

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**April 20, 2001**

---

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, April 20, 2001 at the at the City Hall Council Chambers, 809 Center Street, Santa Cruz, California.

Chairperson Ainsworth called the meeting to order at 8:35 a.m.

## **SECTION 1: OPEN SESSION**

### **1. ROLL CALL:**

#### **DIRECTORS PRESENT**

Sheryl Ainsworth  
Jeff Almquist  
Tim Fitzmaurice  
Bruce Gabriel  
Michelle Hinkle  
Mike Keogh  
Christopher Krohn  
Emily Reilly

#### **DIRECTORS ABSENT**

Jan Beautz (arrived at 8:43 a.m.)  
Rafael Lopez (arrived at 8:58 a.m.)  
Dennis Norton  
Ex-Officio Mike Rotkin

#### **STAFF PRESENT**

Bryant Baehr, Operations Manager  
Paul Chandley, Human Resource Manager  
Kim Chin, Planning & Marketing Manager  
Mark Dorfman, Asst. General Manager  
Marilyn Fenn, Asst. Finance Manager  
Terry Gale, IT Manager

Margaret Gallagher, District Counsel  
Tom Hiltner, Grants/Legis. Analyst  
David Konno, Fac. Maint. Manager  
Elisabeth Ross, Finance Manager  
Tom Stickel, Fleet Maintenance Manager  
Leslie R. White, General Manager

#### **EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT**

Sharon Barbour, MUG  
Mary Ferrick, PSA  
Mark Hartunian, Lift Line

Don Hubbard, Harvey West Association  
Jeff LeBlanc, Bus Rider  
John Mellon, VMU

### **2. REVIEW OF ITEMS TO BE DISCUSSED INCLOSED SESSION**

Margaret Gallagher stated that the Board would be discussing the District's potential action against Food and Nutrition Services.

**3. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION**

None

**SECTION II: CLOSED SESSION**

Chairperson Ainsworth adjourned to Closed Session at 8:36 a.m. and reconvened to Open Session at 8:51 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**1. REPORT OF CLOSED SESSION**

Margaret Gallagher stated that there is nothing to report from the Closed Session at this time.

**THE CONSENT AGENDA WAS TAKEN OUT OF ORDER.**

Chairperson Ainsworth informed the audience that in order to expedite the Board meetings, selected items would be moved from the Consent Agenda to the Regular Agenda after being discussed at the Board's Workshop Meeting held on the second Friday of each month. Items 10, 12 and 14 were moved to the Consent Agenda at last week's meeting. If anyone would like to discuss any of these items, please inform the Board and it will be moved back to the Regular Agenda for discussion.

**CONSENT AGENDA**

- 7-1. **APPROVE REGULAR BOARD MEETING MINUTES OF 3/9/01 AND 3/16/01**
- 7-2. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**
- 7-3. **ACCEPT AND FILE PASSENGER LIFT REPORT FOR MARCH 2001**
- 7-4. **CONSIDERATION OF TORT CLAIMS: Amended Recommendation: Deny the Claim of Michael Roberts**
- 7-5. **ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 3/15/01**
- 7-6. **ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF 3/14/01**
- 7-7. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2001, APPROVAL OF BUDGET TRANSFERS**
- 7-8. **ACCEPT AND FILE STATUS REPORT ON ADA PARATRANSIT PROGRAM FOR FEBRUARY 2001**
- 7-9. **ACCEPT AND FILE QUARTERLY RIDERSHIP REPORT, SECOND QUARTER 00/01**
- 7-10. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JANUARY 2001**
- 7-11. **CONSIDERATION OF EXTENSION OF CONTRACT FOR NATIONWIDE AUCTION SYSTEM**
- 7-12. **CONSIDERATION OF EXTENSION OF CONTRACT FOR AMPAC BUILDING MAINTENANCE**
- 7-13. **CONSIDERATION OF APPROVAL TO PURCHASE FOUR PARATRANSIT VANS USING THE STATE PROCUREMENT PROCESS**

