

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

BOARD OF DIRECTORS REGULAR MEETING AGENDA

APRIL 23, 2004 (Fourth Friday of Each Month)

* CITY HALL COUNCIL CHAMBERS*

809 CENTER STREET

SANTA CRUZ, CALIFORNIA

9:00 a.m. - Noon

SECTION I: OPEN SESSION - 9:00 a.m.

1. ROLL CALL
2. ORAL AND WRITTEN COMMUNICATION
 - a. Jonathan Giffard RE: UCSC Service
 - b. Andrew Horne RE: Union Pacific Right-of-Way
 - c. Linda Wilshusen, SCCRTC RE: Paratransit Task Force
 - d. Bonnie Morr, UTU RE: Metro Advisory Committee (MAC)
3. LABOR ORGANIZATION COMMUNICATIONS
4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF MARCH 12 AND MARCH 26, 2004
Minutes: Attached
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
Report: Attached
- 5-3. ACCEPT AND FILE MARCH 2004 RIDERSHIP REPORT
Report: Attached
PAGE 1 OF THE RIDERSHIP REPORT IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET
- 5-4. CONSIDERATION OF TORT CLAIMS: None
- 5-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF APRIL 15, 2004 AND THE MINUTES OF THE MARCH 18, 2004 MEETING
Agenda/Minutes: Attached
- 5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2004 AND APPROVAL OF BUDGET TRANSFERS
Staff Report: Attached

* Please note: Location of Meeting Place

- 5-7. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR JANUARY 2004
Staff Report: Attached
- 5-8. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR FEBRUARY 2004
Staff Report: Attached
- 5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE
Staff Report: Attached
- 5-10. ACCEPT AND FILE METROBASE STATUS REPORT
Staff Report: Attached
- 5-11. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE MARCH MEETINGS
Minutes: Attached
- 5-12. CONSIDERATION OF CONTRACT RENEWAL FOR NATIONWIDE AUCTION SYSTEMS
Staff Report: Attached
- 5-13. **DELETED**
- 5-14. CONSIDERATION OF AWARD OF CONTRACT FOR HEAVY DUTY BRAKE DRUMS
Staff Report: Attached
- 5-15. CONSIDERATION OF AWARD OF CONTRACT FOR HEAVY DUTY BATTERIES
Staff Report: Attached
- 5-16. CONSIDERATION OF RECOMMENDATION TO APPROVE THE ELIMINATION OF ONE TRANSIT SURVEYOR POSITION AND CONVERT THE REMAINING TRANSIT SURVEYOR POSITION TO FULL TIME
Staff Report: **DOCUMENTATION IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**
- 5-17. CONSIDERATION OF RECOMMENDATION TO APPROVE ASSESSMENT FOR COOPERATIVE RETAIL MANAGEMENT DISTRICT
Staff Report: Attached
- 5-18. CONSIDERATION OF STATUS REPORT REGARDING ORION HIGHWAY 17 FLEET MODIFICATIONS
(Moved to Consent Agenda at the April 9, 2004 Board Meeting. Staff report retained original numbering as Item #7)

5-19. **ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION ON ANNA PADILLA, ELLEN ADAMS AND CARRIE ROSE**

Staff Report: **DOCUMENTATION IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**

5-20. **ACCEPT AND FILE DRAFT REPORT ON FY 2004 TRIENNIAL REVIEW**

Staff Report: **DOCUMENTATION IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

Presented by: Chairperson Reilly

Staff Report: Attached

7. **MOVED TO CONSENT AGENDA AS ITEM #5-18.**

8. **DEFERRED TO THE MAY 14, 2004 BOARD MEETING**

9. CONSIDERATION OF APPROVAL OF FY 04-05 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES

Presented by: Elisabeth Ross, Finance Manager

Staff Report: **REVISED STAFF REPORT IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**

10. **CONSIDERATION OF MODIFICATIONS TO THE METRO BOARD'S BYLAWS INCLUDING HOW THE SANTA CRUZ METRO REPRESENTATIVES AND ALTERNATES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION (SCCRTC) ARE SELECTED, HOW DIRECTORS ARE APPOINTED TO THE SANTA CRUZ METRO BOARD, INCLUDING WHETHER UC SANTA CRUZ CAN APPOINT A DIRECTOR WHO HAS VOTING RIGHTS, AND ADDING RULES OF PROCEDURE FOR BOARD MEETINGS AND OTHER CHANGES**

Presented by: Margaret Gallagher, District Counsel

Staff Report: Attached

REVISED STAFF REPORT IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET

11. CONSIDERATION OF ISSUING A DECLARATION OF FISCAL EMERGENCY

Presented by: Elisabeth Ross, Finance Manager

Staff Report: Attached

12. CONSIDERATION OF SERVICE REDUCTION FOR SUMMER 2004

Presented by: Mark Dorfman, Assistant General Manager

Staff Report: **AMENDED STAFF REPORT IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**

PUBLIC HEARING WILL BE HELD AT 9:00 A.M.

