



**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT  
BOARD OF DIRECTORS **REVISED** MEETING MINUTES  
REGULAR MEETING  
DECEMBER 11, 2015 – 8:30 AM  
110 VERNON STREET  
SANTA CRUZ, CA**

A regular meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District (METRO) was convened on Friday, December 11, 2015, at the Santa Cruz METRO's Admin offices, 110 Vernon Street, Santa Cruz, CA.

The Board Meeting Agenda Packet can be found online at [www.SCMTD.com](http://www.SCMTD.com) and is available for inspection at Santa Cruz METRO's Administrative offices at 110 Vernon Street, Santa Cruz, California.

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**SECTION I: OPEN SESSION**

**1 CALL TO ORDER at 8:34AM** by Vice Chair Rotkin.

**2 ROLL CALL:** The following Directors were **present**, representing quorum:

<b>Director Ed Bottorff</b>	<b>City of Capitola</b>
<b>Director Dene Bustichi, Chair</b>	<b>City of Scotts Valley</b>
<b>Director Karina Cervantez</b>	<b>City of Watsonville</b>
<b>Director Cynthia Chase</b>	<b>City of Santa Cruz</b>
<b>Director Jimmy Dutra</b>	<b>City of Watsonville</b>
<b>Director Zach Friend</b>	<b>County of Santa Cruz</b>
<b>Director Donald "Norm" Hagen</b>	<b>County of Santa Cruz</b>
<b>Director Don Lane</b>	<b>City of Santa Cruz</b>
<b>Director John Leopold</b>	<b>County of Santa Cruz</b>
<b>Director Bruce McPherson</b>	<b>County of Santa Cruz</b>
<b>Director Mike Rotkin, Vice Chair</b>	<b>County of Santa Cruz</b>
<b>Ex-Officio Director Donna Blitzer</b>	<b>UC Santa Cruz</b> <i>Arrived at 8:38A</i>

No Directors were absent.

**STAFF PRESENT:**

Alex Clifford, CEO  
Leslyn Syren, District Counsel

**METRO EMPLOYEES AND MEMBERS OF THE PUBLIC WHO VOLUNTARILY INDICATED THEY WERE PRESENT (IN ALPHABETICAL ORDER) WERE:**

Heather Adamson, AMBAG  
 Angela Aitken, METRO  
 Lorraine Bayer, SEA-SEIU  
 Patti Davidoski, SEA-SEIU  
 Lew English, SEIU  
 Joan Jeffries, SEA-SEIU

Jane Ng, SEA-SEIU  
 Jillian Ritter, SEA-SEIU  
 Becky Taylor, MAC  
 Elmer Torres, SEA  
 Eileen Wagley, METRO  
 Daniel Zaragoza, METRO

**3 ANNOUNCEMENTS**

Vice Chair Rotkin introduced Carlos Landaverry and noted his availability for Spanish interpretation as needed. Carlos introduced himself and his services in Spanish. Vice Chair Rotkin then announced Renee Sheets will be today’s Community Television technician. Further, he announced the following items were distributed to Board Members:

- Updated contact cards are available
- CTA 2016 Membership Directory and Reference Guide

Vice Chair Rotkin announced the following items were distributed to Board Members and available for public viewing at the sign-in table:

- Item 11: Presentation to accompany TMD’s oral update on the Comprehensive Operational Analysis
- Item 12: REVISED Page 2 of the staff report added the following verbiage to the 3rd paragraph: “When METRO receives the HVIP rebate (\$475,000), the PTMISEA funds used to cover the HVIP amount would be repaid.”
- Item 18: CORRECTED 18B.Exhibit A Article 5 – numbering of subsection 5 has been corrected

In response to Vice Chair Rotkin’s request for communications from the Board:

- Director Chase shared her recent experience riding the Highway 17 bus the day before Thanksgiving. There were over 100 people waiting for the bus. METRO seamlessly provided additional buses with no lag time for the passengers.
- Director Leopold shared the compliments received at the Warlock Band celebration held at Don Quixote’s where he shared the mock-up of the bus stop art piece. Director Leopold will distribute the mock-up via email to those interested.

