

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

March 23, 2007

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, March 23, 2007 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chair Tavantzis called the meeting to order at 9:02 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz
Dene Bustichi
Donald Hagen
Michelle Hinkle
Kirby Nicol
Emily Reilly
Mike Rotkin
Dale Skillicorn
Pat Spence
Mark Stone
Marcela Tavantzis

DIRECTORS ABSENT

Ex-Officio Donna Blitzer

STAFF PRESENT

Ciro Aguirre, Operations Manager
Angela Aitken, Finance Manager
Frank Cheng, MetroBase Project Manager
Mark Dorfman, Assistant General Manager
Mary Ferrick, Base Superintendent
Margaret Gallagher, District Counsel

Harlan Glatt, Sr. Database Administrator
Steve Paulson, Paratransit Administrator
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

Carolyn Derwing, Schedule Analyst
Laura Harrell, UTU Retiree
Sandra Lipperd, UTU
Ian McFadden, Transit Planner
Larry Pageler, UCSC TAPS

Ivan Rusch, Transit User
Chris Schneider, Asst Public Works Dir, SC
Amy Weiss, Spanish Interpreter
Jefferson Woodard
Bob Yount, MAC

2. ORAL AND WRITTEN COMMUNICATION

Written:

- | | | |
|----|---|---------------------|
| a. | Terryn Davis, OTR/L, Dominican Hospital | Re: Service Request |
| b. | ?, OTR/L III, Dominican Hospital | Re: Service Request |
| c. | Pasha Hoth Wilson | Re: Service Request |
| d. | Patricia Laffoon | Re: Service Request |
| e. | Greg McLean | Re: Service Request |
| f. | Angela Pearson | Re: Service Request |
| g. | Carol Stanley | Re: Service Request |
| h. | Simone Rowland | Re: Service Request |
| i. | Antoine Zeiuf | Re: Service Request |

Oral:

Bob Yount, MAC, reported that the last two MAC meetings had been cancelled due to lack of quorum and that member absences is on the agenda and also that there are two vacancies on the committee. Mr. Yount stated he risks his life going to these meetings by exposing himself to cigarette smoke, and that he quit E&D TAC because of the smoking problem. Mr. Yount stated that Caltrans said they would send a representative to a MAC meeting to discuss their construction projects, however, Mr. Yount said he would be very embarrassed if the meeting were cancelled due to lack of quorum.

Ivan Rusch, Transit User, applauded bus operator #553 for an outstanding job and also thanked METRO for installing more triple bike racks on buses. Mr. Rusch suggested that bus operators assist passengers with their bicycles and also suggested that bus operators receive a refresher on current procedures after an extended absence.

Director Spence noted that on page 15 of the current issue of *Transit California*, Les White had been awarded the Small Operator Transit Leadership Award for his accomplishments, leadership, and service.

3. LABOR ORGANIZATION COMMUNICATIONS

Sandra Lipperd, UTU, thanked the Board for listening to the bus operators' concerns and providing security at the Watsonville Transit Center (WTC).

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

SECTION I:

OPEN SESSION:

CONSENT AGENDA:

REVISE ITEM #5-1

APPROVE REGULAR BOARD MEETING MINUTES OF FEBRUARY 9 & 23, 2007 AND SPECIAL MINUTES OF FEBRUARY 23, 2007
(Replace page # 5-1.12 with REVISED page)