13. CONSIDERATION OF RESOLUTIONS AUTHORIZING SUBMITTAL OF FY 2005 STA AND TDA CLAIMS
Presented by: Mark Dorfman, Assistant General Manager
Staff Report: Attached
14. CONSIDERATION OF APPOINTING ALTERNATE MEMBERS TO THE METRO ADVISORY COMMITTEE
Presented by: Les White, General Manager
Staff Report: Attached
15. **CONSIDERATION OF CALL STOP AUDIT REPORT**
Presented by: Bryant Baehr, Operations Manager
Staff Report: **DOCUMENTATION IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**
16. **CONSIDERATION OF APPOINTING INDIVIDUALS TO REPRESENT METRO ON THE PARATRANSIT COORDINATOR TASK FORCE BEING FORMED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION**
Presented by: Les White, General Manager
Staff Report: **DOCUMENTATION IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**
17. **CONSIDERATION OF STATUS REPORT FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TRANSIT ORIENTED CHILD CARE AND APARTMENT COMPLEX CENTER FOR PROPERTY APN'S 17-011-51 AND 52 IN WATSONVILLE, PURSUANT TO A LEASE AGREEMENT BETWEEN THE CITY OF WATSONVILLE AND THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**
Presented by: Margaret Gallagher, District Counsel
Staff Report: **DOCUMENTATION IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**
18. **CONSIDERATION OF OPERATION OF BEACH SHUTTLE FOR CITY OF SANTA CRUZ**
Presented by: Mark Dorfman, Assistant General Manager
Staff Report: **DOCUMENTATION IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**
19. **CONSIDERATION OF AMENDMENT OF CONTRACT WITH VEHICLE MAINTENANCE PROGRAM, INC. FOR BUS FILTERS**
Presented by: Tom Stickel, Fleet Maintenance Manager
Staff Report: **DOCUMENTATION IS INCLUDED IN THE APRIL 23, 2004 BOARD PACKET**
20. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION: District Counsel

21. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Pursuant to Subdivision (b) of Section 54956.9)

a. Number of Cases: One

2. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Section 54957 of the Government Code

Title: General Manager

SECTION III: RECONVENE TO OPEN SESSION

22. REPORT OF CLOSED SESSION

ADJOURN

NOTICE TO PUBLIC

Members of the public may address the Board of Directors on a topic not on the agenda but within the jurisdiction of the Board of Directors or on the consent agenda by approaching the Board during consideration of Agenda Item #2 "Oral and Written Communications", under Section I. Presentations will be limited in time in accordance with District Resolution 69-2-1.

When addressing the Board, the individual may, but is not required to, provide his/her name and address in an audible tone for the record.

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The Santa Cruz Metropolitan Transit District does not discriminate on the basis of disability. The City Council Chambers is located in an accessible facility. Any person who requires an accommodation or an auxiliary aid or service to participate in the meeting, please contact Dale Carr at 831-426-6080 as soon as possible in advance of the Board of Directors meeting. Hearing impaired individuals should call 711 for assistance in contacting METRO regarding special requirements to participate in the Board meeting. A Spanish Language Interpreter will be available during "Oral Communications" and for any other agenda item for which these services are needed. This meeting will be broadcast live by Community Television of Santa Cruz on Channel 26.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Les White, General Manager

SUBJECT: MATERIAL FOR THE APRIL 23, 2004 BOARD MEETING AGENDA

SECTION I: OPEN SESSION:

ADD TO ITEM #2 ORAL AND WRITTEN COMMUNICATION

c. Linda Wilshusen, SCCRTC RE: Paratransit Task Force
d. Bonnie Morr, UTU RE: Metro Advisory Committee
(Insert Letters)

CONSENT AGENDA:

ADD TO ITEM #5-3 ACCEPT AND FILE 1st PAGE OF THE MARCH 2004 RIDERSHIP REPORT
(Insert Page One of the March Ridership Report)

DELETE ITEM #5-13 CONSIDERATION OF AWARD OF CONTRACT FOR JANITORIAL SERVICES FOR THE SCOTTS VALLEY TRANSIT CENTER
(Deferred to May Board Meeting pending further information)

ADD TO ITEM #5-16 CONSIDERATION OF RECOMMENDATION TO APPROVE THE ELIMINATION OF ONE TRANSIT SURVEYOR POSITION AND CONVERT THE REMAINING TRANSIT SURVEYOR POSITION TO FULL TIME
(Insert Staff Report)

ADD TO ITEM #5-19 ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION ON ANNA PADILLA, ELLEN ADAMS AND CARRIE ROSE
(Insert Staff Report)

ADD TO ITEM #5-20 ACCEPT AND FILE DRAFT REPORT ON FY 2004 TRIENNIAL REVIEW
(Insert Staff Report)

REGULAR AGENDA:

DELETE ITEM #8 PRESENTATION OF RALPH M. BROWN ACT (OPEN MEETING ACT)
(Deferred to the May 14, 2004 Board Meeting)

ADD TO ITEM #9 CONSIDERATION OF APPROVAL OF FY 04-05 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES
(Insert Revised Staff Report, replace specific pages from Attachment A as designated, insert new Attachments B through I)