***Ex-Officio Director Blitzer arrived at 8:38AM.***

**4 COMMUNICATIONS TO THE BOARD OF DIRECTORS**

In response to Vice Chair Rotkin’s request for communications to the Board:

Kate, Social Services Director at Kindred Health Care, thanked METRO and Eileen Wagley for the services which allow their patients to get to and from their medical appointments on time. There remains an issue with those who are too ill to get to METRO to apply in person. She asked METRO to consider permitting places such as Kindred Health Care to

communicate with Eileen on behalf of their patients rather than sending the patients to METRO to apply in person.

Lena Dale, Social Worker at a local dialysis center, also spoke about the amazing job done by Kate and Eileen. Patients use ParaCruz approximately 3-4 times per week at a cost of \$4 each way. This is a wonderful service, but can be a financial burden. Vice Chair Rotkin asked staff to provide the current qualification policy.

Director McPherson asked the assembly to vote for the November 16 ballot measure which has funds targeted to METRO and ParaCruz service, emphasizing the importance to those who most need the service.

## **5 WRITTEN COMMUNICATIONS FROM MAC**

Having none, the meeting proceeded to the next agenda item.

## **6 LABOR ORGANIZATION COMMUNICATIONS**

Will Regan, representing VMU, Manny Martinez, representing PSA, and Joan Jeffries, President of SEA Chapter of SEIU Local 521, introduced themselves. Ms. Jeffries spoke of the labor agreement proposal to be discussed in today's closed session. SEA understands METRO's fiscal deficit position and wants to help. The proposal contains three major concessions: 1) freezing wages for two years; 2) giving up one annual leave day; and, 3) delaying the Class & Comp Study.

Vice Chair Rotkin welcomed Ms. Jeffries to her new position and thanked the members for their support of the District.

### **CONSENT AGENDA**

- 8-01 RECOMMENDED ACTION ON TORT CLAIMS
- 8-02 ACCEPT AND FILE PRELIMINARY APPROVED CHECK JOURNAL DETAIL FOR THE MONTH OF AUGUST 2015
- 8-03 ACCEPT AND FILE MINUTES OF THE SANTA CRUZ METRO BOARD OF DIRECTORS MEETING OF NOVEMBER 13, 2015
- 8-04 ACCEPT AND FILE MINUTES FOR THE METRO ADVISORY COMMITTEE (MAC) MEETING OF OCTOBER 21, 2015
- 8-05 ACCEPT AND FILE THE METRO SYSTEM RIDERSHIP REPORTS FOR THE MONTHS OF AUGUST AND SEPTEMBER 2015
- 8-06 CONSIDERATION OF METROBASE MONTHLY CHANGE ORDER REPORT
- 8-07 CONSIDERATION OF OWNED AND LEASED PROPERTY INVENTORIES TO DETERMINE IF THERE IS ANY PROPERTY IN EXCESS OF SANTA CRUZ METROPOLITAN TRANSIT DISTRICT'S FORESEEABLE NEEDS
- 8-08 CONSIDERATION OF AWARD OF CONTRACT TO ALLIANT INSURANCE SERVICES REPRESENTING THE HARTFORD FOR LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE NOT TO EXCEED \$82,188 FOR TWO YEARS

- 8-09 CONSIDERATION OF AWARD OF CONTRACT TO ALLIANT INSURANCE SERVICES REPRESENTING THE HARTFORD FOR LONG TERM DISABILITY INSURANCE COVERAGE NOT TO EXCEED \$269,742 FOR TWO YEARS
- 8-10 CONSIDERATION OF RESOLUTION APPROVING THE FY16 REVISED CAPITAL BUDGET
- 8-11 CONSIDERATION OF ADOPTION OF SANTA CRUZ METRO'S AMENDED CONFLICT-OF-INTEREST CODE AND APPROVAL OF THE RESOLUTION CONFIRMING THIS ACTION
- 8-12 CY16 STATE AND FEDERAL LEGISLATIVE AGENDA