- 7-14. CONSIDERATION OF EXTENDING THE VERNON STREET PARKING LOT LEASE AGREEMENT FOR AN ADDITIONAL THREE-YEAR TERM
- 7-15. DELETED - ACTION TAKEN AT 4/13/01 BOARD MEETING
- 7-16. CONSIDERATION OF APPROVING THE ASSIGNMENT OF THE LEASE AGREEMENT WITH FILIBERTO PORRAS, D/B/A LA MISSION RESTAURANT, TO KIN WAI CHEUNG AND YUK LING YEUNG, D/B/A CHINA EXPRESS FAST FOOD RESTAURANT, FOR THE RESTAURANT SPACE AT THE METRO CENTER, EFFECTIVE MAY 1, 2001, AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE A LEASE AMENDMENT INCLUDING MODIFICATIONS OF TERMS THEREAFTER
- 7-17. CONSIDERATION OF CONTRACT RENEWALS WITH JB ASSOCIATES AND APEX STRATEGIES FOR OUTREACH SERVICES
- 7-18. CONSIDERATION OF ADOPTING MAY 2001 AS "CLEAN AIR" MONTH
- 7-19. CONSIDERATION OF APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH THE CITY OF WATSONVILLE FOR PRIVATE SECURITY SERVICES AT THE WATSONVILLE TRANSIT CENTER - (formerly Item No. 10 on the Regular Agenda)
- 7-20. CONSIDERATION OF RESOLUTION AUTHORIZING A REVISION TO THE FY 00-01 BUDGET - (formerly Item No. 12 on the Regular Agenda)
- 7-21. CONSIDERATION OF FY 01-02 STATE TRANSIT ASSISTANCE (STA) CLAIM AMENDMENTS - (formerly Item No. 14 on the Regular Agenda)
- 7-22. ACCEPT AND FILE REPORT OF ACTION IN CLOSED SESSION ON MARCH 16, 2001, REGARDING CHRISTINE JONES VS. MACERICH COMPANY; SANTA CRUZ METROPOLITAN TRANSIT DISTRICT AS INTERENOR

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ALMQUIST**

**Approve the Consent Agenda**

**Motion passed unanimously.**

## **2. ORAL AND WRITTEN COMMUNICATION**

- |                                      |               |
|--------------------------------------|---------------|
| a. Doug & Rita Bochner               | RE: MetroBase |
| b. Leona B. Gobbo                    | RE: MetroBase |
| c. Amanda Harrington                 | RE: MetroBase |
| d. Michael Paul, Goodwill Industries | RE: MetroBase |

Fahmy Ma'Awad spoke regarding his desire to have talking signs buses. Mr. Ma'Awad stated that this technology would alleviate the drivers from calling out stops and would allow them to concentrate only on driving and the safety of his/her passengers. Mr. Ma'Awad commented that this technology would aid the visually and mentally impaired as well as seniors, the confused, and tourists. He asked for the Board's assistance in beginning this process. Mr. Ma'Awad stated that he is holding people back from filing a complaint in this matter.

Chairperson Ainsworth requested that this topic be agendized on the Regular Agenda at a future meeting.

**3. LABOR ORGANIZATION COMMUNICATIONS**

None

**4. METRO USERS GROUP (MUG) COMMUNICATIONS**

Sharon Barbour reported that at the last MUG Meeting there was discussion of MetroBase and how more service could not be put on the road without a place to put the buses. The MUG Committee feels it is imperative to move forward with the MetroBase project. MUG also discussed adding Greyhound to the Metro Center. Ms. Barbour also informed the Board that there are rumors circulating that the bus operators are worried about their job security if MetroBase is not approved.

The following Motion was made by MUG at its April 18<sup>th</sup> meeting:

MUG will submit written correspondence to the Board in support of Harvey West as the preferred location for MetroBase. MUG recommends that the development plans include the ability for Metro to operate at an expanded level of service consistent with future service plans.

**5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS**

Deborah Lane stated that the following Motion was passed at the MASTF meeting of 4/19/01:

MASTF approves of the existing talking bus technology and requests that the technology be installed in all current Metro buses that are wired for it.

Ms. Lane urged the Board to take an aggressive attitude towards civil rights for passengers with disabilities.

