

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**May 26, 2006**

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, May 26, 2006 at the Capitola City Council Chambers, 420 Capitola Avenue, Capitola, CA.

Chair Rotkin called the meeting to order at 9:00 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Jan Beautz  
Dene Bustichi  
Michelle Hinkle  
Emily Reilly  
Mike Rotkin  
Dale Skillicorn  
Pat Spence  
Marcela Tavantzis

#### **DIRECTORS ABSENT**

Mike Keogh  
Kirby Nicol  
Mark Stone  
Ex-Officio Wes Scott

#### **STAFF PRESENT**

Mark Dorfman, Assistant General Manager  
Terry Gale, IT Manager  
Margaret Gallagher, District Counsel  
Steve Paulson, Paratransit Administrator

Elisabeth Ross, Finance Manager  
Robyn Slater, Human Resources Manager  
Judy Souza, Acting Operations Manager  
Les White, General Manager

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

Gary Klemz, SEIU Field Representative  
Sandra Lipperd, UTU  
Paul Marcelin-Sampson, MAC  
Manny Martinez, PSA  
Ian McFadden, Transit Planner

Gillian McGlaze, PSA  
John Mellon, VMU  
Emery Ross, Mgmt Retiree  
Amy Weiss, Spanish Interpreter

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

Written:

**a. Louise Barnes**

**Re: Complaint Concerns**

**b. Doug Center**

**Re: Retiree Medical Premiums**

Chair Rotkin reported that Staff would prepare responses to the written communications.

Oral:

Paul Marcelin-Sampson said he was very concerned, as a member of a visible minority group, with the racial specification references in the complaint letter under Item #2-a. Mr. Marcelin-Sampson found the comments very offensive and urged the Board to return the letter stating that members of the public may say whatever they like, but if they would like a response, they need to remove the racial generalizations.

Mr. Marcelin-Sampson gave an update on the Transportation Funding Task Force (TFTF). As one of the Board's appointees, he attended the Special meeting at UCSC on May 15<sup>th</sup>, the May 20<sup>th</sup> meeting in Watsonville, and the meeting held last night in Aptos. Mr. Marcelin-Sampson spoke about the negative impacts on METRO that would result if METRO were required to use smaller buses, as had been recommended at the TFTF meetings. He urged the Board to request an audience with Fred Keeley to explain these impacts so this recommendation does not appear in the final TFTF report. Mr. Marcelin-Sampson added that the focus of the sparsely attended meeting at UCSC was on campus transportation issues and the environmental misconception that METRO operates "dirty diesel buses", although there has been an 80% reduction in emissions compared to 10 years ago, and that METRO is on the path of converting its fleet to CNG.

Director Spence reported that she attended the TFTF meeting in Felton and that there were 61 attendees. Suggestions were made at the meeting to have lumber racks installed on buses and to tax medical marijuana to fix potholes.

Les White added that Staff is preparing a letter for the Board Chair's signature regarding the small bus issue and others that have come up at the TFTF meetings.

Director Reilly reported that she is also a member of the Task Force and feels the meetings have been very enlightening.

**3. LABOR ORGANIZATION COMMUNICATIONS**

None.