**ACTION: MOTION TO ACCEPT THE CONSENT AGENDA AS PRESENTED**  
**MOTION: DIRECTOR LANE SECOND: DIRECTOR LEOPOLD**  
**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin).**

#### **REGULAR AGENDA**

- 9 PRESENTATION OF EMPLOYEE LONGEVITY AWARDS FOR CAROLYN BOWERS, LETICIA CALLEJAS, WILLIAM McINTYRE, FELIPE MENDOZA, EZEQUIEL OSORIO, JOHN OTTO, RUBEN VALDEZ, EILEEN WAGLEY, BILL YEO

Vice Chair Rotkin read the names and longevity of METRO employees unable to attend:

- Carolyn Bowers, Bus Operator, 10 years of service
- William McIntyre, Bus Operator, 10 years of service
- Felipe Mendoza, Bus Operator, 10 years of service
- Ezequiel Osorio, Bus Operator, 10 years of service
- Leticia Callejas, Bus Operator, 15 years of service
- John Otto, Bus Operator, 15 years of service
- Bill Yeo, Bus Operator, 15 years of service

Chair Dene Bustichi thanked Eileen Wagley for her 15 years of service and expressed his appreciation for her contributions. Ms. Wagley thanked Chair Bustichi and the Board for the recognition and the Bus Operators for their service and commitment. She grants eligibility under the ADA guidelines which governs how METRO handles Paratransit service. She invited the Board Members to meet or call her if they'd like to become more familiar with Paratransit.

Chair Bustichi thanked Ruben Valdez for his 10 years of service and for helping customers on "the front line". Mr. Valdez thanked METRO for the recognition, noting he came to METRO after serving in the Air Force and is happy to have found a fulfilling job.

- 10 ACCEPT AND FILE THE YEAR TO DATE MONTHLY FINANCIAL REPORT AS OF AUGUST 31, 2015

Angela Aitken, Finance Manager, provided commentary to the presentation. Cabrillo bought a significant number of passes in August, which was a nice revenue increase not previously budgeted.

Director Dutra asked if the 10 vacant positions referenced on slide 7 will be cut or continue to remain open. CEO Clifford explained that the open positions will be evaluated in the budget cycle; some may remain vacant to balance the fiscal deficit. Hearing no public comment, the Board moved to make a motion.

**ACTION: MOTION TO ACCEPT THE YEAR TO DATE MONTHLY FINANCIAL REPORT AS OF AUGUST 31, 2015 AS PRESENTED**  
**MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR LANE**  
**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin).**

- 11 RECEIVE AN UPDATE ON THE COMPREHENSIVE OPERATIONAL ANALYSIS  
 Barrow Emerson, Planning and Development Manager, introduced Kristina Svensk of TMD. Ms. Svensk added commentary to the powerpoint presentation.

Director Leopold asked for clarification of the route map. Ms. Svensk explained that the productivity data in the previous slide is also depicted in map format.

Vice Chair Rotkin reminded everyone that all of the routes are subsidized, including UCSC; METRO is not making a profit.

Director Friend noted he has been on 3 of the routes and asked how the ride-checks are defined. Ms. Svensk said that they meet with Eduardo and others to review the collected data for validity. She added that some of the public have indicated some routes “ have too many stops”.

Director Hagen echoed their findings on the Freedom route between Aptos High School and Watsonville; he has experienced sparse ridership.

Vice Chair Rotkin said that the COA Ad Hoc Committee has been working closely with TMD. Director Chase asked if the community responses are consistent with the Ad Hoc Committee findings. Ms. Svensk responded yes; fast, reliable and consistency are the key topics.