- ADD TO ITEM #5-4** CONSIDERATION OF TORT CLAIMS
(Insert Claim #07-0009 and Claim #07-0010; Delete Claim #07-0005)
- ADD ITEM #5-10** CONSIDERATION OF RESOLUTIONS AUTHORIZING SUBMITTAL OF FY 2008 TDA AND STA CLAIMS
(Insert Staff Report)
- ADD ITEM #5-11** ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR NOVEMBER 2006 AND APPROVAL OF BUDGET TRANSFERS
(Insert Staff Report)
- ADD ITEM #5-12** ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF JANUARY 2007
(Insert Staff Report)
- ADD ITEM #5-13** ACCEPT AND FILE FEBRUARY 2007 RIDERSHIP REPORT
(Insert Staff Report)
- ADD ITEM #5-14** ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR DECEMBER 2006
(Insert Staff Report)
- REGULAR AGENDA:**
- DELETE ITEM #8** CONSIDERATION OF MODIFICATIONS TO THE SANTA CRUZ METRO'S BYLAWS INCLUDING REFORMATTING THE REGULAR BOARD MEETINGS, ADDING LANGUAGE TO REQUIRE DIRECTORS TO FOLLOW CALIFORNIA LAW RE CONFLICTS OF INTEREST AND MAINTAINING CONTROL OF THE CONDUCT OF THE MEETINGS BY THE BOARD CHAIR
- ADD TO ITEM #10** CONSIDERATION OF REVIEW OF SCHEDULE EFFICIENCY OF 2005 AND 2006 BIDS
(Replace Attachment "B" with REVISED Attachment "B")
- DELETE ITEM # 14** CONSIDERATION OF AMENDING THE 2007 FEDERAL LEGISLATIVE PROGRAM TO INCLUDE A REQUEST FOR AN EARMARK OF \$2,000,000 IN THE FY 2008 TRANSPORTATION APPROPRIATIONS BILL FOR THE PACIFIC STATION REDEVELOPMENT PROJECT
(Deleted: Action taken at the March 9, 2007 Board Meeting)
- DELETE ITEM #15** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE ARNTZ BUILDERS'S CHANGE ORDER #6 IN THE AMOUNT OF \$74,973.18 FOR ISSUES RELATING TO THE STREAMBED ALTERATION WITH CALIFORNIA DEPARTMENT OF FISH & GAME AGREEMENT FOR THE SERVICE & FUELING BUILDING COMPONENT OF THE METROBASE PROJECT
(Deleted: Action taken at the March 9, 2007 Board Meeting)
- DELETE ITEM #16** CONSIDERATION OF AN AMENDMENT TO THE CONTRACT WITH WEST BAY BUILDERS, INC. EXTENDING THE CONTRACT EXPIRATION DATE FOR THE METROBASE MAINTENANCE BUILDING TO JANUARY 28, 2010, WHILE MAINTAINING THE CONSTRUCTION COMPLETION DATE OF JULY 28, 2009
(Deleted: Action taken at the March 9, 2007 Board Meeting)

- DELETE ITEM #17** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE WEST BAY BUILDERS'S CHANGE ORDER #1 CONTRACT TIME EXTENSION TO TWENTY ONE (21) CALENDAR DAYS FOR THE MAINTENANCE BUILDING COMPONENT OF THE METROBASE PROJECT
(Deleted: Action taken at the March 9, 2007 Board Meeting)
- ADD ITEM #18** CONSIDERATION OF APPROVAL OF FY 07-08 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES
(Insert Staff Report)
- ADD ITEM #19** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH PROMETHEUS ENERGY FOR SUPPLY AND DELIVERY OF LIQUEFIED NATURAL GAS
(Insert Staff Report)
- ADD ITEM #20** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A THREE YEAR EXTENSION OF THE MEMORANDUM OF UNDERSTANDING FOR HIGHWAY 17 CONSOLIDATED SERVICE
(Insert Staff Report)
- ADD ITEM #21** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A THREE YEAR CONTRACT EXTENSION WITH AMTRAK FOR HIGHWAY 17 SERVICE
(Insert Staff Report)
- ADD ITEM #22** CONSIDERATION OF STATUS OF FEDERAL LEGISLATION AND REPORT REGARDING THE AMERICAN PUBLIC TRANSPORTATION ASSOCIATION 2007 LEGISLATIVE CONFERENCE
(Insert Staff Report)
- ADD ITEM #23** REQUEST TO THE SCCRTC TO PROGRAM \$500,000 IN STIP AUGMENTATION FOR THE HIGHWAY 1/9 INTERSECTION IMPROVEMENT PROGRAM
(Insert Staff Report)

CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF FEBRUARY 9 & 23, 2007 AND SPECIAL MINUTES OF FEBRUARY 23, 2007
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF FEBRUARY 2007
- 5-4. CONSIDERATION OF TORT CLAIMS:
Claim #07-0005 Deleted: Action taken at the March 9, 2007 Board Meeting
DENY THE CLAIM OF THE HERTZ CORPORATION, CLAIM #07-0008
- 5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR MARCH 21, 2007 (No Minutes - no February meeting due to lack of quorum)
- 5-6. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF DECEMBER 2006

- 5-7. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH AIRTEC SERVICE FOR HVAC MAINTENANCE SERVICES**
- 5-8. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH MISSION UNIFORM AND LINEN SERVICE FOR UNIFORMS, FLAT GOODS AND LAUNDRY SERVICE**
- 5-9. **ACCEPT AND FILE METROBASE STATUS REPORT**
- 5-10. **CONSIDERATION OF RESOLUTIONS AUTHORIZING SUBMITTAL OF FY 2008 TDA AND STA CLAIMS**
- 5-11. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR NOVEMBER 2006 AND APPROVAL OF BUDGET TRANSFERS**
- 5-12. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF JANUARY 2007**
- 5-13. **ACCEPT AND FILE FEBRUARY 2007 RIDERSHIP REPORT**
- 5-14. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR DECEMBER 2006**

Discussion:

Regarding Item #5-6, Director Spence commented that the Central Coast Alliance for Health was reducing transportation services and that an article had referred to METRO ParaCruz as a low cost option. Director Spence expressed concern about the heavy influx of new users and its potential impact on METRO ParaCruz and she suggested that staff monitor the situation. Les White replied that METRO is already experiencing a significant impact and staff is planning on bringing a report regarding this to the Board.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Approve the Consent Agenda

Motion passed by unanimous affirmative voice vote in lieu of a roll call vote for Item #5-10 with all Directors present.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

The following employee was awarded a longevity certificate for his years of service:

TWENTY YEARS

J. Valentin Rodriguez, Fleet Maintenance Mechanic III

7. CONSIDERATION OF APPROVAL OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF LAURA HARRELL AS A BUS OPERATOR FOR THE SANTA CRUZ METROPOLITAN TRASIT DISTRICT

Chair Tavantzis presented recent METRO retiree, Laura Harrell, with a Resolution of Appreciation from the METRO in recognition of her years of service. Ms. Harrell accepted the plaque and thanked METRO and the Board for the opportunity to serve the community for so many years.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Adopt Resolution of appreciation for the services of Laura Harrell as a Bus Operator for the Santa Cruz Metropolitan Transit District

Motion passed by unanimous affirmative voice vote in lieu of a roll call vote with all Directors present.

Vice Chair Beautz suggested adding a comment to the Agenda stating that a unanimous affirmative voice vote is in lieu of a roll call vote so the statement does not have to be made orally each time a Resolution is voted upon. Margaret Gallagher replied that she would research the issue.

Chair Tavantzis stated that Items #8 and #19 had been deleted from today's Agenda.

9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH LNI CUSTOM MANUFACTURING, INC. FOR BUS STOP PASSENGER WAITING SHELTERS

Summary:

Tom Stickel reported that the District has a need to replace existing shelters and add new ones. Mr. Stickel explained that the contract amount is for the larger shelters with optional features, however all shelters actually purchased will not be the largest nor will the options be exercised on all.

ACTION: MOTION: DIRECTOR SKILLICORN SECOND: DIRECTOR ROTKIN

Authorize the General Manager to execute a contract for bus stop passenger waiting shelters with LNI Custom Manufacturing, Inc. for an amount not to exceed \$55,400.00

Motion passed unanimously with all Directors present.