**6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS**

**SECTION III**

**ADD TO ITEM #2**

**ORAL AND WRITTEN COMMUNICATIONS**

- |    |                                   |               |
|----|-----------------------------------|---------------|
| b. | Leona B. Gobbo                    | RE: MetroBase |
| c. | Amanda Harrington                 | RE: MetroBase |
| d. | Michael Paul, Goodwill Industries | RE: MetroBase |
- (Add written communications)**

**CONSENT AGENDA:**

**DELETE ITEM #7-15**

CONSIDERATION OF APPROVING A LEASE AMENDMENT FOR McDONALD'S FOOD RESTAURANT IN THE WATSONVILLE TRANSIT CENTER FOR THE PURPOSE OF GRANTING A 90-DAY EXTENSION TO RENEW THE EXISTING LEASE FOR AN

ADDITIONAL FIVE YEARS INCLUDING A NINETY-DAY  
EXTENSION

**(Action taken at 4/13/01 Board Meeting)**

**ADD TO ITEM #7-22**

ACCEPT AND FILE REPORT OF ACTION IN CLOSED SESSION  
ON MARCH 16, 2001, REGARDING CHRISTINE JONES VS.  
MACERICH COMPANY; SANTA CRUZ METROPOLITAN TRANSIT  
DISTRICT AS INTERVENOR

**(Add Staff Report)**

**DELETE ITEM #8**

CONSIDERATION OF CHANGE IN GFI GENFARE FAREBOX  
CONTRACT

**(Action taken at 4/13/01 Board Meeting)**

**ADD TO ITEM #9**

CONSIDERATION OF AMENDING BYLAWS TO ALLOW ORAL  
AND WRITTEN COMMUNICATIONS, LABOR UNION  
COMMUNICATIONS, MASTF COMMUNICATION AND MUG  
COMMUNICATIONS TO BE CONSIDERED AT THE FIRST  
REGULAR MONTHLY BOARD MEETING BEFORE 9:00 A.M. AND  
ENDING TIMES FOR REGULAR BOARD OF DIRECTOR  
MEETINGS, **AND A SET TIME FOR BEGINNING OPEN**

**SESSIONS AT THE REGULAR BOARD MEETINGS**

**(Add additional task to existing item)**

**MOVE ITEM #10**

CONSIDERATION OF APPROVAL OF MEMORANDUM OF  
UNDERSTANDING WITH THE CITY OF WATSONVILLE FOR  
PRIVATE SECURITY SERVICES AT THE WATSONVILLE  
TRANSIT CENTER

**(Moved to Consent Agenda as Item No. 7-19 at 4/13/01 Board  
Meeting. Staff Report retained original numbering as Item No.  
10)**

**MOVE ITEM #12**

CONSIDERATION OF RESOLUTION AUTHORIZING A REVISION  
TO THE FY 00-01 BUDGET

**(Moved to Consent Agenda as Item No. 7-20 at 4/13/01 Board  
Meeting. Staff Report retained original numbering as Item No.  
12)**

**MOVE ITEM #14**

CONSIDERATION OF FY 01-02 STATE TRANSIT ASSISTANCE  
(STA) CLAIM AMENDMENTS

**(Moved to Consent Agenda as Item No. 7-21 at 4/13/01 Board  
Meeting. Staff Report retained original numbering as Item No.  
14)**

**ADD TO ITEM #17**

CONSIDERATION OF HOLDING A SPECIAL MEETING FOR THE  
BOARD OF DIRECTORS TO DETERMINE ISSUES AND  
ALTERNATIVES FOR SCOPE OF METROBASE  
ENVIRONMENTAL IMPACT REPORT (EIR) IN LIEU OF

DISCUSSING THIS MATTER AT THE REGULAR BOARD  
MEETING ON MAY 18, 2001  
(Oral Staff Report)

#### REGULAR AGENDA

8. **DELETED - ACTION TAKEN AT 4/13/01 BOARD MEETING**
9. **CONSIDERATION OF AMENDING BYLAWS TO ALLOW ORAL AND WRITTEN COMMUNICATIONS, LABOR UNION COMMUNICATIONS, MASTF COMMUNICATION AND MUG COMMUNICATIONS TO BE CONSIDERED AT THE FIRST REGULAR MONTHLY BOARD MEETING BEFORE 9:00 A.M. AND ENDING TIMES FOR REGULAR BOARD OF DIRECTOR MEETINGS**

#### Summary:

Chairperson Ainsworth explained that this item would set a time for the beginning of the Open Session for the regular Board meetings scheduled for the third Friday of each month. Margaret Gallagher proposed that Open Session for the Consent and Regular agendas and Oral Communications begin at 9:00 for the third Friday Board meeting. Director Fitzmaurice suggested that the meetings should simply begin at 9:00 a.m.

#### Discussion:

Numerous Directors stated their preferences as to beginning times for Open Session and Closed Session. Members of the audience also spoke regarding having to wait outside while Closed Session is conducted.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR LOPEZ**

**Bring this item back to the May Board Meeting with language for the Bylaws stating that Open Session at both monthly Board meetings will begin at 9:00 a.m. with ending times. Also, investigate the possibility of using the City Hall Conference Room for Closed Session.**

**Motion passed unanimously.**

10. **MOVED TO CONSENT AGENDA AS ITEM 7-19.**
11. **CONSIDERATION OF REDUCING PARKING LOT LIGHTING AT SCOTTS VALLEY TRANSIT CENTER**

#### Summary:

David Konno stated that at the 4/13/01 Board Meeting, there was discussion about reducing lighting and working with the Scotts Valley Police Dept. to determine if the current lighting at the Scotts Valley Transit Center could be reduced. Staff performed additional tests and proposes to take one of the lamps out of each fixture. This would equate to 2.2 candles and would meet the

standard directly under the lights. Chairperson Ainsworth asked about the ballast and if lower wattage ballasts would be beneficial. Mr. Konno quoted a cost of \$11,000 to replace the ballasts and this still may not meet the 1.5 candle foot required by the City of Scotts Valley, however, it was determined that there is no City Ordinance requiring a specific candle foot.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR LOPEZ**

**Remove one lamp and ballast at each fixture for a cost of \$1,688.00.**

David Konno added that the District may save one-third of the power by removing one lamp and ballast per fixture or approximately \$1,200 per year. Chairperson Ainsworth stated that the Scotts Valley City Council prefers not to be in the middle of this decision and they do not want the City to be held liable for any injuries that occur because of the lighting. Scotts Valley would prefer that the District act independently on this matter.

**Motion passed unanimously.**

**12. MOVED TO CONSENT AGENDA AS ITEM 7-20.**

**13. CONSIDERATION OF AMENDING BOARD OF DIRECTOR MEETING LOCATIONS FOR 2001 BOARD MEETINGS**

**Summary:**

Mark Dorfman stated that due to anticipated construction the July through October Board Meetings were relocated to the County Board of Supervisor Chambers. Staff received notice from the City that the construction would be delayed and the Board Meetings could return to the City Hall Council Chambers. Staff is proposing that the Board Meetings continue to be held at the City Hall Council Chambers for the remainder of 2001. This issue was further delayed by a letter stating that the restroom facilities at the City Hall Council Chambers were not ADA compliant. Changes were made at this facility as a result of that letter.

**Discussion:**

Each Director gave his/her preference for where the Board Meetings should be held. Mr. Martine Bernal, Assistant City Manager for the City of Santa Cruz, informed the Board that the threshold into the Chambers has been replaced, and contractors are in the process of converting the women's restroom door to an automatic one. Mr. Bernal will check the men's restroom as well to ensure its compliance with ADA. During the construction phase that will take place this year, the contractor has been given a schedule of meetings held in the Chambers so he will be noise sensitive. Director Fitzmaurice requested a copy of the construction plans and building layout for this Board. Director Krohn requested public input on this decision and also on whether or not evening Board meetings would be more convenient. Margaret Gallagher distributed a listing of other agency Board Meetings which was compiled in an effort to show which evenings would be suitable for the METRO Board to meet. This information will be put into calendar form and be resubmitted to the Board prior to requesting the public's input. When the Board Meeting location list is reissued, the starting time will be changed to 9:00 a.m.