Noting the overall gridlock in recent years, Director McPherson asked if it’s more challenging today to stay on time compared to three years ago. CEO Clifford answered it is a struggle and impacts on-time performance as the congestion worsens. Mr. Montesino has been requesting additional time to address the congestion. METRO has tested this on a couple of the Watsonville routes.

Vice Chair Rotkin opened the floor to public comment.

Mr. Montesino said yes, it is taking the buses longer. They continue to look at efficiencies. Changing the mainline service is an ongoing project; however, there are times a time-saving concept doesn’t pan out in reality. They anticipate having information on projects and adjustments to allow for additional savings this spring.

CEO Clifford added that METRO wants to do this correctly and we need the public feedback. The Ad Hoc Committee helps on a granular level. The challenge is to protect the core service.

Director Lane asked about the relationship between the structural deficit and the anticipated revenue from the ballot measure. Vice Chair Rotkin responded that the Ad Hoc Committee discussed this in their most recent meeting and it appears that METRO's structural deficit would remain \$3.4M short if we receive the anticipated \$2M from the tax initiative. METRO has asked the consultants to consider all scenarios.

Chair Bustichi reminded the assembly that we are speaking about spending a tax measure we don't have yet; in reality it won't make anything better but will succeed in only making things a little less worse.

CEO Clifford emphasized there is nothing simple about this financial equation. The \$5.4M deficit is effective July 1, 2016. When we begin pulling down reserves to meet this timeline (we lost 3 months), we will be down even further than originally anticipated. We have to look into when the tax dollars will actually begin flowing which could impact the balanced budget.

Director Chase reminded the assembly that we are still at the conceptual stage; we don't yet know the impacts of the route cuts which will be significant to the district and the public.

Director Lane restated the pivotal question, "Do we choose in June to make the full \$5.4M cuts at that time or do we opt for a \$3.4M cut?" This has not yet been determined/finalized. Vice Chair Rotkin concurred and said the Board will make this decision in the future. CEO Clifford added METRO will provide options.

No motion required of this agenda item.

12      CONSIDER A REPORT ON METRO'S ELECTRIC BUS IMPLEMENTATION STRATEGY  
Barrow Emerson provided a brief summary of the report.

Director Chase expressed her concerns about funds being diverted from Pacific Station. CEO Clifford referred the assembly to page 12.3 for specifics, adding that the funding sources we would like to use as a match for electric buses attempt to use other grant monies and rebates to meet local share funds. When METRO filed the grant application, we said we would use PMTISEA funds because we have that money in the bank. However, there is some risk. We need to replace 1998 diesel buses but we have no capital budget to replace them. The reinstatement of bus and bus facility funding (FAST) will help but the extent is not yet known.

Director Dutra asked how METRO plans on repaying the money and what is the timeline? Is there a potential that the money will not be received? Is it a question of Pacific Station versus buses? CEO Clifford responded that LONO funds would allow us to place an electric bus order in approximately one year. The PTMISEA monies for Pacific Station may be at risk if we are unable to use the LCTOP and/or HVIP funds.

Director Leopold would like to see Pacific Station remodeled, but recognizes there are matters outside of METRO's control that need to be done to accomplish this. He supports the recommendations outlined; it's an appropriate risk to use this money to get the buses. If there is no fleet, there is no service. Chair Bustichi agreed with Director Leopold.

Director Lane agrees but expressed concerns about the tipping point regarding funds which may be tapped for unknown future events.

Vice Chair Rotkin opened the floor to public comment.

Becky Taylor understood, from the Board Meeting held in Watsonville, that METRO must buy new buses, electric or non and reminded the Board that they are on the board of a bus company, not a building development company. She is in support of this proposal.

