileage expense shall not exceed the cost of airplane tourist class travel to the same destination. An Expense Report must be submitted to the Executive Director for reimbursement of mileage. Local travel includes but is not limited to cities such as: Bloomington, IN; Columbus, OH; Indianapolis, IN; Nashville, TN and/or St. Louis, MO. TARC vehicles shall be used for official business and travel.

Lodging

TARC will pay the actual and necessary cost of lodging required for official business. Allowable lodging expenses shall be limited to those necessary for TARC Board members, employees, and other authorized agents. Any additional expenses incurred by guests accompanying Board members, employees, and other authorized agents shall be the responsibility of the individual.

Lodging expenses are limited to the number of nights required to conduct the assigned business on behalf of TARC. Arrival time should be no more than one (1) night in advance of TARC business and departure of no more than one (1) night after completion of TARC business. Paid receipts for lodging expenses must be attached to the Expense Report.

Lodging expenses shall not exceed the quoted rates for the hotel hosting the conference. Lodging for trips involving business not held in conjunction with a conference shall be at reasonable rate based on factors such as accessibility between hotel and conference site, duration of the trip, etc.

No TARC employees, who are not otherwise married, shall share lodging when they are on TARC business for out-of-state or local travel.

Meals

Tips for meals should not exceed 20% of the meal cost, excluding taxes. Daily total meal expenses, including tips and taxes, shall be reimbursed up to \$75.00 per day. However, in the event an employee exceeds this maximum amount, the Chair of the Board, Vice-Chair of the Board or the Executive Director, as the case may be, may approve any additional sums above the maximum set herein, but only if the meeting purpose is documented with all names in attendance and is for official TARC business. TARC will not reimburse expenses associated with the purchase of alcoholic beverages.

Working Meals

When the Board Chair, Executive Director or another employee or authorized agent deems it necessary and appropriate to have a guest for a meal for the purpose of conducting official TARC business, the meal charges shall be reimbursed under the following conditions:

1. Prudence and good judgment must be used regarding the cost of the meal.
2. Any working meals must be documented, including submission of a receipt noting the cost, who attended, the location and the meeting purpose.

Garage and Parking

When a TARC car, personal car, or rented car is used on official business, TARC will pay for basic parking (including in a garage) or tolls associated with the conduct of official business. TARC will not reimburse parking, garaging, or tolls associated with travel not necessary to conduct official business. Parking fees and estimated gas cost will be included in the cost comparison when comparing flights in selecting best route of travel for the individual.

Parking fees incurred for cars left at the airport while an individual is out of town on official business will be reimbursed provided that airport parking fees do not exceed the normal taxi fare to and from the airport. Receipts for parking must be provided.

Entertainment

No travel reimbursement shall be made for any entertainment or social activity expenses. Those expenses that will not be paid by TARC include, but are not limited to, such items as in-room movies health club expenses, parking at facilities not related to travel etc. TARC will not reimburse expenses associated with the purchase of alcoholic beverages.

Miscellaneous Expenses

All miscellaneous expenses such as excess baggage fees, baggage charges, or postage should be identified and justified in writing at the time of the Expense Report is submitted.

Cost of WI-FI will be reimbursed for official TARC business.

Local Expenses

Local expenses generally do not require pre-approval by the Chair of the Board, Vice-Chair of the Board, or Executive Director, as the case may be. The permissible reimbursement expense categories for out-of-state travel are eligible for local travel with the only exception being under the Transportation Category, which may require transportation by automobile to certain destinations which are considered local which fall outside the 90-mile radius from TARC Headquarters, 1000 W. Broadway, Louisville, Kentucky 40203.

Requests for reimbursement of local travel expenses should be submitted to the Chair of the Board or the Executive Director, as the case may be, on an Expense Report form within ten (10) working days of the beginning of each calendar month for expenses that occurred in the prior calendar month.

This approved Travel Policy and Regulations supersedes all previous Travel Policies and Regulations of the Transit Authority of River City.

