

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

December 8, 2006

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, December 8, 2006 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice Chair Tavantzis called the meeting to order at 9:01 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz
Dene Bustichi
Michelle Hinkle
Kirby Nicol
Emily Reilly
Mike Rotkin
Dale Skillicorn
Pat Spence
Mark Stone (arrived after roll call)
Marcela Tavantzis

DIRECTORS ABSENT

Mike Keogh
Ex-Officio Wes Scott

STAFF PRESENT

Ciro Aguirre, Operations Manager
Frank Cheng, MetroBase Project Manager
Mark Dorfman, Asst. General Manager
Mary Ferrick, Base Superintendent
Margaret Gallagher, District Counsel

Steve Paulson, Paratransit Administrator
Elisabeth Ross, Finance Manager
Robyn Slater, Human Resources Manager
Tom Stickel, Maintenance Manager
Les White, General Manager

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

Scott Galloway, Mgmt. Retiree
Bonnie Morr, UTU

Ivan Rusch, Transit User
Robert Yount, MAC Chair

DIRECTOR STONE ARRIVED

2. ORAL AND WRITTEN COMMUNICATION

Written:

- | | | | |
|----|----------------|-----|--------------------|
| a. | Louise Barnes | Re: | Service Complaint |
| b. | Carolyn Kubaki | Re: | Photo ID Complaint |

- c. Bonnie Morr, UTU Re: Labor Agreement Article 35.03

Oral:

Ivan Rusch, Transit User, praised Bus Driver #452 and asked when additional 3-bike racks would be installed on METRO's buses. Director Rotkin requested Mr. Rusch's phone and address and stated he would send a written response to the issue of bike racks.

Director Rotkin referred to a letter from Les White to Bonnie Morr, which was distributed to the Board today, in response to Item #2c on today's Agenda. A copy of the letter is attached to the file copy of these Minutes.

3. LABOR ORGANIZATION COMMUNICATIONS

None

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

None

CONSENT AGENDA

5-1. APPROVE REGULAR BOARD MEETING MINUTES OF OCTOBER 13 & 27, NOVEMBER 10 & 17, 2006 AND SPECIAL MINUTES OF OCTOBER 27, 2006

November minutes will be included in the December 15, 2006 Board Packet
No questions or comments.

5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF NOVEMBER 2006

No questions or comments.

5-3. ACCEPT AND FILE NOVEMBER 2006 RIDERSHIP REPORT

Pages 1 & 4 of the Ridership Report will be included in the January 2007 Board Packet.
No questions or comments.

**5-4. CONSIDERATION OF TORT CLAIMS:
DENY THE CLAIM OF JAMES SCHNEEBERGER, CLAIM #06-0038;
DENY THE CLAIM OF KEN BAUER, CLAIM #06-0039**

No questions or comments.

5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR DECEMBER 20, 2006 AND MINUTES OF OCTOBER 18, 2006

No questions or comments.

5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR SEPTEMBER 2006 AND APPROVAL OF BUDGET TRANSFERS

Will be included in the December 15, 2006 Board Packet.
No questions or comments.

5-7. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR SEPTEMBER 2006

Will be included in the December 15, 2006 Board Packet
No questions or comments.

5-8. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF SEPTEMBER 2006

Director Rotkin asked what was being done to address the increase in Excessively late/missed Trips listed on page #5-8.2 and asked for a report back on progress to remedy the issue. Director Rotkin requested clarification on the description of ParaCruz Driver Cost Per Ride. Steve Paulson stated that the numbers in the report represent the cost to provide the service including fuel, equipment and supplies. Mr. Paulson stated that the row was used for comparison to Supplemental Providers.

5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF OCTOBER 2006

Will be included in the December 15, 2006 Board Packet
No questions or comments.

5-10. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE OCTOBER 2006 MEETING(S)

No questions or comments.

5-11. ACCEPT AND FILE METROBASE STATUS REPORT

Frank Cheng invited the Board Members to a tour of the MetroBase facilities to observe and inspect progress. The date for the tour is January 26, 2007 and will be conducted after the regular Board Meeting.

5-12. ACCEPT AND FILE NOTIFICATION OF ACTION TAKEN IN CLOSED SESSION REGARDING CLAIM OF USAA INSURANCE (SUBROGATING FOR MARY GOOVARS)

No questions or comments.