**MOTION TO ACCEPT THE REPORT ON METRO'S ELECTRIC BUS IMPLEMENTATION STRATEGY AND APPROVE THE LOCAL MATCH STRATEGY TO USE STATE LCTOP FUNDS AND CARB VOUCHERS, WITH A BACK-UP STRATEGY TO USE STATE PTMISEA AS THE LOCAL MATCH**

**MOTION: DIRECTOR LEOPOLD**

**SECOND: DIRECTOR LANE**

**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin).**

- 13 CONSIDERATION OF A **TWO YEAR** CONTRACT WITH THE LAW FIRM OF HANSON BRIDGETT IN AN AMOUNT NOT TO EXCEED \$200,000  
 Leslyn Syren, District Counsel, ~~provided a summary of the staff report~~ **reminded the Board that they had provided her with authority under METRO's Procurement Policy to waive competitive bidding for legal services. As such, she was asking for approval of a two year contract with Hanson Bridgett (not five years as reflected in the staff report) not to exceed \$200,000 for overall legal services.**

Vice Chair Rotkin voiced his support of the contract based on his examination of legal costs and alternatives.

Hearing no public comment, the Board moved to make a motion.

**MOTION TO APPROVE THE **TWO YEAR** CONTRACT WITH THE LAW FIRM OF HANSON BRIDGETT IN AN AMOUNT NOT TO EXCEED \$200,000 **AS PRESENTED****

**MOTION: DIRECTOR LEOPOLD**

**SECOND: DIRECTOR ROTKIN**

**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin).**

- 14 CONSIDERATION OF AUTHORIZING THE CEO TO EXECUTE A CONTRACT EXTENSION WITH RNL DESIGN, INC. FOR ARCHITECT AND ENGINEERING SERVICES THROUGH JUNE 30, 2016, INCREASING THE CONTRACT TOTAL BY \$150,000

- 15 REVISED METROBASE PHASE II (OPERATIONS BUILDING) LIFE OF PROJECT BUDGET AND CAPITAL RESOURCE ALLOCATION PLAN

Vice Chair Rotkin granted CEO Clifford's request to combine and discuss agenda items 14 and 15 simultaneously.

Director Leopold, noting that the contract runs to June 30, asked if the new building opens sooner, will we use less than projected. CEO Clifford responded that we hope to close out the project in mid-January 2016 but cannot make any promises. We are wrapping ADA and other access issues.



District Counsel Syren added that METRO doesn't have the in-house technical / architectural expertise which may be required after we physically occupy the premises. For example, change orders may be required which the current contractor will not handle.

**MOTION TO AUTHORIZE THE CEO TO EXECUTE A CONTRACT EXTENSION WITH RNL DESIGN, INC. FOR ARCHITECT AND ENGINEERING SERVICES THROUGH JUNE 30, 2016, INCREASING THE CONTRACT TOTAL BY \$150,000 AS PRESENTED**

**MOTION: DIRECTOR LEOPOLD**

**SECOND: DIRECTOR CHASE**

**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin).**

**MOTION TO ACCEPT THE REVISED METROBASE PHASE II (OPERATIONS BUILDING) LIFE OF PROJECT BUDGET AND CAPITAL RESOURCE ALLOCATION PLAN AS PRESENTED**

**MOTION: DIRECTOR LEOPOLD**

**SECOND: DIRECTOR CHASE**

**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin).**

- 16 CONSIDERATION OF AWARD OF CONTRACT TO SHAW/YODER/ANTWIH, INC. FOR STATE LEGISLATIVE REPRESENTATION SERVICES NOT TO EXCEED \$90,000  
Alex Clifford, CEO/General Manager, provided commentary to the staff report.

**MOTION TO APPROVE THE AWARD OF CONTRACT TO SHAW/YODER/ANTWIH, INC. FOR STATE LEGISLATIVE REPRESENTATION SERVICES NOT TO EXCEED \$90,000 AS PRESENTED**

**MOTION: DIRECTOR McPHERSON**

**SECOND: DIRECTOR LEOPOLD**

**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin).**

- 17 ONCE-A-MONTH BOARD MEETINGS AND BOARD COMMITTEES  
Alex Clifford, CEO/General Manager, asked the Board Members to hold open the morning of the second Friday of each month for potential Board Committee Meetings in calendar year 2016.