Sharon Barbour commented that various meeting locations would make it difficult for the public to find the meetings. Director Keogh stated that evening meetings would require overtime and comp time for the staff to attend. There was discussion regarding bus riders being able to catch transportation home after an evening meeting.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR KROHN**

**Continue having the Board Meetings in the City Hall Council Chambers for the remainder of 2001 depending on the ADA accessibility of the restrooms. Send this issue to MUG and MASTF for input. Return to the Board with the information on other agency's meetings in calendar format.**

**AYES:** Directors - Ainsworth, Almquist, Beautz, Fitzmaurice, Hinkle, Krohn, Lopez, Reilly

**NOES:** Directors - Gabriel, Keogh

**ABSTAIN:** Directors - None

**ABSENT:** Directors - Norton

**14. MOVED TO CONSENT AGENDA AS ITEM 7-21.**

**15. CONSIDERATION OF GRANT APPLICATION TO THE AIR DISTRICT FOR AB 2766 FUNDS FOR METRO CNG FACILITIES**

**Summary:**

Mark Dorfman stated that Staff is requesting permission to submit a grant application in the amount of \$200,000 for the AB2766 Motor Vehicle Emissions Reduction Grant Program. This is an annual program offered by the Air District. These funds would be to construct a slow-fill CNG fueling facility and would allow Staff to fuel non-revenue equipment and the eight CNG buses that are currently out to bid. No additional gas line is needed for this facility.

**ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR LOPEZ**

**Adopt a resolution authorizing Staff to submit an application for \$200,000 to the Air District for CNG facilities.**

**Motion passed unanimously.**



**16. CONSIDERATION OF APPROVAL FOR AMENDING THE CONTRACT WITH NELSON NYGAARD TO COMPLETE ADDITIONAL ITEMS FOR RECERTIFICATION**

**Summary:**

Kim Chin reported that the Board approved the Recertification Program last month and requested three items. They are: 1) Estimated costs of ADA Paratransit Recertification Program, 2) Recertification timeline, 3) Budget proposal for amendment to contract to complete solicitation process. Mr. Chin added that the process has begun for hiring an in-house eligibility coordinator who will oversee the eligibility portion of the Recertification. Solicitation materials will be sent out to the community once this position has been filled. Mr. Chin estimated January of 2002 as the commencement of the recertification process. Projected costs for the ADA Eligibility Certification Program were attached to the Staff Report. Mr. Chin estimated that the District would fall between the low and medium costs.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR GABRIEL**

**Approve contract amendment with Nelson Nygaard to complete additional items related to Recertification.**

**Motion passed unanimously.**

**17. CONSIDERATION OF HOLDING A SPECIAL MEETING FOR THE BOARD OF DIRECTORS TO DETERMINE ISSUES AND ALTERNATIVES FOR SCOPE OF METROBASE ENVIRONMENTAL IMPACT REPORT (EIR) IN LIEU OF DISCUSSING THIS MATTER AT THE REGULAR BOARD MEETING ON MAY 18, 2001**

**Summary:**

Mark Dorfman reported that some Directors cannot attend the May 18, 2001, Board Meeting and inquired if the Board would like to designate a date for a special Board Meeting which would be devoted only to determining issues and alternatives for the scope of the MetroBase EIR.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR REILLY**

**Set the evening of May 23, 2001, for a special Board Meeting to focus on this one issue.**

**Discussion:**

Staff was directed to reserve the Board of Supervisors Chambers for the evening of May 23<sup>rd</sup>, if available.

**Motion passed unanimously.**

Chairperson Ainsworth reminded the Board and audience of the Scoping Meeting scheduled for Wednesday, April 25<sup>th</sup>, 7:00 p.m., at the Board of Supervisor Chambers.

Minutes– Board of Directors

April 20, 2001

Page 10

Director Krohn referred to a Written Communication from Michael Paul of Goodwill Industries and recommended that he be invited to the next meeting between Directors and City Council members.

**ADJOURN**

There being no further business, Chairperson Ainsworth adjourned the meeting at 10:02 a.m.

Respectfully submitted,

DALE CARR

Administrative Services Coordinator