Name of Entity That Drafted This Policy	Pat Mulvihill, General Counsel	
Signature by the Executive Director	Signature of Accountable Executive	Date of Signature
Approval by the Board of Directors or an Equivalent Authority	Name of Individual/Entity That Approved This Plan	Date of Approval
	Relevant Documentation (Title and Location)	
Certification of Compliance	Name of Individual/Entity That Certified This Plan	Date of Certification
	Pat Mulvihill, General Counsel	
	Relevant Documentation (Title and Location)	

Version Number and Updates			
Version Number	Section/Pages Affected	Reason for Change	Date Issued
1	All	Create/Update	07/2003
2	All	Update	06/2021



MEMORANDUM

To: Mary Morrow, Chair of TARC Board of Directors

From: Carrie Butler, Executive Director

Date: June 22, 2021

Re: Resolution 2021-20—Amend and Readopt Company Car Policy (Car Policy)

Thankfully, travel is opening up around the country with the COVID-19 pandemic hopefully on its way out for good. Accordingly, TARC thought it should also revisit its Company Car Policies, which have been in effect since 2003, as TARC anticipates employees traveling for potential in person meetings and/or conferences.

TARC had two distinct car policies. One policy dealt with employees who used a vehicle, other than a bus, during normal business hours as part of their job duties. The other policy was concerned with employees who had take home vehicles who were on call to immediately respond to emergencies.

For purposes of efficiency, TARC seeks to combine the two previous policies into a single Car Policy to keep in place the requirements for operation of a vehicle, documentation of fuel and maintenance expenses, safety standards that must be followed while using a company car and the responsibilities and obligations of TARC and its employees with respect to such vehicles.

As part of this combined policy, TARC seeks to keep in place the provision of company cars for commuting and personal use for the Executive Director, Assistant Executive Director, Director of Maintenance, Director of Safety and Security and Director of Maintenance to allow them to quickly respond to any emergency situation that may arise. However, in order to have a company car for commuting and personal use, these employees must additionally sign the TARC Company Car for Commuting and Personal Use Liability Agreement, a copy of which is hereby attached.

If you should have any questions about the Car Policy, please call me at 561-5100 if you have any questions. Thank you.



RESOLUTION 2021-20

Amend and Readopt Car Policy

A Resolution amending and readopting the Transit Authority of River City (TARC) Company Car Policy (Car Policy).

WHEREAS, TARC's most recent Company Car Policies have been in effect since 2003; and

WHEREAS, since travel is opening up around the country with the COVID-19 pandemic hopefully behind us for good, TARC thought it should revisit its Car Policies to accommodate travel for in person potential meetings and conferences; and

WHEREAS, TARC had a policy for using vehicles, other than buses, during normal business hours as part of one's job duties, and had a policy for take home vehicles for those employees who were on call to immediately respond to an emergency; and

WHEREAS, TARC seeks to combine the two previous policies into a single Car Policy to keep in place the requirements for operation of a vehicle, documentation of fuel and maintenance expenses, safety standards that must be followed while using a company car and the responsibilities and obligations of TARC and its employees with respect to such vehicles; and

WHEREAS, TARC seeks to keep in place the provision of company cars for commuting and personal use to the Executive Director, Assistant Executive Director, Director of Maintenance, Director of Safety and Security and Director of Maintenance to enable a quick response to any emergency situation; and

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE TRANSIT AUTHORITY OF RIVER CITY HEREBY RESOLVE THAT:

(A) TARC hereby amends and readopts the attached Car Policy.

(B) This amendment and readoption of the Car Policy goes into effect immediately and applies to all employees, including the Executive Director.

ADOPTED THIS 22nd DAY OF JUNE, 2021

Mary Morrow, Board Chair



COMPANY CAR POLICY

The TRANSIT AUTHORITY of RIVER CITY (TARC) permits select individuals to drive vehicles owned, leased, or rented by TARC ("**Company Car**"), other than buses, to perform work for TARC or on TARC's behalf during their period of employment. TARC's Company Cars are the automobiles and trucks used to support TARC's mission and operations.

Only those who have received explicit permission from the Executive Director are authorized to use company cars. To protect TARC and its employees, any use of a company car must conform to this policy. All company car drivers must maintain a valid driver's license. In addition, each driver is responsible for using company cars in a safe, lawful, and reasonable manner. This policy applies to use of a company car on TARC's behalf during working and nonworking hours, on and off TARC's premises.

TARC provides coverage for personal injuries or property damage to third parties caused by TARC employees operating a TARC Company Car in the normal course of their duties and with TARC's permission. TARC employees, who sustain injuries while operating/occupying TARC Company Cars in the course of their employment, will be covered to the extent provided by TARC's workers' compensation program except as described below.