10. CONSIDERATION OF REVIEW OF SCHEDULE EFFICIENCY OF 2005 AND 2006 BIDS

Summary:

Mark Dorfman reported that a presentation had been given at the last Board meeting and that the information requested by Director Rotkin regarding the vehicle in-service hours compared to vehicle total hours is included at the bottom of Revised Attachment "B".

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN

Accept and file review of schedule efficiency of 2005 and 2006 bids

Motion passed unanimously with all Directors present.

11. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH TRANSPORTATION MANAGEMENT AND DESIGN, INC. FOR SCHEDULE TRAINING IN HASTUS 2006

Summary:

Tom Stickel reported that this contract would provide training for the Hastus program explained at the last meeting.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Authorize the General Manager to execute a contract for schedule training in Hastus 2006 with Transportation Management & Design, Inc. for an amount not to exceed \$69,635.00

Motion passed unanimously with all Directors present.

12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH CREATIVE BUS SALES FOR PURCHASE OF ONE EACH TYPE 7 PARATRANSIT MEDIUM DUTY BUS AND TWO EACH RAISED TOP TRANSPORTER VANS

Summary:

Tom Stickel reported that these are higher-capacity replacement ParaCruz vehicles utilizing the State contract.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI

Authorize the General Manager to use the State of California, Department of General Services contract for the purchase of one each type 7 Paratransit medium-duty bus and two each raised top transporter vans from Creative Bus Sales, Inc. for a total amount not to exceed \$209,896.00

Motion passed unanimously with all Directors present.

13. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH UC SANTA CRUZ TO PASS THROUGH FUNDING FOR AIR DISTRICT BUS RAPID TRANSIT STUDY TO MONTEREY SALINAS TRANSIT AND TO DESIGNATE AN ADDITIONAL CORRIDOR FOR STUDY

Summary:

Mark Dorfman reported that about a year ago, MST and METRO were successful in their joint proposal to get \$80,000 in funding from the Air District to perform a study of Bus Rapid Transit (BRT) in the Monterey Bay Region. The original study called for one corridor in each county and one inter-regional corridor to be examined. UC is interested in doing additional work on the corridor to the University they previously initiated and METRO has requested the ability to add more funds that UC could use to further their study.

The second part of this project is to identify an additional corridor in Santa Cruz to be studied. Staff is proposing either the Watsonville to Santa Cruz Corridor from Pacific Station to Watsonville, or the Soquel Corridor from Pacific Station to the Santa Cruz City Limits.

Discussion:

Vice Chair Beautz asked if the County Public Works was aware of this and Mr. Dorfman replied affirmatively, through the ITAC committee. Vice Chair Beautz asked if this was being considered as an alternative to HOV lanes and stated she would not support BRT because it will disrupt traffic on Soquel even more and feels that Supervisor Pirie should have input on this. Director Beautz stated that she does not support any BRT system that benefits the transit system at the expense of other traffic.

Mr. Dorfman explained that this is not a study to put an HOV lane on Soquel, but is assuming that the planning being performed in this region includes an HOV lane on the Highway. Mr. Dorfman then explained several different levels of BRT that could be looked at. The study would look at multiple levels of BRT to determine what form of BRT would benefit a specific corridor.

Director Rotkin clarified that the question is not if METRO would support BRT at the expense of Highway HOV lanes, it is how can BRT be integrated in the future HOV lanes, which would benefit buses and cars. Director Rotkin explained that different types of BRT could improve the transit system without negatively impacting other traffic at all.

Director Stone stated that as Transit Board, one of their responsibilities is to look at operational improvements in terms of the future and feels that it is worthwhile to look at the information this study can provide, as that information becomes part of the broader transportation discussion.

Director Bustichi asked about METRO funding and staff time involved and if the study would still happen without METRO's involvement. Mark Dorfman replied that the study is fully funded by the Air District and UC. Mr. Dorfman said that staff time would be spent on directing and monitoring the study and sitting on review panels and that if METRO were not involved, MST would get all the funding.

