

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**October 22, 2010**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, October 22, 2010 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Vice Chair Robinson called the meeting to order at 9:03 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Dene Bustichi  
Ron Graves  
Donald Hagen  
Michelle Hinkle  
John Leopold  
Lynn Robinson  
Mike Rotkin  
Mark Stone  
Marcela Tavantzis  
Ex-Officio Donna Blitzer

#### **DIRECTORS ABSENT**

Antonio Rivas  
Ellen Pirie

#### **STAFF PRESENT**

Angela Aitken, Acting AGM/Finance Manager  
Bob Cotter, Maintenance Manager  
Frank Cheng, MB Project Manager  
Mary Ferrick, Fixed Route Superintendent  
Margaret Gallagher, District Counsel

Debbie Kinslow, Asst Finance Manager  
Robyn Slater, Human Resources Manager  
April Warnock, Paratransit Superintendent  
Les White, General Manager

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

John Daugherty, SEA  
Manny Martinez, PSA  
Eduardo Montesino, UTU

Will Regan, VMU  
Amy Weiss, Spanish Interpreter

**2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS**

Written:

- a. E/D TAC re: Service to County Fair

Oral:

Atlas Dalton, Santa Cruz Community Member, talked about his life and the issues he has encountered throughout his life in Santa Cruz.

**3. LABOR ORGANIZATION COMMUNICATIONS**

John Daugherty, SEA, was going to say something but decided to wait until it came up in the regular agenda.

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

None.

**CONSENT AGENDA**

- 5-1. **APPROVE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF JULY 2010**
- 5-2. **CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM OF JESICA SIHAM FERNANDEZ, # 10-0031**
- 5-3. **ACCEPT AND FILE MAC AGENDA OF OCTOBER 20, 2010, AND MAC MINUTES OF JUNE 16, 2010**
- 5-4. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF AUGUST 2010**
- 5-5. **ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR AUGUST 2010**
- 5-6. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR AUGUST 2010**
- 5-7. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ MONTHLY SERVICE REPORT FOR AUGUST 2010**
- 5-8. **APPROVE REGULAR BOARD MEETING MINUTES OF SEPTEMBER 24, 2010**
- 5-9. **ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE SEPTEMBER 2010 MEETING(S)**
- 5-10. **ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR OCTOBER 2010**

- 5-11. ACCEPT AND FILE STATUS REPORT OF FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES THROUGH OCTOBER 13, 2010
- 5-12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE CONTRACTS WITH GFI GENFARE, (GFI), FIS PAYDIRECT SOLUTIONS (FIS) AND CHASE PAYMENTECH TO ALLOW BANK CARD TRANSACTIONS AT THE TICKET VENDING MACHINES
- 5-13. AUTHORIZATION FOR DISPOSAL OF EXCESS ASSETS LOCATED AT 111 DUBOIS, SANTA CRUZ
- 5-14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A TWO-YEAR IRREVOCABLE LICENSE AGREEMENT IN FAVOR OF SANTA CRUZ METRO WITH ROBERT MARIN AND CELESTE DE SCHULTHESS, TRUSTEES, FOR USAGE OF BUS STOP AND SHELTER ON THE FELTON FAIRE SHOPPING CENTER PROPERTY
- 5-15. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A THREE YEAR EXTENSION AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING (MOU) WITH THE CITY OF SANTA CRUZ FOR PROJECT MANAGEMENT SERVICES FOR THE MIXED USE PROJECT AT PACIFIC STATION LOCATED AT 425 FRONT STREET
- 5-16. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A NEW LEASE AGREEMENT WITH LIDIA MENDEZ, DBA TAQUERIA LIDIA FOR A FIVE-YEAR TERM AT THE WATSONVILLE TRANSIT CENTER BEGINNING NOVEMBER 1, 2010.

**ACTION: MOTION: DIRECTOR HAGEN SECOND: DIRECTOR ROTKIN**

**Approve the Consent Agenda.**

**Motion passed unanimously with Directors Pirie and Rivas being absent.**

#### **REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

The following employees were acknowledged for their years of service:

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

Gillian S. McGlaze, Transit Supervisor  
Rosalio L. Ramos, Bus Operator  
David W. Moreau, Transit Supervisor  
Frank Q. Jacinto, Bus Operator

**THIRTY YEARS**

Frank H. Bauer, Safety & Training Coordinator

**7. CONSIDERATION OF 2011 BOARD OF DIRECTORS MEETING SCHEDULE**

**Summary:** Leslie White, General Manager, discussed the 2011 Board of Directors meeting schedule. Mr. White noted that there would be no meetings in July because it would coincide with the County being closed.

**Discussion:** There was a discussion as to when in the year there could be a meeting in Scotts Valley since its original date in July had been cancelled.

**ACTION: MOTION: DIRECTOR HAGEN SECOND: DIRECTOR**

**Approve the 2011 Board of Directors meeting schedule with the September meeting being held in Scotts Valley and there not being any meetings in July.**

**Motion passed unanimously with Directors Pirie and Rivas being absent.**

**8. CONSIDERATION OF THE FISCAL YEAR END MONTHLY BUDGET STATUS REPORT FOR JUNE 30, 2010; DESIGNATION OF NET REDUCTION OF RESERVES IN THE AMOUNT OF:-\$2,547,920 –CASH FLOW RESERVE -\$165,875 –CARRYOVER FROM PREVIOUS YEAR RESERVE AND THE REMAINDER OF REVENUE, IF ANY, FOR ALLOCATION TO CAPITAL FUNDING RESERVES**

**Summary:** Angela Aitken, Finance Manager and Acting Assistant General Manager, discussed the end of the fiscal year budget status as of June 30, 2010. Ms. Aitken also commented on all of the adjustments and transfers that had to be done to accommodate certain departments and that this is only the preliminary report since the final audit is due later in the calendar year.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HAGEN**

**Accept the fiscal year end monthly budget status report for June 2010 and approve the requested transfers.**

**Motion passed unanimously with Directors Pirie and Rivas being absent.**

**9. MONTHLY BUDGET STATUS REPORTS FOR JULY 2010 AND APPROVAL OF BUDGET TRANSFERS**

**Summary:** Angela Aitken, Finance Manager and Acting Assistant General Manager, discussed the monthly budget status report for July 2010 and the transfers that were made.

Ms. Aitken also asked that \$22, 427 be added to the Capital budget for the Trapeze IVR project that was suppose to be closed out in the previous budget year but did not.

**ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR BUSTICHI**

**Accept and file the monthly budget status report for July 2010 and transfers.**

**Motion passed unanimously with Directors Pirie and Rivas being absent.**

10. (ITEM DELETED)

11. **PUBLIC HEARING: CONSIDERATION OF MODIFICATIONS TO METRO'S DISCOUNT FARE PROGRAM**

**Summary:** Margaret Gallagher, District Counsel, discussed the modifications made to the METRO's discounted fare program at the recommendation of auditors. Ms. Gallagher said that the modifications include creating three distinct categories of eligibility and allowing Marriage and Family Therapist to be added to the list of individuals who can verify eligibility.

**VICE CHAIR ROBINSON OPENED THE PUBLIC HEARING AT 9:38 A.M.**

No members of the public addressed the Board.

**VICE CHAIR ROBINSON CLOSED THE PUBLIC HEARING AT 9:42 A.M.**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR LEOPOLD**

**Approve the modifications to METRO's discount fare program.**

**Motion passed unanimously with Directors Pirie and Rivas being absent.**

12. **CONSIDERATION OF EXECUTION OF A LETTER OF AGREEMENT TO EXTEND THE CURRENT EMPLOYMENT AGREEMENT WITH LESLIE R. WHITE TO SERVE AS GENERAL MANAGER FOR THE PERIOD JANUARY 1, 2011 THROUGH DECEMBER 31, 2011**

**Summary:** There was a discussion on the extension of employment for Leslie White as General Manager. Board members praised Leslie White on everything he has done for METRO and are thankful that he decided to serve another year as General Manager.

**ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR ROTKIN**

**Approve the execution of a Letter of Agreement to extend the Employment Agreement with Leslie R. White to serve as General Manager for the period of January 1, 2011 through December 31, 2011.**

**Motion passed unanimously with Directors Pirie and Rivas being absent.**

**13. CONSIDERATION OF AMENDING SANTA CRUZ METRO'S FARE ORDINANCE TO REPLACE MONTHLY PASSES WITH 31 DAY PASSES – FIRST READING**

**Summary:** Angela Aitken, Finance Manager and Acting Assistant General Manager, discussed the changes to the monthly passes. Ms. Aitken said that there needed to be a change to the Fare Ordinance from a Monthly pass to a 31 consecutive day pass, and that there will be a public hearing on November 19, 2010.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI**

**Accept the first reading of the proposed amendment to Santa Cruz METRO's fare ordinance to replace monthly passes with 31 consecutive day passes.**

**Motion passed unanimously with Directors Pirie and Rivas being absent.**

**14. ORAL ANNOUNCEMENT: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, NOVEMBER 19, 2010 AT 9:00 A.M. AT THE WATSONVILLE CITY COUNCIL CHAMBERS LOCATED AT 275 MAIN STREET, IN WATSONVILLE.**

**15. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

Margaret Gallagher, District Counsel, said that the Board of Directors would have a conference with its Legal Counsel regarding the existing claim of Alberto Barragan v. Santa Cruz METRO, the claim of Calhoun Bros. Grading & Paving, Inc. v. Santa Cruz METRO, the claim of Nesly Pacheco v. Santa Cruz METRO; a conference with its Legal Counsel to decide whether to initiate litigation on two cases; and a conference with its Real Property Negotiators for 425 Front Street, Santa Cruz, CA.

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

**SECTION II: CLOSED SESSION**

Vice Chair Robinson adjourned to Closed Session at 10:00 a.m. and reconvened to Open Session at 10:10 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

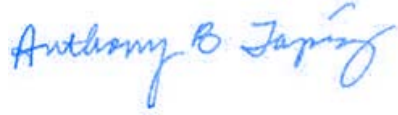
**17. REPORT OF CLOSED SESSION**

Margaret Gallagher stated that there was no reportable action taken in Closed Session.

**ADJOURN**

There being no further business, Vice Chair Robinson adjourned the meeting at 10:00 a.m.

Respectfully submitted,



ANTHONY TAPIZ  
Administrative Services Coordinator