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

**SECTION I:**

**OPEN SESSION:**

**INSERT ITEM #2**

ORAL AND WRITTEN COMMUNICATION

**(Insert Written Communication)**

**CONSENT AGENDA:**

**ADD TO ITEM #5-1**

APPROVE REGULAR BOARD MEETING MINUTES OF MARCH 10 AND MARCH 24, 2006 AND SPECIAL MINUTES OF MARCH 17, 2006

**(Insert March 24<sup>th</sup> Minutes)**

**ADD TO ITEM #5-3**

ACCEPT AND FILE APRIL 2006 RIDERSHIP REPORT

**(Insert Pages 1 & 4)**

- INSERT ITEM #5-6** ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2006 AND APPROVAL OF BUDGET TRANSFERS  
**(Insert Staff Report)**
- INSERT ITEM #5-7** ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR FEBRUARY 2006  
**(Insert Report)**
- ADD TO ITEM #5-9** ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF FEBRUARY **AND MARCH** 2006  
**(Insert March Report)**
- INSERT ITEM #5-11** ACCEPT AND FILE METROBASE STATUS REPORT  
**(Insert Staff Report)**
- DELETE ITEM #5-12** ACCEPT AND FILE PROGRESS REPORT ON THE STATUS OF METRO'S WORKERS' COMPENSATION PROGRAM ONE YEAR AFTER METRO'S TRANSITION TO ITS CURRENT THIRD PARTY ADMINISTRATOR  
**(Deleted: Will be included in the June 2006 Board Packet)**
- ADD ITEM #5-21** **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN ASSIGNMENT OF LEASE AGREEMENT TO NEW OWNERS WHILE RETAINING ALL FORMER TENANTS AS OBLIGORS ON THE LEASE**  
**(Insert Staff Report)**
- REGULAR AGENDA:**
- DELETE ITEM #13** CONSIDERATION OF AUTHORIZING A CHANGE ORDER IN THE CONTRACT WITH NEW FLYER OF AMERICA FOR THE PURCHASE TWO 40 FOOT COMPRESSED NATURAL GAS BUSES  
**(Deleted: Action taken at the May 12, 2006 Board Meeting)**
- DELETE ITEM #14** ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR MAY 26, 2006 – CAPITOLA CITY COUNCIL CHAMBERS, 420 CAPITOLA AVE, CAPITOLA, CA  
**(Deleted: Action taken at the May 12, 2006 Board Meeting)**
- ADD ITEM #15** **CONSIDERATION OF A RESOLUTION OF APPRECIATION FOR THE SERVICES OF MARILYN FENN AS ASSISTANT FINANCE MANAGER FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**  
**(Insert Resolution)**
- ADD ITEM #16** **CONSIDERATION OF A RESOLUTION OF APPRECIATION FOR THE SERVICES OF JUDY SOUZA AS BASE SUPERINTENDENT FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**  
**(Insert Resolution)**
- ADD ITEM #17** **CONSIDERATION OF AUTHORIZING STAFF TO WORK WITH MONTEREY-SALINAS TRANSIT AS THE LEAD AGENCY TO DEVELOP AND SUBMIT TWO APPLICATIONS TO THE AIR DISTRICT FOR SUPPLEMENTAL FUNDS FOR THE BUS RAPID TRANSIT FEASIBILITY STUDY AND FOR A NEW WEB-BASED TRAVELER INFORMATION SYSTEM**  
**(Insert Staff Report)**

## CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF MARCH 10 AND MARCH 24, 2006 AND SPECIAL MINUTES OF MARCH 17, 2006
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF APRIL 2006
- 5-3. ACCEPT AND FILE APRIL 2006 RIDERSHIP REPORT
- 5-4. CONSIDERATION OF TORT CLAIMS: DENY THE CLAIMS OF KATHY LAMOTHE, CLAIM #06-0007, AND S. REDDAN, CLAIM #06-0009, AND BARBARA FREDERICK, CLAIM #06-0010
- 5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR MAY 17, 2006
- 5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2006 AND APPROVAL OF BUDGET TRANSFERS
- 5-7. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR FEBRUARY 2006
- 5-8. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF FEBRUARY 2006
- 5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF FEBRUARY AND MARCH 2006
- 5-10. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE APRIL 2006 MEETINGS
- 5-11. ACCEPT AND FILE METROBASE STATUS REPORT
- 5-12. DELETED: WILL BE INCLUDED IN THE JUNE 2006 BOARD PACKET  
(ACCEPT AND FILE PROGRESS REPORT ON THE STATUS OF METRO'S WORKERS' COMPENSATION PROGRAM ONE YEAR AFTER METRO'S TRANSITION TO ITS CURRENT THIRD PARTY ADMINISTRATOR)
- 5-13. ACCEPT AND FILE RIDERSHIP STATUS REPORT ON ROUTES 12A AND 32
- 5-14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A RENEWAL OF CONTRACT WITH COUNTY OF SANTA CRUZ FOR PAYROLL SERVICES
- 5-15. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXTEND THE CONTRACT WITH PAT PIRAS CONSULTING FOR EVALUATION OF DISTRICT'S ADA/504 PROGRAMS & ACTIVITIES TO REFLECT PREVIOUSLY APPROVED EXTENSION OF REVIEW DEADLINE
- 5-16. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A RENEWAL OF CONTRACT WITH FOLGER GRAPHICS FOR GRAPHIC DESIGN SERVICES FOR HEADWAYS
- 5-17. CONSIDERATION OF REQUEST FOR SHUTTLE SERVICE RECEIVED FROM THE CITY OF WATSONVILLE
- 5-18. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A RENEWAL OF CONTRACT WITH DRIVER ALLIANT INSURANCE SERVICES, INC. FOR INSURANCE BROKER SERVICES AND CONTINUING THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY JOINT POWERS AGREEMENT IN ORDER TO ACCESS EXCESS WORKERS' COMPENSATION INSURANCE

- 5-19. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR THREE POSITION BICYCLE CARRIERS TO SPORTWORKS NORTHWEST, INC.**
- 5-20. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE CONTRACT FOR AUCTIONEER SERVICES**  
(Moved to Consent Agenda at the May 12, 2006 Board Meeting. Retained original numbering as Item #9)
- 5-21. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN ASSIGNMENT OF LEASE AGREEMENT TO NEW OWNERS WHILE RETAINING ALL FORMER TENANTS AS OBLIGORS ON THE LEASE**

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR SKILLICORN**

**Approve the Consent Agenda**

**Motion passed unanimously with Directors Keogh, Nicol and Stone being absent.**

#### **REGULAR AGENDA**

#### **6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

The following employees were awarded longevity certificates for their years of service:

##### **TEN YEARS**

Michelle Fitzpatrick, Bus Operator  
David Mahan, Transit Supervisor  
Steven Paulson, Paratransit Administrator  
David Valdez, Vehicle Service Technician

##### **TWENTY-FIVE YEARS**

Kathleen Bryant, Bus Operator

##### **THIRTY YEARS**

Elisabeth Ross, Finance Manager

#### **7. PUBLIC HEARING ON FY 06-07 AND FY 07-08 DRAFT FINAL BUDGET**

##### **Summary:**

Elisabeth Ross reported that she is continuing to update and adjust the FY 06-07 and FY 07-08 Draft Final Budget and that it would come back to the Board for final action next month. The Board will also see a 5-year Operating Budget Plan and a 5-year Capital Plan next month as well.

##### **CHAIR ROTKIN OPENED THE PUBLIC HEARING AT 9:30 A.M.**

Paul Marcelin-Sampson congratulated METRO on its very transparent budget process, explaining that other Bay Area agencies and their Boards often do not see the information until months after

the budget is approved. Mr. Marcelin-Sampson also gave the following three suggestions, pointing out that his intention was not meant to be a criticism, but rather to provide additional information to aid in decision making: 1) the Board could request a breakdown of overtime, as it has historically exceeded projections; 2) small, ongoing fare increases could be considered; and 3) budget information should be expressed on a unit basis.

**CHAIR ROTKIN CLOSED THE PUBLIC HEARING AT 9:36 A.M.**

**Discussion:**

Director Spence asked about reserve accounts and Ms. Ross replied that total reserves are approximately \$19 million and that information would be included in the next Board Packet.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN**

**Accept input on the FY 06-07 and FY 07-08 Draft Final Budget**

**Motion passed unanimously with Directors Keogh, Nicol and Stone being absent.**

**8. CONSIDERATION OF A RESOLUTION AUTHORIZING AN APPLICATION TO THE AIR DISTRICT FOR FY2007 AB 2766 FUNDS TO OPERATE PUBLIC TRANSIT SERVICE ON HOLIDAYS**

**Summary:**

Mark Dorfman reported that this was a suggestion by MAC to find funding sources to operate limited service on four holidays: New Year's Day, Memorial Day, July 4<sup>th</sup> and Labor Day.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR SKILLICORN**

**Adopt Resolution authorizing Staff to submit an application to the Air District for AB 2766 funds, and if awarded, execute a grant agreement and operate holiday service**

**Discussion:**

Paul Marcelin-Sampson introduced MAC member Stuart Rosenstein who brought this suggestion forward. Mr. Rosenstein thanked the Board for acting on MAC's request because it is important for those who must work on holidays and also to keep families together for holidays.

**Motion passed by unanimous affirmative voice vote in lieu of a roll call vote with Directors Keogh, Nicol and Stone being absent.**

**10. CONSIDERATION OF WHETHER TO CONTINUE TO UTILIZE THE AUDIT SYSTEMS THAT ARE CURRENTLY IN PLACE TO DETERMINE WHETHER THE CALL STOP ANNOUNCEMENT SYSTEM IS OPERATING IN ACCORDANCE WITH METRO POLICY AND THE AMERICANS WITH DISABILITIES ACT REGULATIONS**

**Summary:**

Margaret Gallagher reported that the Board had continued this matter from its April meeting in order to obtain additional information related to utilizing outside investigators, rather than security guards, to audit the external announcements at the transit centers. Since the last meeting, Legal Department Staff has contacted others that could provide the external auditing.

Staff recommends keeping the existing monitoring systems in place for four months while an external auditor is selected, a contract and training program are developed, and a pilot program is conducted at the Watsonville Transit Center. Staff will report back to the Board at the end of the trial period.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR REILLY**

**Authorize keeping the existing monitoring systems in place for four months while an external auditor is selected, a contract and training program are developed, and a pilot program is conducted at the Watsonville Transit Center. Staff will report back to the Board at the end of the trial period.**

**Motion passed unanimously with Directors Keogh, Nicol and Stone being absent.**

**11. CONSIDERATION OF A RESOLUTION OF APPRECIATION AND REMEMBRANCE OF COLLEEN CROSBY FOR HER SERVICE AND DEDICATION TO SANTA CRUZ COFFEE ROASTING COMPANY, LESSEE OF SANTA CRUZ METRO**

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN**

**Adopt Resolution of appreciation and remembrance of Colleen Crosby for her service and dedication to Santa Cruz Coffee Roasting Company, lessee of Santa Cruz METRO**

**Motion passed by unanimous affirmative voice vote in lieu of a roll call vote with Directors Keogh, Nicol and Stone being absent.**

**12. CONSIDERATION OF SERVICE REVISIONS FOR SUMMER 2006**

**Summary:**

Mark Dorfman reported that these are minor, small cost changes for Summer 2006. Ian McFadden gave a brief presentation of the revisions which include improving: consistency of Highway 17 service in Scotts Valley, weekday service to and from the Beach area, early morning weekday service in Capitola Village, weekday service to Live Oak Schools and Harbor High School, and Pajaro Valley High School service.