Director Reilly asked if MST had indicated interest in the Watsonville corridor ultimately connecting with Monterey and asked which corridor staff recommended. Mr. Dorfman replied MST had not yet, that it was too early in the study process; and that staff recommends the smaller corridor, from Pacific Station to the City Limits, as it would have the best operating improvement.

Bob Yount stated he supports the study.

Director Nicol stated there is a direct relationship between traffic on surface routes and Highway 1 congestion and feels that express BRT is the only solution and that METRO should support any study in this direction.

ACTION: MOTION: DIRECTOR NICOL SECOND: DIRECTOR SPENCE

Authorize staff to enter into an agreement with UC Santa Cruz to pass through funding to the Air District Bus Rapid Transit Study to Monterey Salinas Transit and to designate the Watsonville to Santa Cruz Corridor as the additional corridor for study in Santa Cruz County

Discussion:

Director Rotkin asked Larry Pageler which corridor UC would recommend. Mr. Pageler stated that UC did not have a preference and that when he heard this discussion, he had thought of the needs to serve Cabrillo College, which has a significant number of transit users and whatever happens with the highway, it still needs to be connected with destinations like Cabrillo, Dominican, etc., and the longer corridor may benefit Cabrillo.

Vice Chair Beautz asked why carpools and buses would use the highway HOV lanes and then buses, which are basically irritating to general traffic, would use Soquel instead. Les White replied that was not an accurate picture nor would it be looked at in the study, then explained different scenarios of BRT improvements in addition to the future HOV express buses. Mr. White also explained that METRO would be involved in the entire process by being on the steering committee and managing the consultants' work in Santa Cruz. Mr. Dorfman added that at the first meeting there were planning agencies from both counties, public works and traffic engineers were invited, and Caltrans would also be involved, who would all be part of the technical advisory committee.

There was further discussion of the possibilities with Vice Chair Beautz maintaining her opinion that improvement for buses will be at the expense of other traffic. Director Rotkin added that different BRT options give different groups of traffic priority at certain times and that his inclination was to study the shorter route.

Director Bustichi stated that he feels it would be more beneficial to study the shorter corridor now.

Chair Tavantzis commented that she has a real problem with the way the Staff Report is written stating "Part of the work would identify whether a BRT service would operate more effectively on Soquel *or* the HOV lane on Highway 1", because it is stating one or the other and does not include how to combine the two. Chair Tavantzis stated that this sentence would need to be corrected or she would have to support the shorter corridor study and that it is naïve to say that the results of the study will not be implemented because public transit users are going to want suggested improvements followed up on, therefore she would not support doing a study even with "free money" if there is no intent to implement the results.

Mark Dorfman explained that BRT is usually not an express bus and HOV works very well as an express link and it is different levels of service for different solutions and does not have to be an either/or situation. Mr. Dorfman also said that he would recommend the smaller study because the possibility of implementing the results is much greater.

Director Nicol stated that he does not view the Watsonville to Santa Cruz choice and an either/or option at all because both would have to be studied, resulting in a more comprehensive study, in order to come up with a recommendation.

Director Hagen stated that it is incomprehensible to him to consider any study that would disregard south county.

Director Spence asked about current routes and said that the Nolte study for the HOV lanes has asked METRO to specify recommendations for exits and park & ride lots, suggesting that Larkin Valley and / or State Park Drive may be possibilities.

Director Reilly asked if the Watsonville to Santa Cruz study would take into account highway construction. Mark Dorfman replied that most likely, it would assume the construction was completed.

Director Rotkin proposed the following two-part amendment to the motion:

- ACTION: AMENDMENT: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI**
- Part 1) Amend language in the first bullet of the Staff Report on page #13.2 to read:
“Part of the work would identify optimum BRT service with respect to Highway
1 and/or Soquel Drive”**
- Part 2) Study the Soquel corridor from City of Santa Cruz Limits to Pacific Station**

The maker of the motion did not accept this amendment. Director Rotkin withdrew Part 1 of his amendment as follows:

- ACTION: AMENDMENT: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI**
- Study the Soquel corridor from City of Santa Cruz Limits to Pacific Station**

Motion to amend failed with Directors Beautz, Bustichi, Hinkle and Rotkin voting yes; and Directors Hagen, Nicol, Reilly, Skillicorn, Spence, Stone and Tavantzis voting no.