The use of TARC's Company Cars by employees is a necessary part of certain employees' job duties. At the same time, the operation of motor vehicles by employees involves potential risk for legal liability. In an effort to control the risks associated with employee vehicle use and to ensure that employees understand their responsibilities and obligations, TARC adopts the following policy.

Accountable Plan

This policy is intended to qualify as an "**Accountable Plan**" under the Internal Revenue Code (Code) and relevant Treasury Regulations.

License/Accident Reporting

All employees who may operate TARC Company Cars under this Policy in the course of their duties must maintain a valid driver's license in their State of residence. Each is expected to drive safely and obey all traffic laws. Any traffic accident involving a TARC Company Car must be reported to TARC Radio Dispatch and the appropriate police jurisdiction contemporaneous with the occurrence of the accident. An accident report should be completed promptly for filing with the Director of Safety.

Motor Vehicle Record Checks

The Human Resources Department conducts motor vehicle license record checks twice annually to verify license status and driving records. Any employee whose license has been suspended or who has an unsatisfactory driving record in the opinion of TARC management is prohibited from operation of TARC Company Car, and is required to notify TARC immediately of a suspension.

Permissible Uses

Company cars are available to authorized individuals for business purposes. Uses beyond those specified in this policy must be specifically authorized by the Executive Director, or, in cases of the Executive Director's usage, by the Board. However, individuals using a company

car may make incidental stops without violating this policy. Unless otherwise permitted, when not in use company cars must be parked on TARC's premises.

Additional Authorized Uses for Company Car for Commuting and Personal Use

The Executive Director may authorize the use of Company Cars for commuting and personal use by employees who are subject to 24-hour call, and have signed and agreed to the terms of this Company Car Policy, and TARC Company Car for Commuting And Personal Use Liability Agreement. All such vehicles should be equipped with two-way radio communications to allow the employee to monitor and contact TARC's radio dispatch center. Such assignment serves several purposes, assuring an employee's ability to respond immediately to any emergency or condition requiring that employee's presence, providing visibility for TARC in the community it serves, and extending the reach and presence of management and supervisory employees to those times when they are commuting to and from work.

Insurance Coverage for Company Car for Commuting and Personal Use

TARC employees provided Company Cars for commuting and personal use, when engaged in such use, would not be covered by workers' compensation for personal injury, but would be covered through TARC's group medical insurance or other group medical insurance, if applicable to that employee. This same coverage would be applicable to passengers while riding in TARC Company Cars, and depending on its terms, their own personal automobile insurance.

Employees who are considered to be operating a TARC Company Car for commuting and personal use (with the permission of the Executive Director) will be provided liability protection by TARC for up to \$300,000 per accident for damages for bodily injury or property damage. TARC agrees to settle or defend, as it deems appropriate, any claims or suit asking for damages, up to the limit of \$300,000, including legal expenses. Employees shall assist TARC and cooperate fully with TARC's attorney in any action or suit arising from such claim. TARC will not defend an employee who is engaged in any criminal behavior as set forth in KRS Chapters 189, 189A and/or KRS Chapters 500 – 534 (i.e., Kentucky Penal Code) while in a TARC Company Car.

Employees, while operating a TARC Company Car for commuting or personal use, will be responsible for any claim which exceeds \$300,000. Such coverage is available from insurers at the employee's own expense. Employees must sign a TARC Company Car for Commuting and Personal Use Liability Agreement to be assigned a TARC Company Car for commuting and personal use, under this Policy.

Compensation Value for Company Car for Commuting and Personal Use

The compensation value of a TARC Company Car authorized for commuting and personal use will be established in accordance with IRS guidelines. The Finance Department will annually request information from each employee assigned a TARC Company Car for such use and calculate the compensation value.

Authorized Drivers and Passengers

Only authorized employees can drive company cars. Employees permitted to drive company cars must have a valid driver's license. In the event that an authorized driver's license is suspended or revoked, that individual must notify the Executive Director as soon as possible. In addition, consistent with relevant background check laws, TARC reserves the right to evaluate the driving record of all company car drivers and revoke driving privileges as necessary.

Transportation of passengers is authorized for business use of company cars, but the number of passengers cannot exceed the number of passenger seats available, and passengers may only occupy company cars for purposes authorized by this policy. To the extent that a child will be traveling in a company car, child safety seats must be installed and used as required by applicable law.