5-13. CONSIDERATION OF ADOPTION OF THE REVISED EQUAL EMPLOYMENT OPPORTUNITY (EEO) PLAN

Discussion:

Director Rotkin asked what SCMTD is doing to promote and increase in the declining female employee appointments reflected on page #5-13.a12. Robyn Slater stated that Human Resources is doing outreach including job fairs to increase the female population and that METRO had just completed recruitment for both fixed-route and paratransit operators, with another Bus Operator recruitment to begin after the first of the year. Mark Dorfman stated that advertising space on the outside of the buses will be used to promote available job positions.

Director Rotkin asked if the level of training affected the rate of separations for minority employees, listed on page #5-13.a13. Les White stated that several factors contribute to the report and that Staff would look into this issue and report back to the Board.

5-14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH MARIE F. SANG FOR LEGAL SERVICES IN THE AREA OF WORKERS COMPENSATION

No questions or comments.

5-15. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH CAROLYN CHANEY AND ASSOCIATES FOR FEDERAL LEGISLATIVE SERVICES

No questions or comments.

5-16. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH EVERGREEN OIL FOR HAZARDOUS WASTE REMOVAL SERVICES

Director Spence asked what the total amount of the contract was. Tom Stickel said he did not have it with him but would provide her with the information.

5-17. CONSIDERATION OF PROCEDURES IN PLACE AT METRO TO HANDLE CUSTOMER COMPLAINTS

Director Spence brought attention to an incorrect phone number for ParaCruz in the Staff Report. The correct number is (831) 425-4664.

5-18. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A 3-YEAR LEASE FOR THE WATSONVILLE TRANSIT CENTER KIOSK SPACE #5 WITH JOSE VILLA DBA LA MANCHA

No questions or comments.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

This presentation will take place at the December 15, 2006 Board Meeting

7. PUBLIC HEARING: CONSIDERATION OF MODIFICATIONS TO THE CONFLICT OF INTEREST CODE OF THE SANTA CRUZ METRO TRANSIT DISTRICT

Public hearing will take place at 9:00 a.m. at the December 15, 2006 Board Meeting
No questions or comments.

8. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE OPTION TO PURCHASE EIGHT (8) 40-FOOT COMPRESSED NATURAL GAS BUSES FROM THE CITY OF CULVER CITY WITH NEW FLYER OF AMERICA

Summary:

Mark Dorfman described the financial and time saving advantages of purchasing these buses by this means, which is referred to as “piggy-back” purchasing.

ACTION: MOTION: DIRECTOR STONE SECOND: DIRECTOR REILLY

Authorize the General Manager to execute the option from the City of Culver City for the purchase of eight (8) Compressed Natural Gas 40-foot low-floor transit buses and be authorized to take all necessary steps to negotiate and sign a contract with New Flyer of America and the City of Culver City to purchase these eight (8) buses

Motion passed unanimously with Director Keogh being absent.

9. CONSIDERATION OF ACCEPTANCE OF FINANCIAL STATEMENTS AND REPORT OF INDEPENDENT AUDITOR FOR YEAR ENDING JUNE 30, 2006

No questions or comments.

10. CONSIDERATION OF APPROVAL OF RESOLUTION REVISING FY 06-07 BUDGET

Will be included in the December 15, 2006 Board Packet
No questions or comments.

11. CONSIDERATION OF APPROVAL OF 2007 STATE LEGISLATIVE PROGRAM

Summary:

Les White reported that with passage of Propositions 1A, 1B and 1C, METRO’s focus will be on how the general obligation bonds will be sold to in order to provide predictable funding for its transportation projects. Mr. White also spoke about reactivating the “Yield to Bus” program.

12. CONSIDERATION OF APPROVAL OF 2007 FEDERAL LEGISLATIVE PROGRAM

No questions or comments.

13. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION:

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

14. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

Bonnie Morr, UTU expressed concern that Louise Barnes' address information is continually made public via the Board Packets. Ms. Morr stated that her concern was due to Louise Barnes' age and the content of her letters. Margaret Gallagher stated that in January of 2007 the issue of protecting employee identifying information is going to be discussed and that it might be possible to include members of the public to create a clear policy.

Scott Galloway, Management Retiree, urged the Board to give him fair consideration regarding his interpretation of his separation agreement benefits and urged the Board to restore his vested benefits.

SECTION II: CLOSED SESSION

Vice Chair Tavantzis adjourned to Closed Session at 9:40 a.m. and reconvened to Open Session at 10:47 a.m.

SECTION III: RECONVENE TO OPEN SESSION

15. REPORT OF CLOSED SESSION

Margaret Gallagher reported that the Board took no reportable action in Closed Session.

ADJOURN

There being no further business, Vice Chair Tavantzis adjourned the meeting at 10:47 a.m.

Respectfully submitted,

Dale Hamilton
Administrative Assistant