Director Rotkin then proposed Part 1 of his previous amendment, which was accepted as a friendly amendment by the original maker and second and the following amended motion was voted upon:

ACTION: MOTION: DIRECTOR NICOL SECOND: DIRECTOR SPENCE

Authorize staff to enter into an agreement with UC Santa Cruz to pass through funding to the Air District Bus Rapid Transit Study to Monterey Salinas Transit and to designate the Watsonville to Santa Cruz Corridor as the additional corridor for study in Santa Cruz County. Amend language in the first bullet of the Staff Report on page #13.2 to read: “Part of the work would identify optimum BRT service with respect to Highway 1 and/or Soquel Drive”

Motion passed with Director Bustichi voting no.

18. CONSIDERATION OF APPROVAL OF FY 07-08 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES

Summary:

Mark Dorfman reported that approving the preliminary budget is an annual step in the budget process, which is expressly for review and claims purposes. This is the second year of a two-year budget and the budget workshop with Union representatives is planned for May to answer questions and obtain input. The budget will come back to the Board in May before it is adopted in June.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Adopt the preliminary line item budget for FY 07-08 for review and TDA/STA claims purposes

Motion passed unanimously with all Directors present.

ITEMS #20 AND #21 WERE TAKEN TOGETHER AS ONE ITEM

20. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A THREE YEAR EXTENSION OF THE MEMORANDUM OF UNDERSTANDING FOR HIGHWAY 17 CONSOLIDATED SERVICE

21. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A THREE YEAR CONTRACT EXTENSION WITH AMTRAK FOR HIGHWAY 17 SERVICE

Summary:

Les White reported that the MOU with the Highway 17 service funding partners (Caltrans, the Capitol Corridor Joint Powers Authority and VTA) and the contract with AMTRAK, will both expire on April 25, 2007.

Mr. White explained that, subsequent to submitting the Staff Report, staff had a meeting with the Highway 17 group and there are some details of the formula that need to be worked out. If the terms end up remaining the same as they are currently, staff is requesting authority to enter into a

three-year extension. However, if the terms are modified staff requests authorization to enter into a one-month extension under the current terms and then bring the modified agreements back to the Board for consideration.

ACTION: MOTION: DIRECTOR NICOL SECOND: DIRECTOR ROTKIN

If the formula terms remain the same, authorize the General Manager to execute an amendment to the Memorandum of Understanding (MOU) for Highway 17 consolidated service to extend the MOU for an additional three years; and authorize the General Manager to execute an amendment to the contract for thruway bus services with National Railroad Passenger Corporation (AMTRAK) for an additional three years.

If the formula is modified, authorize the General Manager to enter into a one-month extension to the MOU and contract under the current terms and then bring the modified agreements back to the Board for consideration.

Motion passed unanimously with all Directors present.

22. CONSIDERATION OF STATUS OF FEDERAL LEGISLATION AND REPORT REGARDING THE AMERICAN PUBLIC TRANSPORTATION ASSOCIATION 2007 LEGISLATIVE CONFERENCE

Summary:

Les White reported that he, Director Bustichi and his son, Giovanni, and Director Rotkin attended the APTA Legislative Conference in Washing, DC last week. In addition to the meetings that were included in the Conference, METRO representatives met with members of Congress, Congressional Staff, and FTA Staff to discuss pending legislation that would affect METRO. The majority of the individuals in the Congressional offices visited during the Conference committed to support METRO's requested "earmarks" in their top priority requests.

Discussion:

Directors Rotkin, Bustichi, and Reilly added that METRO is very well-served by Les White, who is well-known, well-received and respected in DC and that Mr. White's national connections in the transit industry are very beneficial to METRO as well.