TARC will be responsible for the cost of repairing accident damage sustained by a TARC Company Car, including one being used for commuting and personal use, unless the employee was operating the vehicle outside of the scope of this policy. In such case, the employee shall be responsible for this expense.

Fuel and Maintenance Expense Protocols

TARC will pay or reimburse expenses for fuel costs, parking fees, and tolls associated with company car use under this policy. In addition, TARC will pay or reimburse expenses for necessary company car maintenance.

For any out-of-pocket expenses, drivers may request reimbursement for covered company car costs by completing an expense reimbursement form and submitting the completed form to the Finance Department. All expense reimbursement forms must be signed and verified by both the driver and the employee's supervisor. Expense reimbursement forms are available from the Finance Department.

Expense reimbursement forms must include original receipts or other substantiating documentation for each expense showing the:

- Amount paid.
- Date the expense was incurred and paid.
- Vendor or provider name and location.
- Nature of the expense.
- Business purpose.

If a receipt or other substantiating documentation is not available, the driver must submit a written explanation of why the documentation cannot be provided. TARC, in its sole discretion, will evaluate the explanation and determine whether the expense is reimbursable.

Drivers must submit expense reimbursement forms to the Finance Department within 60 days of incurring the expense. Failure to comply with this time frame may result in the reimbursement being taxable income for the employee and TARC will not reimburse employees for any expenses submitted after this deadline.

The Finance Department will verify that expenses are permissible and that documentation is adequate and accurate. TARC reserves the right to refuse any expense reimbursement request that is inaccurate, does not include the appropriate substantiating documentation, is submitted late, or otherwise fails to fully comply with TARC's policy, as determined by TARC in its sole discretion. Expense reimbursement forms may be subject to audit by TARC or by government agencies.

TARC will provide reimbursement promptly following verification of the expense and appropriate substantiation, but in any event, no later than December 31 of the calendar year following the calendar year in which the expense is incurred.

If a driver receives an excess reimbursement, he or she must report and return any excess amounts to the Finance Department within 120 days.

Safety Standards

Employees operating a company car are expected to operate the vehicle in a safe and lawful manner. Safe driving standards include but are not limited to:

- Maintaining a reasonable rate of speed as appropriate for existing road conditions. Drivers should not exceed posted speed limits.
- Abiding by traffic signals and signs.
- Wearing seat belts.
- Avoiding aggressive and reckless driving.
- Never driving in unsafe conditions.
- Never driving when having consumed alcohol or illegal drugs.
- Never driving while fatigued.
- Never texting or emailing while driving.
- Never talking on a cell phone while driving [without the use of a hands-free device].
- Never listening to headphones while driving.
- Never storing or transporting guns or other weapons in the company car, to the extent such prohibition is authorized by state or local law.

Safety standards include the need to be vigilant about company car maintenance. If a company car seems to be unsafe or in need of maintenance, company car drivers must bring this issue to the attention of the Safety and Security or Maintenance Office as soon as possible. In addition, company car drivers must respect the vehicle as company property and take steps to avoid damage to it and its contents, including:

- Keeping property secure, such as by locking doors, closing windows, and properly maintaining valuables (including confidential information). Personal items may not be stored in a company car and personal losses generally will not be reimbursed.
- Never transporting dangerous or flammable materials unless specifically authorized by TARC.
- Never attaching or pulling trailers or other vehicles.
- Never making after-market changes to the car.
- Never picking up hitchhikers.
- Never transporting items for third parties other than those associated with the employer's business for legitimate business purposes.

In the event of an accident, the driver must stay with the company car and file a police report or otherwise cooperate with the police, as applicable. Employees should not attempt to provide medical care to those involved in an accident beyond their level of suitable training. Company car drivers must communicate the details of any accident, theft of company property (including the car itself), and moving violations to the Safety and Security Department as soon as possible.

Section 409A of the Internal Revenue Code

Reimbursements and in-kind benefits under this policy are intended to comply with Code Section 409A and applicable guidance issued under it or an exemption from the application of Section 409A.

Accordingly, all provisions of this policy will be construed in a manner consistent with the requirements for avoiding taxes or penalties under Code Section 409A. The amount of reimbursements and in-kind benefits provided under this policy in any calendar year will not affect the amount of reimbursements and in-kind benefits provided during any other calendar year, and the right to reimbursements and in-kind benefits under this policy cannot be liquidated or exchanged for any other benefit.