- ADD TO ITEM #10
(New Title on Agenda)** CONSIDERATION OF MODIFICATIONS TO THE METRO BOARD'S BYLAWS INCLUDING HOW THE SANTA CRUZ METRO REPRESENTATIVES AND ALTERNATES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION (SCCRTC) ARE SELECTED, HOW DIRECTORS ARE APPOINTED TO THE SANTA CRUZ METRO BOARD, INCLUDING WHETHER UC SANTA CRUZ CAN APPOINT A DIRECTOR WHO HAS VOTING RIGHTS, AND ADDING RULES OF PROCEDURE FOR BOARD MEETINGS AND OTHER CHANGES
(Insert Revised Staff Report and all Attachments)
- ADD TO ITEM #12** CONSIDERATION OF SERVICE REDUCTION FOR SUMMER 2004
(Insert Revised Staff Report)
Note: Amended Staff Report was distributed to those Board Members present at the April 9th Board Meeting.
- ADD TO ITEM #15** CONSIDERATION OF CALL STOP AUDIT REPORT
(Insert Staff Report)
- ADD TO ITEM #16** CONSIDERATION OF APPOINTING INDIVIDUALS TO REPRESENT METRO ON THE PARATRANSIT COORDINATOR TASK FORCE BEING FORMED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
(Insert Staff Report)
- ADD TO ITEM #17** CONSIDERATION OF STATUS REPORT FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TRANSIT ORIENTED CHILD CARE AND APARTMENT COMPLEX CENTER FOR PROPERTY APN'S 017-011-51 AND 52 IN WATSONVILLE, PURSUANT TO A LEASE AGREEMENT BETWEEN THE CITY OF WATSONVILLE AND THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
(Insert Staff Report)
- ADD TO ITEM #18** CONSIDERATION OF OPERATION OF BEACH SHUTTLE FOR CITY OF SANTA CRUZ
(Insert Staff Report)
- ADD TO ITEM #19** CONSIDERATION OF AMENDMENT OF CONTRACT WITH VEHICLE MAINTENANCE PROGRAM, INC. FOR BUS FILTERS
(Insert Staff Report)

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

BOARD OF DIRECTORS REGULAR MEETING AGENDA
APRIL 9, 2004 (Second Friday of Each Month)
SCMTD ENCINAL CONFERENCE ROOM
370 ENCINAL STREET, SUITE 100
SANTA CRUZ, CALIFORNIA
9:00 a.m. – 11:00 a.m.

SECTION I: OPEN SESSION - 9:00 a.m.

1. ROLL CALL
2. ORAL AND WRITTEN COMMUNICATION
 - a. Jonathan Giffard RE: UCSC Service
 - b. Andrew Horne RE: Union Pacific Right-of-Way
3. LABOR ORGANIZATION COMMUNICATIONS
4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

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Minutes: Attached
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
Report: Attached
- 5-3. ACCEPT AND FILE MARCH 2004 RIDERSHIP REPORT
Report: Attached
PAGE 1 OF THE RIDERSHIP REPORT WILL BE PRESENTED FOR CONSIDERATION AT THE APRIL 23, 2004 BOARD MEETING
- 5-4. CONSIDERATION OF TORT CLAIMS: None
- 5-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF APRIL 15, 2004 AND THE MINUTES OF THE MARCH 18, 2004 MEETING
Agenda/Minutes: Attached
- 5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2004 AND APPROVAL OF BUDGET TRANSFERS
Staff Report: Attached

* Please note: Location of Meeting Place

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Minutes: Attached
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Staff Report: Attached
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Staff Report: **DOCUMENTATION WILL BE PRESENTED FOR CONSIDERATION AT THE APRIL 23, 2004 BOARD MEETING**
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Staff Report: Attached

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS
Presented by: Chairperson Reilly
Staff Report: Attached
THIS PRESENTATION WILL TAKE PLACE AT THE APRIL 23, 2004 BOARD MEETING
7. CONSIDERATION OF STATUS REPORT REGARDING ORION HIGHWAY 17 FLEET MODIFICATIONS
Presented by: Tom Stickel, Fleet Maintenance Manager
Staff Report: Attached
8. PRESENTATION ON THE RALPH M. BROWN ACT (OPEN MEETING ACT)
Presented by: Margaret Gallagher, District Counsel
Presentation: Oral
THIS PRESENTATION WILL TAKE PLACE AT THE APRIL 9, 2004 MEETING
9. APPROVAL OF FY 04-05 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES
Presented by: Elisabeth Ross, Finance Manager
Staff Report: Attached
10. CONSIDERATION OF MODIFICATIONS TO SANTA CRUZ METRO'S BYLAWS INCLUDING ADDING RULES OF PROCEDURE FOR BOARD OF DIRECTOR MEETINGS, AUTHORIZING THE CHAIR TO NOMINATE THE ALTERNATES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION AND OTHER MINOR WORD CHANGES
Presented by: Margaret Gallagher, District Counsel
Staff Report: Attached
11. CONSIDERATION OF ISSUING A DECLARATION OF FISCAL EMERGENCY
Presented by: Elisabeth Ross, Finance Manager
Staff Report: Attached
12. CONSIDERATION OF SERVICE REDUCTION FOR SUMMER 2004
Presented by: Mark Dorfman, Assistant General Manager
Staff Report: Attached
PUBLIC HEARING WILL BE HELD ON APRIL 23, 2004 AT 9:00 A.M.
13. CONSIDERATION OF RESOLUTIONS AUTHORIZING SUBMITTAL OF FY 2005 STA AND TDA CLAIMS
Presented by: Mark Dorfman, Assistant General Manager
Staff Report: Attached