23. CONSIDERATION OF SENDING A LETTER SUPPORTING THE CITY OF SANTA CRUZ REQUEST TO THE SCCRTC TO PROGRAM \$500,000 IN STIP AUGMENTATION FOR THE HIGHWAY 1/9 INTERSECTION IMPROVEMENT PROGRAM

Summary:

Les White reported that the City of Santa Cruz had requested a letter of support from METRO for its request to the SCCRTC to program \$500,000 in the STIP Augmentation for the Highway 1/9 Intersection Improvement Project, which will assist in facilitating traffic flow for METRO fixed route buses.

Discussion:

Vice Chair Beutz stated that she does not support this and was surprised and disappointed to see it on the Agenda and feels it is a mistake bringing it before the Board because it has nothing to do with transit and opens the door to put METRO in a political position to support certain projects and not others.

Director Reilly stated that she had spoken to Mr. White and requested that the item be added to the Agenda and feels it is important for the Board to determine if the project would benefit METRO.

Chris Schneiter, Assistant Public Works Director for the City of Santa Cruz, gave the history and status of the project and explained that Caltrans is requiring the City to improve the intersection.

Director Rotkin stated he supports this because this project affects nearly every METRO bus since it is only a few blocks from the Operations Yard.

Directors Nicol, Bustichi, Skillicorn and Spence all commented in agreement with Vice Chair Beutz.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR NICOL

Do not authorize the Chair to send a letter to the SCCRTC supporting the City of Santa Cruz request to program \$500,000 in the STIP Augmentation for the Highway 1/9 Intersection Improvement Project

Discussion:

Les White stated that he would not present a recommendation to the Board for just any project and that this particular project specifically affects METRO. Mr. White explained METRO's ongoing struggles with Caltrans, including Caltrans' comments in response to the EIR requiring METRO to improve this intersection when Phase II of MetroBase is built. METRO's long-term goal is to consolidate into all METRO-owned facilities and from a practical standpoint, sooner or later the General Manager is going to have to deal with this intersection to expand METRO in the future and this is a way to address Caltrans' comments regarding Phase II of MetroBase without METRO bearing the cost.

Vice Chair Beutz commented that she finds the process very troubling that one Director can meet with the General Manager and get an item on the Agenda at the last minute, especially a controversial one.

Director Nicol stated that although he respects Les White's position and concern for METRO's future, the timing is unfortunate.

Director Reilly spoke in defense of her position that she feels this is a regional project that would benefit METRO.

Mr. White added that this is not a new issue and he has always maintained his position that this project is the state's responsibility and not a METRO responsibility. Mr. White also stated that his door is always open to Board members and suggested that he and the Board have a discussion regarding the disappointment that the Board is expressing that certain Board members may have more political influence over him than others, which is untrue.

Motion failed with Directors Beautz, Bustichi, Nicol, Spence and Skillicorn voting yes and Directors Hagen, Hinkle, Reilly, Rotkin, Stone and Tavantzis voting no.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Authorize the Chair to send a letter to the SCCRTC supporting the City of Santa Cruz request to program \$500,000 in the STIP Augmentation for the Highway 1/9 Intersection Improvement Project

Motion passed with Directors Hagen, Hinkle, Reilly, Rotkin, Stone and Tavantzis voting yes and Directors Beautz, Bustichi, Nicol, Spence and Skillicorn voting no.

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

Margaret Gallagher reported that the Board would have a conference with its Legal Counsel regarding two cases of existing litigation before the Workers' Compensation Appeals Board and one case of anticipated litigation. Item #3 was deleted.

25. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None.

SECTION II: CLOSED SESSION

Chair Tavantzis adjourned to Closed Session at 11:21 a.m. and reconvened to Open Session at 11:59 a.m.

SECTION III: RECONVENE TO OPEN SESSION

26. REPORT OF CLOSED SESSION

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

ADJOURN

There being no further business, Chair Tavantzis adjourned the meeting at 11:59 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator