

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**February 25, 2011**

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A regular meeting of the Santa Cruz Metropolitan Transit District Board of Directors was held on Friday, February 25, 2011 at the Watsonville City Council Chambers, located at 275 Main Street, in Watsonville, California.

Chair Pirie called the meeting to order at 9:05 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Dene Bustichi  
Daniel Dodge  
Ron Graves  
Donald Hagen  
Michelle Hinkle  
John Leopold  
William Neighbors  
Ellen Pirie  
Mark Stone  
Ex-Officio Donna Blitzer

#### **DIRECTORS ABSENT**

Hilary Bryant  
Lynn Robinson

#### **STAFF PRESENT**

Angela Aitken, Acting AGM/Finance Mgr  
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

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

John Daugherty, SEA  
Manny Martinez, PSA  
Bonnie Morr, UTU

Will Regan, VMU  
Amy Weiss, Spanish Interpreter

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

Written:

None.

Oral:

None.

3. **LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr, UTU, reminded the Board about the annual Seniors Dinner and said a request would be forthcoming.

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

Margaret Gallagher distributed documents in support of item #14.

**CONSENT AGENDA**

- 5-1. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF DECEMBER 2010**
- 5-2. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORTS FOR DECEMBER 2010 AND APPROVAL OF BUDGET TRANSFERS**
- 5-3. **CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM OF STATE FARM INSURANCE (SUBROGATING FOR ANDERSON, JOHN), #11-0003; REJECT THE CLAIM OF COMMERCE WEST INSURANCE (SUBROGATING FOR TABULA, VINCE), #11-0005**
- 5-4. **ACCEPT AND FILE MAC AGENDA FOR FEBRUARY 2011 MEETING**
- 5-5. **ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR PREVIOUS MEETINGS**
- 5-6. **ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR FEBRUARY 2011**
- 5-7. **ACCEPT AND FILE STATUS REPORT OF FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES**
- 5-8. **1- CONSIDERATION OF ACCEPTANCE AND APPROVAL OF THE TERMS OF THE COUNTY OF SANTA CRUZ' RIGHT OF ENTRY FOR METRO'S ENTRY ONTO THE EMELINE BUS STOP RELOCATION PROJECT; 2- CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS REQUIRED FOR ENTRY ONTO PROPERTIES**

**IN CONNECTION WITH THE CONSTRUCTION, IMPROVEMENT AND/OR REPAIR OF  
PROPOSED BUS STOPS THROUGHOUT THE COUNTY OF SANTA CRUZ**

- 5-9. **APPROVE REGULAR BOARD MEETING MINUTES OF JANUARY 14 AND JANUARY 28, 2011**
- 5-10. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF  
DECEMBER 2010**

Director Graves noted that he was present at the January 28, 2011 meeting even though the minutes indicate he was absent.

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

**Approve the Consent Agenda with corrections to minutes of January 28, 2011.**

**Motion passed unanimously with Directors Bryant, Hinkle, and Robinson being absent.**

**REGULAR AGENDA**

6. **PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

The following employees were acknowledged for ten years of service: Eulalio Abrego, Bus Operator; Donna Smith, Bus Operator.

The following employees were acknowledged for thirty years of service: Maria Granados-Boyce, Customer Service Supervisor; Mark Hansen, Mechanic II.

**DIRECTOR HINKLE AND EX-OFFICIO DIRECTOR BLITZER ARRIVED.**

7. **CONSIDERATION OF ADOPTION OF RESOLUTION OF APPRECIATION FOR THE  
SERVICES OF ANTONIO RIVAS AS A MEMBER OF THE BOARD OF DIRECTORS OF  
THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

**ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR DODGE**

**Adopt Resolution of Appreciation for the services of Antonio Rivas as a member of  
the Board of Directors of the Santa Cruz Metropolitan Transit District.**

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

Mr. Rivas expressed appreciation and gratitude to Board of Directors, especially for providing services to the city and people of Watsonville.

8. **CONSIDERATION OF APPOINTMENT OF ROSEANN MARQUEZ TO THE METRO ADVISORY COMMITTEE (NOMINATED BY DIRECTOR HAGEN)**

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

**Appoint Roseann Marquez to the Metro Advisory Committee (MAC) for a term of office ending December 31, 2012.**

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

9. **CONSIDERATION OF NOMINATIONS OF ADDITIONAL MEMBERS TO THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION**

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

**Defer item to next meeting on March 11, 2011.**

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

10. **CONSIDERATION OF ADOPTING A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SUBMIT A GRANT APPLICATION AND SIGN NECESSARY AGREEMENTS TO OBTAIN PROPOSITION 1B FUNDING FROM THE FY11 CALIFORNIA TRANSIT SECURITY GRANT PROGRAM**

Angela Aitken recommended adopting the attached resolution to designate an Authorized Agent to submit an application to the California Emergency Management Agency and to execute necessary agreements to obtain the FY11 allocation of CTSGP funds for Santa Cruz METRO security projects.

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

**Adopt a resolution authorizing the General Manager to submit a grant application and sign necessary agreements to obtain Proposition 1b funding from the FY11 California Transit Security Grant Program**

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

11. **CONSIDERATION OF CONTINUING SPONSORSHIP OF LEADERSHIP SANTA CRUZ COUNTY IN ORDER TO PROVIDE EDUCATION ON TRANSPORTATION ISSUES, SERVICES, AND FACILITIES AND TO PROVIDE THE OPPORTUNITY FOR METRO STAFF TO PARTICIPATE IN THE PROGRAM**

Director Dodge asked if METRO was listed as a sponsor, and asked whether or not this was the right time to continue sponsorship due to budget constraints. Angela Aitken noted the importance of the partnerships formed within the organizations that have assisted in bringing in funds to the District.

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

**Continue sponsorship of Leadership Santa Cruz County in order to provide education on transportation issues, services, and facilities and to provide the opportunity for METRO staff to participate in the program.**

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

12. **CONSIDERATION OF CONCERNS REGARDING THE DISSEMINATION OF METRO FINANCIAL INFORMATION TO EMPLOYEES**

Angela Aitken gave a brief history of the Resource Allocation meeting with Union representatives. Bonnie Mohr, UTU, expressed concern that by posting the budget without explanation, METRO was circumventing the Union, and she asked that the Board direct staff to discontinue posting the budget. Will Regan, VMU, stated that SEIU did not make a request for the discontinuance of the posting, and said that he agreed that the information is confusing and incomplete.

There was a discussion about the posting of financial information. Director Dodge stated that there was animosity left over from the strike and that the District had to be sensitive to that. Chair Pirie remarked that the request was asking to withhold information from the public. Director Graves said that the information should be posted and that it should generate questions from the Union membership to their leaders, and he said that staff should be commended, not chastised. Director Stone said it was a question of process, not a question of the numbers.

Angela Aitken said that she would include verbiage stating that if there were any questions regarding the information posted that the employee should contact their Union representative or herself, and she indicated that her door was always open. Bonnie Morr, UTU, stated that in the past METRO had issued a joint letter regarding the issues surrounding the budget. Chair Pirie requested that Ms. Morr work with whomever the General Manager designates to create a joint Union and staff letter explaining the purpose of the numbers in the budget and what the figures signify. John Daugherty, SEA, welcomed the opportunity to be part of the written communication that gives context to the information posted. Chair Pirie directed staff to continue posting the Resource Allocation; to post additional information about how to get a synopsis of what it means; and to work with Ms. Morr and the other Unions about putting some of the information out in the form of a letter.

**13. CONSIDERATION OF AUTHORIZING GENERAL MANAGER TO SIGN AN AGREEMENT WITH MONTEREY-SALINAS TRANSIT FOR INTER-AGENCY TRAVEL**

Angela Aitken reported that upgrades in fare collection equipment have offered the opportunity for Santa Cruz METRO and Monterey-Salinas Transit (MST) to revise the current transfer procedure between both systems. Ms. Aitken said that to simplify the transfer agreement, the procedure of passenger transfers is set in a way that no monies are exchanged between Santa Cruz METRO and MST.

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

**Authorize General Manager to sign an agreement with Monterey-Salinas Transit for inter-agency travel.**

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

**14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN OPERATION AND MAINTENANCE AGREEMENT AND A COVENANT TO RESTRICT USE OF PROPERTY AGREEMENT BETWEEN SANTA CRUZ METROPOLITAN TRANSIT DISTRICT (METRO) AND THE DEPARTMENT OF TOXIC SUBSTANCE CONTROL (DTSC) FOR THE SITE LOCATED AT 425 FRONT STREET, SANTA CRUZ, CALIFORNIA**

Margaret Gallagher informed the Board that as part of the purchase sales agreement, Greyhound was required to retain approximately \$500,000 in escrow to insure that the Property's documented contamination was environmentally remediated in accordance with the California Department of Toxic Substances Control (DTSC) requirements. Ms. Gallagher said that the contamination has been remediated, and now METRO is required to execute certain documents in order to insure the continuous monitoring of the property by DTSC, limit the available uses of the property and insure annual inspections of the property take place.

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

**Authorize the General Manager to execute an Operation and Maintenance Agreement and a Covenant to restrict use of Property Agreement between Santa Cruz Metropolitan Transit District (METRO) and the Department of Toxic Substance Control (DTSC) for the site located at 425 Front Street, Santa Cruz, California.**

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

**15. CONSIDERATION OF APPROVAL TO REINSTATE CLASS SPECIFICATIONS AND UPDATE WAGE SCALES PREVIOUSLY REMOVED FROM THE SEIU, LOCAL 521 MEMORANDUM OF UNDERSTANDING (MOU)**

Robyn Slater reported that In June 2005 METRO and SEIU agreed to a wage increase for one year with no additional changes to the contract, and rather than print a new contract, the Information Technology department provided Human Resources and SEIU with the revised wage scale which was distributed. Ms. Slater said that METRO and SEIU approved the revised wage scale without realizing that class specifications that were not currently filled had been deleted from the list, and when the MOU's were subsequently printed, they excluded the class specification titles and wage scales for positions that were not filled.

Ms. Slater said that METRO staff is interested in using the Administrative Specialist class specification when the incumbent for the Senior Facilities Maintenance Worker retires. Ms. Slater said that the Board approved changes to the wage scales to Administrative positions in July 2006, and she suggested that the wage scale adjustments for the Administrative career ladder positions also be applied to the Administrative Specialist position. Ms. Slater added that the revised wage scale for the Administrative Specialist is close to the wage scale for the position being vacated.

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

**Approve reinstatement of class specifications and update wage scales previously removed from the SEIU, Local 521 Memorandum of Understanding (MOU).**

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

**16. ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR DECEMBER 2010**

Angela Aitken said that the Ridership Report is on the Regular Agenda instead of Consent Agenda because all of the ridership reports have been consolidated into one report, and with the approval of the Board, the Ridership reports will continue to be presented in this manner.

**Accept and file Ridership and Performance report for December 2010.**

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

**Motion passed unanimously with Directors Bryant and Robinson being absent.**

**17. ORAL ANNOUNCEMENT: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, MARCH 11, 2011 AT 9:30 A.M. AT THE SANTA CRUZ METRO ADMINISTRATIVE OFFICES LOCATED AT 110 VERNON STREET, IN SANTA CRUZ.**

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

Margaret Gallagher said that the Board will have a conference with Legal Counsel regarding the existing litigation of Raudel Delgado v. Santa Cruz Metro and the existing litigation of Christopher Lanagan v. Santa Cruz Metro; a conference with its Labor Negotiator with regard to United Transportation Union (UTU), Local 23 (Fixed Route and Paracruz) and Service Employees International Union (SEIU), Local 521.

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

Bonnie Morr, UTU, stated that UTU has offered to flat-line their Labor Agreement in light of the state of METRO finances. Ms. Morr also said that a 30% service reduction would damage the system, and said that in the past, discretionary monies had been deposited into the Capital account, and she hopes that the Board will consider back-filling any shortfalls in operating funding with reserve monies. Will Regan, VMU, said that he wasn't aware why SEIU is included in the Closed Session discussion, and reminded the Board that SEIU is a separate union.

**SECTION II: CLOSED SESSION**

Chair Pirie adjourned to Closed Session at 10:27 a.m. and reconvened to Open Session at 12:20 p.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**20. REPORT OF CLOSED SESSION**

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

**ADJOURN**

There being no further business, Chair Pirie adjourned the meeting at 12:20 p.m.

Respectfully submitted,



ANTHONY TAPIZ  
Administrative Services Coordinator