Hearing no public comment, Vice Chair Rotkin asked how METRO would begin with a committee structure. He suggested forming a personnel committee as an example. He asked any interested Board Members to please contact him.

**MOTION TO APPROVE THE ONCE-A-MONTH BOARD MEETINGS AND BOARD COMMITTEES AS PRESENTED; AND, PROVIDE VICE CHAIR ROTKIN WITH THE AUTHORITY TO ESTABLISH A COMMITTEE TO DEVELOP SUB-COMMITTEES**

**MOTION: DIRECTOR DUTRA**

**SECOND: DIRECTOR McPHERSON**

**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin).**

- 18 REVISED METRO ADVISORY COMMITTEE (MAC) BYLAWS  
Alex Clifford, CEO/General Manager provided a brief history of the original request and meetings held to date.



Director Hagen added that this began as an idea to more closely align with E&D TAC's purpose and structure.

Director McPherson said the value of MAC is tremendous. There remains the opportunity for MAC to hold special sessions as needed; we can have good representation with a reduced number of committee members.

Vice Chair Rotkin opened the floor to public comment.

Veronica Elsea, MAC Chair, said MAC has had excellent attendance this year. MAC members make a commitment as volunteers; they are excellent thinkers and they do take their position seriously and are showing up. She wanted to call METRO's attention to the following sections in the draft Bylaws:

2.1: Duties

MAC is concerned about issues raised by the public. To the MAC Committee, this section reads as if there should not be contact between the committee and the public; this contact has been lost.

5.1 Regular Meetings

It is unclear to Ms. Elsea if MAC must meet the specified months or are they simply a suggestion. If so, why are they setting the dates at the end of the year?

5.6 Matters Not Listed on the Agenda Requiring Committee Action (renumbered Section 5.5)

Up to now, MAC had been permitted to add emergency or time sensitive issues to the agenda with a consensus from the member majority. They have heard the District Counsel say this is not permitted under the Brown Act. In Ms. Elsea's research, they used this section for an emergency item when they helped METRO obtain a larger booth space with the county fair board a couple of years ago. This item was added to the agenda and METRO received the requested support.

5.8 Access to Public Records Distributed at Meetings (renumbered Section 5.9)

Ms. Elsea felt the writing is clumsy in this section and can be simplified. She recommended keeping the first and second sentences and adding a new sentence which would say something to the effect of, "any Members having difficulty should contact the Admin Office for assistance."

6.4 Agenda Posting and Delivery

Ms. Elsea asked why this doesn't mention putting the agenda on the website. This is also referenced earlier in the document

3.3 & 4.2 contain grammatical errors which should be corrected:

Board of directors are; and,  
Reappointed should be reappointment

Vice Chair Rotkin thanked Ms. Elsea for her review and level of detail.

Becky Taylor reminded the assembly that MAC is the only group METRO takes input from. If they aren't allowed to bring up items that are important to them or to people they have spoken to, she doesn't know what the point is of it. She's someone who has taken METRO

as a UCSC student, Cabrillo student and community member so doesn't understand why METRO wants to break it up into different roles.

Vice Chair Rotkin suggested METRO staff review the Bylaws and return with a final version on January's Consent Agenda.

Chair Bustichi said these changes don't circumvent the public's ability to have a public forum; in fact, it keeps the Board advised as to what is going on outside of MAC. The changes to meeting frequency are based on staff availability and structural deficit assistance. In terms of adding items to the agenda, members can always go to the CEO or a Board Member to discuss an addition.

Vice Chair Rotkin suggested the meeting frequency be left to staff to clarify. Section 5.6 is a legal issue; there are Brown Act repercussions. MAC makes recommendations to the METRO Board. This doesn't stop the MAC from informing the Board of issues at the last minute. District Counsel Syren explained the intent of the Brown Act. The MAC will still be permitted to hold special meetings but they have never been in the position of deciding when or how to spend money in response to an emergency.