14. CONSIDERATION OF APPOINTING ALTERNATE MEMBERS TO THE METRO ADVISORY COMMITTEE
Presented by: Les White, General Manager
Staff Report: Attached
15. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION: District Counsel
16. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR
Pursuant to Government Code Section 54957.6
 - a. Agency Negotiator: Mark Dorfman, Assistant General Manager
 1. Employee Organization: Service Employees International Union (SEIU), Local 415
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Subdivision (a) of Section 54956.9)
 - a. Name of Case: Terri Pinter Peters v. Santa Cruz Metropolitan Transit District
(Before the Workers' Compensation Appeals Board)
3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
(Pursuant to Subdivision (b) of Section 54956.9)
 - a. Number of Cases: One

SECTION III: RECONVENE TO OPEN SESSION

17. REPORT OF CLOSED SESSION

ADJOURN

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X-Sender: openup@cats-po-1.ucsc.edu
 Date: Thu, 1 Apr 2004 10:16:41 -0800
 To: Jonathan Giffard <jgiffard@ucsc.edu>
 From: Mike Rotkin <openup@ucsc.edu>
 Subject: Re: transportation
 Cc: markd@scmtd.com
 X-UCSC-CATS-MailScanner: Found to be clean
 X-UCSC-CATS-MailScanner-SpamCheck:

Hi Jonathan,

I assume that by "a pass by" you mean the bus leaves people at the stop because it is full (including a standing load). The transit District does track those events and tries to put additional service in to meet the problem. We take it seriously both because we don't want to inconvenience folks and because when folks are inconvenienced like that, they are less likely to make a commitment to stick with public transit rather than use or get a car.

The problem is that fares only recover about 23% of the cost of operating a bus. The rest comes from tax subsidies to the system. This is a good thing, and no one should believe that taxes don't also subsidize other forms of transportation like airplanes and automobiles to an even greater extent. But, be that as it may, the District only has so much money and we need to respond to requests for more service in several areas of our county. It is even more of a disaster when people in the morning in Watsonville are passed by on their way to work in Scotts Valley and have to wait a hour for the next bus -- often it means they lose their jobs. So we are doing our best. In public service, it is often the squeaky wheel that gets the oil, so I am asking the Assistant General Manager, Mark Dorfman, to make sure that your email is passed on to all of the members of the Transit Board. If you want to discuss this further, please feel free to contact me. Here's how:

Mike Rotkin's Office Hours for spring 2004
 203 college 8:
 Sign up hours (sheet next to door):
 Mon 9-12
 Drop in hours:
 Mon.1 2-4
 Tues. 9-12
 Wed. 2-5
 Thurs. 1 1-5
 and by appointment for other times, call:
 home til midnite any nite (831) 423-4209
 work 459-4601, openup@cats.ucsc.edu
 fax: 831-459-5020

Hello Mike Rotkin,

I am Jonathan Giffard, a first year at Merrill College. I have been involved in transportation work on campus and understand that you are a voting member on the METRO board. I am writing to try and fix a problem with bus pass-bys on routes serving campus. I have heard of reports of pass-bys on the Bay Street corridor and the High Street corridor as well as experiencing a pass by at 4:07pm by the 16 heading towards downtown while waiting at the base of campus. (there were about 6-12 other people at the stop as well.) Because the bus system is so vital to the campus and surrounding community it is essential to all that the service be as good as we can make it, if not better. (I think you understand this so I'll spare you the detailed argument for the bus system) Full busses are what bus companies dream about at night so my question is: why aren't their more busses out there? I understand that this question is quite simple on the surface but more complicated below. I have been talking with Larry Pageler and Wes Scott at TAPS and sit on the TAC/TOC board so I have seen some of the complexities involved in running a bus system. On the brighter side Larry told me that the METRO is ready to start increasing service on some of the campus lines and wanted to make sure I was doing everything I can to increase service asap. Any help I can get from you would be appreciated. Whether it be contacts of people I should write to or more direct action, anything is helpful.

Thank you for your time
 jonathan giffard

Jonathan Giffard
 Transportation Advisory Committee/
 Transportation Oversight Committee

(TAC/TOC)
Merrill College PO Box #2 19
Freshman, undeclared
jgiffard@ucsc.edu
Dorm Phone: (83 1) 502-0836

ike Rotkin

From: "Andrew Home" <andrew@pricehorne.com>
To: <dcarr@scmtd.com>
Cc: <lwhite@scmtd.com>
Subject: Presentation request
Date: Fri, 2 Apr 2004 14:27:05 -0800
X-Mailer: Microsoft Outlook Express 6.00.2800.1158

Board of Directors
Santa Cruz Metropolitan Transit District
Attention: Chairperson Emily Reilly

I am a county resident living in Aptos. I have been studying the Santa Cruz Regional Transportation Committee's (RTC) plan to purchase the Union Pacific Right of Way to begin Tourist Train Service between Aptos and Capitola Villages in a private, independent capacity for some time. If the RTC decides to proceed with this project, I believe it will have serious financial implications for the Transit District.

I would respectfully request the opportunity to make a brief presentation to the Board of the Transit District at your scheduled meeting on May 14, 2004. My intention would be to provide the Board with an independent source of information regarding the financial implications this project may have for the Metro.

By way of professional background, I am a certified public accountant with 10 years experience working for PriceWaterhouseCoopers (largest professional services firm in the world www.pwcglobal.com) before starting my own financial consulting firm PriceHorne, LLC (www.pricehorne.com) four years ago. While at PWC, I worked with the Metropolitan Transportation Authority of New York. The MTA is a holding company which arranges financing for the Long Island Rail Road, New Jersey Transit, Triborough Bridge and Tunnel Authority and is closely involved with the Port Authority of New York / New Jersey. As such, it is one of the largest transportation authorities in this country. I also have a bachelors' degree from Harvard University and an MBA degree in Finance & Accounting from New York University's Leonard N. Stem School of Business, regularly ranked as one of the top 5 MBA programs for finance.

Thank you,

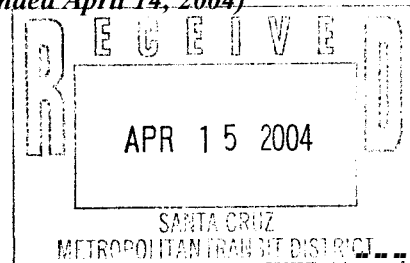
Andrew Home
442 Sumner Avenue
Aptos
831-685-1947

April 12, 2004

(Amended April 14, 2004)

SERVICE AUTHORITY
FOR FREEWAY
EMERGENCIES
(SAFE)

Emily Reilly, Chair
Santa Cruz Metropolitan Transit District
370 Encinal Street, Suite 100
Santa Cruz, CA 95060



RAIL/TRAIL
AUTHORITY

Dear Chair Reilly:

COMMUTE
SOLUTIONS

At its April 1, 2004 meeting, the Regional Transportation Commission (RTC) approved a plan to set up a 24-member task force to address the coordination of paratransit services in Santa Cruz County. Attached is a list of the entities and groups to be represented on the Paratransit Coordination Task Force as well as the goals and issues this group is charged with addressing.

As shown on the attached Paratransit Coordination Task Force membership list, the Transit District is responsible for appointing the following five representatives:

TRANSPORTATION
POLICY WORKSHOP

- Two SCMTD Board members
- One representative from the Metro Advisory Committee (MAC)
- One disabled consumer who uses fixed-route transit service
- One consumer of paratransit services

BUDGET &
ADMINISTRATION
PERSONNEL
COMMITTEE

Please submit information about the Transit District's five appointees (name, affiliation, address, phone and e-mail) to the RTC by April 22.

The first meeting of the Task Force will be on Wednesday May 19 from 3:00 pm to 6:00 pm in the ABC Room at the Santa Cruz Civic Auditorium. Meetings will be held on the third **Wednesday** of the month at this same time through December, with the final plan and recommendations to be submitted to the RTC in January 2005.

INTERAGENCY
TECHNICAL
ADVISORY
COMMITTEE

For more information about the Paratransit Coordination Task Force and work plan, please see staff report and attachments under Item #31 on the April RTC meeting agenda: www.sccrtc.org/packet/2004/0404/TCAGenda0404.htm or contact RTC staff Karena Pushnik at kpushnik@sccrtc.org or 460-3210.

BICYCLE COMMITTEE

ELDERLY & DISABLED
TRANSPORTATION
ADVISORY COMMITTEE

Sincerely,

Linda Wilshusen
Executive Director

Enclosures

cc: Les White, General Manager

\\Rtcserv1\Internal\E&DTAC\Paratransit\Task Force\040604SCMTD.doc

WWW.SCCRTC.ORG
EMAIL:INFO@SCCRTC.ORG

MEMBER AGENCIES: SANTA CRUZ METROPOLITAN TRANSIT DISTRICT, COUNTY OF SANTA CRUZ, CALTRANS
CITIES OF CAPITOLA, SANTA CRUZ, SCOTTSVALLEY, WATSONVILLE

PARATRANSIT COORDINATION TASK FORCE

Members and Alternates

Appointed by RTC

- Two Santa Cruz County Regional Transportation Commissioners (RTC), not on the SCMTD Board of Directors
- One representative from skilled nursing facilities and residential care facilities
- One representative of the medical community or senior housing developments
- One consumer of paratransit services

Appointed by SCMTD

- Two Transit District (SCMTD) Board members
- One representative of the Metro Advisory Committee (MAC)
- One disabled consumer who uses fixed-route transit service
- One consumer of paratransit services

Appointed by Organizations As Indicated Below

- One representative appointed by Community Bridges
- One representative appointed by the Elderly & Disabled Transportation Advisory Committee (E/D TAC)
- One representative from the Metro Accessible Services Transit Forum (MASTF)
- One representative of the Bus Riders Union
- One representative from United Transportation Union (UTU Local 23)
- One representative from Service Employees International Union (SEIU Local 415)
- One representative from the Seniors Council
- One representative from the Stroke Center/Elderday/Cabrillo College Disabled Students
- One representative from the Center for Independent Living
- The County Auditor or designee
- The County Health Services Agency Administrator or designee
- The County Human Resources Agency Administrator or designee
- One representative from the Medi-Cal/Central Coast Alliance for Health
- One representative from the taxi companies providing paratransit services (Santa Cruz Transportation, Inc and Courtesy Cab)

Total = 24 people.

The Manager of the SCMTD and the Director of Community Bridges are ex-officio members of the Task Force convened and staffed by the RTC, with technical assistance provided by SCMTD and Community Bridges staff.

PARATRANSIT SYSTEM

Goals and Issues

PROPOSED GOAL 1: The paratransit system will use funding as efficiently and effectively as possible.

Related issues:

How to manage eligibility under various programs (clear criteria, centralized information and/or registration)
Advance scheduling (for rides more than 2 weeks away)
Available funding and resources
Coordination between paratransit services (ADA, TDA, other)
Co-mingling / combine duplicate services
Clear transportation system understanding and expectations (riders, case workers, counselors)
Making the bus more accessible (sidewalks, land use, etc.)
Mobility training

PROPOSED GOAL 2: The paratransit system will strive to maximize customer service and satisfaction.

Related Issues:

Ease of use for client
Customer service (phone hold times, timeliness of eligibility determination, etc.)
Trip quality (timeliness, safety, clean vehicles, support equipment in vehicles e.g. more hand grips etc.)
Communication between drivers and riders for schedule changes
Affordability
Community input procedures (riders, caregivers, and facilities)
Accountability and system responsiveness
Availability of accessible vehicles (including taxi scrip)

PROPOSED GOAL 3: Legal mandates shall be observed

Related Issues:

Assurance that legal requirements met (ADA, Area Agency on Aging, Medi-Cal)
Labor relations



unitedtransportationunion

Board of Directors
Santa Cruz Metro Transit District

April 19, 2004

Attention Chairperson Reilly,

United Transportation Union Local 23 is writing this letter due to concerns that have arisen around the charter and bylaws being discussed for the Metro Advisory Committee (MAC). An area that has come to light, and has not been currently addressed by Staff or the Board is the issue around the appointees and their code of behavior. We, the members of the UTU, as the primary public service providers for the district, have concerns about appointee's accountability to the public they serve and the Board that appointed them.

We feel that an area that needs introduction, discussion and procedural language created is for the "Removal of an Appointee". Should the individual's behavior not be conducive nor display a commitment that will support the Santa Cruz Metropolitan District and/or its policies, rider ship, service or employees; what is to be done to rectify the issue?

What is acceptable behavior? What about issues around felonies or convictions for certain crimes? Will these appointees be briefed and held to the standards of current District Policies, such as; the Sexual Harassment and Workplace Violence Policies? Will these appointees be made to complete Disclosure forms for tax purposes as other Public Commissions currently do? How will you protect your employees from disgruntled members who do not get their way or object to differing courses of action taken by the Transit District?

We realize that the Board of Directors must be tired of discussing this issue with so many pressing issues at hand. However, UTU feels that these are areas that need discussion and would like to see this added to the agenda and responded to by Districts Legal Counsel.

I would like to remind you of a situation that occurred several years ago, in whereas a Board Member was having difficulties in public, on our coaches and with bus operators. At that time, the Board of Directors was powerless to effectually deal with the situation. It took quite a bit of time and money to rectify that situation. We do not want to see a repeat of those circumstances.

Respectfully,

Bonnie Morr
Chairperson UTU Local 23

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

March 12, 2004

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, March 12, 2004 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice Chairperson Keogh called the meeting to order at 9:00 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Sheryl Ainsworth (arrived after roll call)
Jan Beautz (arrived after roll call)
Michelle Hinkle
Mike Keogh
Mike Rotkin
Dale Skillicorn
Pat Spence
Marcela Tavantzis
Ex-Officio Wes Scott (arrived after roll call)

DIRECTORS ABSENT

Dennis Norton
Emily Reilly
Mark Stone

STAFF PRESENT

Bryant Baehr, Operations Manager
Frank Cheng, M/B Project Manager
Margaret Gallagher, District Counsel
Steve Paulson, Paratransit Administrator
Elisabeth Ross, Finance Manager
Judy Souza, Base Superintendent
Tom Stickel, Fleet Maint. Manager
Les White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

Heather Boerner, *Sentinel*
Pat Dellin, SCCRTC
Gary Klemz, SEIU
Jeff LeBlanc, MASTF

Sandra Lipperd, UTU
Paul Marcelin-Sampson, Bus Riders Union
Ian McFadden, SEA
Bonnie Morr, UTU
Will Regan, VMU

2. ORAL AND WRITTEN COMMUNICATION:

Written:

a. R. Paul Marcelin-Sampson

RE: Highway 17 Express Service

Oral:

Vice Chair Keogh expressed Chair Reilly's apologies for missing today's meeting due to a family matter.

Paul Marcelin-Sampson complimented Director Ainsworth on her awareness of the Highway 17 concerns. He offered to answer any questions about taking transit service to the airport.

3. LABOR ORGANIZATION COMMUNICATIONS

Bonnie Morr thanked the Board members and staff who contributed to the funding of the shuttle for the seniors' appreciation dinner. She stated that the shuttle would begin and end in Watsonville this year.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

None

DIRECTOR AINSWORTH ARRIVED.

CONSENT AGENDA

5-1. APPROVE REGULAR BOARD MEETING MINUTES OF FEBRUARY 13 AND FEBRUARY 27, 2004

Director Spence asked that the following word be changed in the 2/27/04 Minutes: "Kathleen Johnson stated that it is important for the Board to take into consideration recommendations of the Task Force which ~~was~~ **will be** formed as a result of the RTC summit on 2/5/04. This change will be made to the file copy of the minutes.

5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS

No questions or comments.

EX OFFICIO DIRECTOR SCOTT ARRIVED.

**5-3. ACCEPT AND FILE 1st PAGE OF THE JANUARY 2004 RIDERSHIP REPORT AND THE FEBRUARY 2004 RIDERSHIP REPORT
PAGE 1 OF THE FEBRUARY RIDERSHIP REPORT WILL BE PRESENTED FOR CONSIDERATION AT THE MARCH 26, 2004 BOARD MEETING**

No questions or comments.

5-4. CONSIDERATION OF TORT CLAIMS: Reject the Claim Entirely of Peter L. Finegan, Claim #04-0004; Reject the application of Ramon Ceras to present a late claim and reject Ramon Ceras' claim as untimely, Claim #04-0006

No questions or comments.

5-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF MARCH 18, 2004 AND THE MINUTES OF THE FEBRUARY 19, 2004 MEETING

Attachment F will be presented for consideration at the March 26, 2004 Board meeting

5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JANUARY 2004, AND APPROVAL OF BUDGET TRANSFERS

Elisabeth Ross stated that the goal is to create a “carry over” of funds to the next fiscal year. The increased fares will be helpful if there is a problem with the sales tax in March.

5-7. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR DECEMBER 2003

The Recertification process will be completed within two months. Ninety-four percent of those who responded to the recertification process were recertified at some level.

5-8. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JANUARY 2004

No questions or comments.

5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE

No questions or comments.

5-10. ACCEPT AND FILE STATUS OF METROBASE PROJECT

Under Item #E Construction. An error was noted as follows: “i. Demolition of Fuel Shed Area.....should be changed to Tool Shed Area.

5-11. ACCEPT AND FILE VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE FEBRUARY MEETINGS

Director Tavantzis inquired about the Transportation Enhancement (TE) funds and was informed that METRO could only use these funds for landscaping enhancements around the bus stops. These funds could not be used for shelters or benches at stops.

5-12. AUTHORIZATION TO RENEW EMPLOYMENT PRACTICES LIABILITY INSURANCE

Documentation will be presented for consideration at the March 26, 2004 Board meeting.

5-13. CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF EIGHT (8) GMC BUSES AND ASSOCIATED PARTS INVENTORY

No questions or comments.

5-14. CONSIDERATION OF AWARD OF CONTRACT FOR UNIFORM, FLAT GOODS AND LAUNDRY SERVICES

Documentation will be presented for consideration at the March 26, 2004 Board meeting.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

Presentation will be made at the March 26, 2004 Board meeting

7. CONSIDERATION OF ADOPTION OF AMENDED FARE ORDINANCE TO REVISE HIGHWAY 17 EXPRESS FARES AND THE SCHOOL STUDENT FIELD TRIP RATE PUBLIC HEARING WILL BE HELD ON MARCH 26, 2004 AT 9:00 A.M.

Summary:

Staff is recommending that Highway 17 fares be increased as we consolidate Highway 17 and Amtrak services. Service will include going into Pacific Station/Metro Center and METRO will receive funds from Caltrans to offset this cost. It is also being proposed to increase the student field trip rate, which was not increased last year.

Discussion:

Discussions involved routing, bus stops in San Jose, connections to Cal Train, Los Gatos stops and connections to the airport. The ten-ride convenience card issue is still pending, however, Mr. White will meet with all parties on March 18th and urge them to sign the agreement then to deal with the convenience card issue. The problem with the lighting and cup holders on the new buses will be addressed. Ticket dispensers will be located at Scotts Valley Transit Center and at Pacific Station/Metro Center. The CCJPA indicated that they would upgrade the quick track machines to make them ADA accessible. Mr. White will ask at the March 18th meeting if a ticket machine could be installed at the Soquel Park & Ride as well. He added that electricity and security would need to be installed to accommodate these machines.