**Discussion:**

Director Spence suggested more publicity of METRO services.

Chair Rotkin suggested that METRO produce a flier with instructions on how to get to the San Francisco and San Jose airports. Director Reilly agreed and added that it should include Paul Marcelin-Sampson's website, [iridethebus.org](http://iridethebus.org). Paul Marcelin-Sampson agreed and pointed out that many other agencies link to his website, but METRO does not and this information is not included in *Headways* or on METRO's website and METRO's Customer Service is not equipped to help customers with directions to airports.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR SPENCE**

**Approve proposed Service Modifications for Summer 2006**

**Motion passed unanimously with Directors Keogh, Nicol and Stone being absent.**

**15. CONSIDERATION OF A RESOLUTION OF APPRECIATION FOR THE SERVICES OF MARILYN FENN AS ASSISTANT FINANCE MANAGER FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Elisabeth Ross accepted the Resolution on behalf of Marilyn Fenn, who was unable to attend today's meeting.

**ACTION: MOTION: DIRECTOR SKILLICORN SECOND: DIRECTOR HINKLE**

**Adopt Resolution of appreciation for the services of Marilyn Fenn as Assistant Finance Manager for the Santa Cruz Metropolitan Transit District**

**Motion passed by unanimous affirmative voice vote in lieu of a roll call vote with Directors Keogh, Nicol and Stone being absent.**

**16. CONSIDERATION OF A RESOLUTION OF APPRECIATION FOR THE SERVICES OF JUDY SOUZA AS BASE SUPERINTENDENT FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

The following people congratulated Judy Souza on her retirement and thanked her for her many years of dedicated service: Chair Rotkin, Vice Chair Tavantzis, Director Beautz, Gillian McGlaze, Manny Martinez, Emery Ross, Paul Marcelin-Sampson, John Mellon, Ian McFadden, and Sandra Lipperd.

**ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR BEAUTZ**

**Adopt Resolution of appreciation for the services of Judy Souza as Base Superintendent for the Santa Cruz Metropolitan Transit District**

**Motion passed by unanimous affirmative voice vote in lieu of a roll call vote with Directors Keogh, Nicol and Stone being absent.**



**17. CONSIDERATION OF AUTHORIZING STAFF TO WORK WITH MONTEREY-SALINAS TRANSIT AS THE LEAD AGENCY TO DEVELOP AND SUBMIT TWO APPLICATIONS TO THE AIR DISTRICT FOR SUPPLEMENTAL FUNDS FOR THE BUS RAPID TRANSIT FEASIBILITY STUDY AND FOR A NEW WEB-BASED TRAVELER INFORMATION SYSTEM**

**Summary:**

Mark Dorfman reported that METRO and MST propose submitting two joint grant applications for jointly managed projects. The first would provide up to \$80,000 in supplemental funds for the analysis of Bus Rapid Transit (BRT) corridors; and the second would provide up to \$199,900 for establishing new web-based traveler information services.

**Discussion:**

Paul Marcelin-Sampson suggested that the BRT grant application be written broadly enough to allow for simple schedule changes to routes today that would be considered BRT and stated that the web-based traveler information system should be fully accessible.

Ian McFadden reported that he had attended the BRT conference a few weeks ago and is a big advocate of BRT.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN**

**Authorize Staff to work with Monterey-Salinas Transit as the lead agency to develop and submit two applications to the Air District for supplemental funds for the Bus Rapid Transit feasibility study and for a new web-based traveler information system**

**Motion passed unanimously with Directors Keogh, Nicol and Stone being absent.**

**18. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION: District Counsel**

Margaret Gallagher reported that the Board would have a conference with its Labor Negotiators regarding SEIU, Local 415, and UTU, Local 23, ParaCruz Division, and the Board would also have a conference with its Legal Counsel regarding one case of anticipated litigation.

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

None.

**SECTION II: CLOSED SESSION**

Chair Rotkin adjourned to Closed Session at 10:25 a.m. and reconvened to Open Session at 12:26 p.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**20. REPORT OF CLOSED SESSION**

Chair Rotkin reported that the Board took no reportable action in Closed Session.

**ADJOURN**

There being no further business, Chair Rotkin adjourned the meeting at 12:26 p.m.

Respectfully submitted,

CINDI THOMAS

Administrative Services Coordinator