Director Leopold believes METRO needs an effective communication method and that MAC should bring issues that are important to the riders and may see things the Board doesn't. He repeated they are a standing committee which makes them subject to the Brown Act.

Noting there are now 8 MAC members, Director Lane asked how they would meet the new number of 7 members. District Counsel Syren answered this would be met through attrition. CEO Clifford added they have a lot of respect for those who serve on the committee; the staff report does mention attrition.

CEO Clifford said MAC is an ambassador to METRO. They should get issues to the CEO ASAP.

**GENERAL CONSENSUS FOR STAFF TO RETURN WITH A CONSENT AGENDA ITEM TO THE JANUARY 2016 BOARD MEETING WITH A FINAL VERSION OF THE REVISED METRO ADVISORY COMMITTEE (MAC) BYLAWS WHICH ADDRESSES CONCERNS AND ENSURES ATTRITION IS CLEAR IN THE ACCOMPANYING STAFF REPORT**

**19 AMENDMENT TO EXTEND TERM OF DISTRICT COUNSEL EMPLOYMENT AGREEMENT**

Chair Dene Bustichi provided a brief history of the process to date.

**MOTION TO APPROVE THE AMENDMENT TO EXTEND TERM OF DISTRICT COUNSEL EMPLOYMENT AGREEMENT AS PRESENTED**

**MOTION: DIRECTOR DUTRA**

**SECOND: DIRECTOR CHASE**

**MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin)**

**20 CEO TO GIVE ORAL REPORT**

Alex Clifford, CEO/General Manager, thanked employees for their assistance and participation in the Downtown Santa Cruz Holiday Parade on short notice. We will plan in advance next year.

He thanked those Board Members who sit on the RTC in particular for their effort(s) to bring more money to METRO. They were successful in passing a recommendation to provide 15% of the tax initiative to METRO. He clarified the confusion regarding the 1/8 cent sales tax versus 15% of a sales tax initiative. A solo 1/8 cent sales tax would provide significantly more revenue.

He will provide a staff report in January 2016 which addresses the tech buses referenced in the Santa Cruz Sentinel article published on December 19, 2015 and distributed at today's Board meeting.

He thanked staff for their time and efforts in preparing for the upcoming triennial audit. This is a huge time commitment; 11 attended a training session in San Francisco.

He added that each of the current 10 vacant positions is desperately needed but everyone is filling in where they can. And their assistance is greatly appreciated!

15 REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION  
Leslyn Syren, General Counsel, announced the following items:

- 1. CONFERENCE WITH LABOR NEGOTIATORS  
 Agency Negotiators: Alex Clifford, CEO/General Manager  
 Leslyn Syren, District Counsel  
 Organization: SEIU
- 2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION  
 Rosa Diaz v. Santa Cruz METRO WCAB No. 2007164812  
 Leslyn Syren, General Counsel
- 3. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION  
 Significant exposure to litigation pursuant to subdivision (c) of Government Code Section 54956.9 – 2 cases  
 Leslyn Syren, General Counsel
- 4. PUBLIC EMPLOYEE PERFORMANCE EVALUATION  
 Title: District Counsel  
 Leslyn Syren, General Counsel

Vice Chair Rotkin announced, and District Counsel Syren concurred, a report after was not anticipated.

16 ANNOUNCEMENT OF NEXT MEETING: FRIDAY, JANUARY 22, 2016 AT 8:30 AM, SANTA CRUZ CITY CHAMBERS, 809 CENTER STREET, SANTA CRUZ  
Chair Bustichi announced the next meeting as referenced above.

17 ADJOURNMENT  
Chair Bustichi adjourned the meeting at 10:44AM

Respectfully submitted,

Board of Directors Meeting Minutes  
December 11, 2015  
Page 12 of 12

Gina Pye  
Executive Assistant