Notwithstanding any provision of this policy, TARC will not be liable to any employee for any taxes or penalties imposed under Code Section 409A on any reimbursements and in-kind benefits under this policy.

Administration of This Policy

The Safety and Security Department is responsible for the administration of this policy. If an employee has any questions about this policy or related procedures, the employee should contact the Safety and Security Department.

An individual who abuses or violates this policy, for example by submitting fraudulent company car reimbursement requests or failing to comply with safety standards, will be subject to disciplinary action up to and including termination of employment.

Employees Covered Under a Collective Bargaining Agreement

The employment terms set out in this policy work in conjunction with, and do not replace, amend, or supplement any terms or conditions of employment stated in any collective bargaining agreement that a union has with TARC. Employees should consult the terms of their collective bargaining agreement. Wherever employment terms in this policy differ from the terms expressed in the applicable collective bargaining agreement with TARC, employees should refer to the specific terms of the collective bargaining agreement, which will control.

Acknowledgment of Receipt and Review

I, _____ (employee name), acknowledge that on _____ (date), I received a copy of TARC's Company Car Policy and that I read it, understood it, and agree to comply with it. I understand that TARC has the maximum discretion permitted by law to interpret, administer, change, modify, or delete this policy at any time [with or without notice]. No statement or representation by a supervisor or manager or any other employee, whether oral or written, can supplement or modify this policy. Changes can only be made if approved in writing by the Executive Director of TARC. I also understand that any delay or failure by TARC to enforce any work policy or rule will not constitute a waiver of TARC's right to do so in the future. I understand that neither this policy nor any other communication by a management representative or any other employee, whether oral or written, is intended in any way to create a contract of employment. I understand that, unless I have a written employment agreement signed by an authorized TARC representative, **I am employed at will and this policy does not modify my at-will employment status.** If I have a written employment agreement signed by an authorized TARC representative and this policy conflicts with the terms of my employment agreement, I understand that the terms of my employment agreement will control.

Approved By:

Carrie Butler, Executive Director

Date

Employee Signature

Employee Printed Name

Date

**TARC COMPANY CAR FOR COMMUTING
AND PERSONAL USE LIABILITY AGREEMENT**



I understand that if I am assigned a TARC vehicle (either owned or leased) authorized for **Commuting and Personal Use**, on the terms set out below TARC will provide liability protection to me free of charge for up to \$300,000 per accident for any damages or claims for Bodily Injury or Property Damage caused by my negligent operation of the assigned TARC vehicle while on **Commuting and Personal Use**, unless and until my employment with TARC is terminated, or I am otherwise notified, or my Commuting and Personal Use is terminated.

In addition to this \$300,000 Liability Limit, I understand that TARC agrees to settle or defend, as it deems appropriate, any claims or suits asking for these damages and that its duty to settle or defend ends when it has tendered the \$300,000 as payment for any claims.

In consideration of and as a condition precedent to receiving this \$300,000 limit of protection while operating a TARC vehicle for **Commuting and Personal Use** I agree that I will:

1. Not allow any person other than another authorized TARC employee to operate the TARC vehicle assigned to me.
2. Promptly notify the Director of Safety and Security of how, when and where any accident happens, and will give the names and addresses of any injured persons and of any witnesses.
3. Cooperate with TARC in its investigation, settlement, or defense of any suits and will promptly send copies of any notices or legal papers received in connection with the accident to the Director of Safety.
4. Make every effort to contact the local Police Department from the scene of any accident in which I am involved and request that a Uniform Police Traffic Accident Report be completed.
5. Not engage in any criminal behavior as set forth in KRS Chapter 189, 189A and/or KRS Chapters 500 – 534 (i.e., Kentucky Penal Code).

I understand that I will be responsible for any claims which exceeds \$300,000 and that I may purchase supplemental insurance coverage from my own Personal Insurance Agent to protect myself from liability while operating any TARC vehicle authorized for **Commuting and Personal Use**, in excess of \$300,000, and that purchase of such coverage shall be at my own expense.

I have read the foregoing and I understand and agree that violation of any of the above mentioned conditions may cause TARC to deny the protection afforded by this Agreement, and that this Agreement becomes effective the date that I sign this Agreement.

Approved By:

Employee Signature

Carrie Butler, Executive Director

Employee Printed Name

Date

Date

Name of Entity That Drafted This Policy	Pat Mulvihill, General Counsel	
Signature by the Executive Director	Signature of Accountable Executive	Date of Signature
Approval by the Board of Directors or an Equivalent Authority	Name of Individual/Entity That Approved This Plan	Date of Approval
	Relevant Documentation (Title and Location)	
Certification of Compliance	Name of Individual/Entity That Certified This Plan	Date of Certification
	Pat Mulvihill, General Counsel	
	Relevant Documentation (Title and Location)	

Version Number and Updates			
Version Number	Section/Pages Affected	Reason for Change	Date Issued
1	All	Create/Update	07/2003
2	All	Update	06/2021



MEMORANDUM

To: Mary Morrow, Chair of TARC Board of Directors

From: Carrie Butler, Executive Director

Date: June 22, 2021

Re: Resolution 2021-21–Change Order for Studio Kremer Architects Contract P2811

In April of 2020 this Board authorized the award of a three-year contract with Studio Kremer Architects (Studio K) for Architectural and Engineering Consulting Services (Resolution 2020-23). At its meeting last June, the Board then authorized us to expend up to \$300,000 with Studio K on projects that would make up its first-year scope of work (Resolution 2020-29).

Considerable progress has been made since then. We completed the design and have begun the renovation of our dispatching and transportation offices. We designed a new 60 KiloWatt solar array for the roof of the Alyce French-Johnson Education and Training Center, and are about to release the Invitation for Bids. Studio K and their engineering subcontractor, CMTA, are also preparing bid documents for another photovoltaic array for the roof of our facility at 925 W. Broadway. Studio Kremer is also preparing construction and bid documents for the 30th Street training lot, and for the replacement of the HVAC system on our bus storage building here at Union Station. Finally, we have paused work on the proposed addition to our maintenance repair bays while we step back to consider all of our operations and maintenance facilities here at Union Station. To date we have obligated \$268,215 dollars towards completion of all these projects.

These projects represent a good start on our backlog of facility maintenance needs, but it is only a start. Staff are currently working on prioritizing more than forty additional projects as part of our Transit Asset Management Plan, several of which we will almost certainly pursue. They include: revamping the security at all of our facilities, including our access control, surveillance, and perimeter fencing and gates; stabilizing the end walls of this historic building; and investigating and mitigating a structural issue in our bus storage building at 30th Street.

For these reasons I am now seeking your approval to increase the not to exceed limit of our contract with Studio Kremer to a new total of \$600,000. We believe that this amount will be sufficient to cover any projects that may be prioritized for completion through our fiscal year 2022.

Funds to support this work will be provided from existing Federal and local sources.

Please call me at 561-5100 if you have any questions. Thank you.



RESOLUTION 2021-21 Change Order One to Contract P-2811 Architecture & Engineering Consulting

A Resolution authorizing the Executive Director to add \$300,000 to the value of our contract with Studio Kremer Architects for Architectural & Engineering Consulting services to a new not to exceed total of \$600,000:

WHEREAS, TARC's Board of Directors authorized the award of a contract with Studio Kremer Architects at its meeting on April 28, 2020; and

WHEREAS, the Board of Directors further approved the expenditure of up to \$300,000 towards a first-year scope of work with Studio Kremer Architects at its meeting on June 23, 2020; and

WHEREAS, Studio Kremer has multiple projects at various stages of completion, including installation of photovoltaic arrays two facilities, renovation of our dispatching offices, improvements to our bus operator training lot on 30th Street, and replacement of the HVAC system in the Union Station bus storage building; and

WHEREAS, in order to further address TARC's backlog of facility maintenance needs, including upgrading security at all TARC facilities, stabilizing the end walls of Union Station, and addressing a structural issue at our 30th Street bus storage facility; and

WHEREAS, it is necessary to obligate sufficient funds to assure the completion of those projects;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Transit Authority of River City that:

The Executive Director is hereby authorized to add \$300,000 to the value of our contract with Studio Kremer Architects for Architectural & Engineering Consulting services to a new not to exceed total of \$600,000 over the life of the 3-year contract.

ADOPTED THIS 22nd DAY OF JUNE 2021

Mary Morrow, Chair of the Board of Directors