- Direction:**
- *Submit a report to the Board at their March 26th meeting listing any problems with the new features and possible solutions. Comments received in this regard will be included also.
 - *District Counsel will contact FTA about METRO utilizing current ticket machines until the accessible ones are available and will report back at the March 26th meeting.
 - *Since Metro Center staff leaves at 4:00 p.m., another source of assistance with the ticket machines will be looked into until the ADA accessible machines are received.

DIRECTOR BEAUTZ ARRIVED.

8. CONSIDERATION OF APPROVAL OF FY 04-05 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AN CLAIMS PURPOSES/STUDY SESSION

Summary:

Elisabeth Ross reported that the preliminary budget is before the Board so that staff can submit it with the TDA/STA claims. A presentation will be made at the March 26th Board meeting and a study session will be held with more details. Staff is attempting to carry over \$950,000 from the current budget to the FY 04/05 budget. With staff utilizing the reserves plus the carry-over, there will still be a deficit of \$628,000. There was discussion of the TDA fund allocation and what that figure should be. Any shortfalls to the TDA funding may result in either fare increases or service cuts and would certainly add to METRO's deficit.

DIRECTOR ROTKIN LEFT THE MEETING.

Directors expressed concern regarding numerous line items. Staff will return to the March 26th Board meeting with further clarification on these items.

Mr. White gave a brief overview of his recent trip to the APTA Legislative Conference. He stated that two bills are currently pending that, if signed, would eliminate the \$6 million shortfall for the MetroBase project. He added that Congressman Sam Farr's top priority will be the \$1.5 million funding for the Greyhound property acquisition.

- Direction:**
- *Staff will review the anticipated sales tax figures and give another projection in two weeks.
 - *Submit a report clarifying numerous line items which are of concern to the Board.
 - *Provide a list of the IT Capital items in the proposed budget.
 - *Provide a brief description of bus operator labor and overtime costs and why they have increased.
 - *Ms. Ross will provide the number of staff per department for Workers' Compensation purposes.

Ian McFadden spoke to the lobbying issue and stated that it is important to retain the State and Federal lobbyists. He added that there is an overestimation of the Workers Compensation costs of \$7 million.

Paul Marcelin-Sampson spoke regarding METRO personnel wages and that the Riders Union will push to return to the Cost of Living Adjustments (COLA) based on the Cost of Living Index (CPI).

9. CONSIDERATION OF OFFERING NOMINEES FOR MEMBERSHIP FOR THE METRO ADVISORY COMMITTEE (MAC)
ACTION IS REQUIRED AT THE MARCH 12, 2004 BOARD MEETING

Discussion:

The minimum requirement of at least four appointees from the disabled community has been met. Director Ainsworth chose James Sheldon for her nomination.

10. CONSIDERATION OF RESOLUTIONS AUTHORIZING SUBMITTAL OF FY 2005 STA AND TDA CLAIMS

Summary:

Les White stated that staff is recommending that the TDA claim would be submitted in an amount that currently exceeds what the RTC has allocated. TDA funding is used to support operating costs of the system. Staff will request \$861,000 in STA funding which can only be used for capital activity.

Discussion:

Staff will relook at the TDA claim. It was suggested that possibly two claims be submitted: one for the amount that is needed and one for the amount of funds METRO would receive from the RTC.

11. REVIEW SANTA CRUZ METRO BYLAWS FOR POSSIBLE MODIFICATIONS TO BE FINALIZED AT A SUBSEQUENT MEETING

Summary:

Margaret Gallagher asked the Board if they had any proposed modifications to the bylaws. This is an annual request for input. Ms. Gallagher will provide the Board with any suggestions she receives and with possible language.

ADJOURN

There being no further business, Vice Chairperson Keogh adjourned the meeting at 10:41 a.m.

Respectfully submitted.

Dale Carr
Administrative Services Coordinator

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

March 26, 2004

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, March 26, 2004 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chairperson Reilly called the meeting to order at 9:00 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Sheryl Ainsworth
Jan Beautz (arrived after roll call)
Michelle Hinkle
Mike Keogh
Emily Reilly
Mike Rotkin (arrived after roll call)
Dale Skillicorn
Pat Spence
Mark Stone

Dennis Norton
Marcela Tavantzis
Ex-Officio Wes Scott

STAFF PRESENT

Bryant Baehr, Operations Manager
Frank Cheng, M/B Project Manager
Mark Dorfman, Assistant General Manager
Margaret Gallagher, District Counsel
Steve Paulson, Paratransit Administrator

Elisabeth Ross, Finance Manager
Robyn Slater, Human Resource Manager
Judy Souza, Base Superintendent
Tom Stickel, Fleet Maint. Manager
Les White, General Manager

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

Pat Dellin, SCCRTC
Gary Klemz, SEIU
Jeff LeBlanc, MASTF
Paul Marcelin-Sampson, Metro Riders Union
Manny Martinez, PSA
Ian McFadden, SEA

Jeff North, UTU
Dennis Papadopulo, MASTF
Will Regan, VMU
Jim Taylor, UTU
Bob Yount, MASTF
Juan Ramon Valdivia, Tenant
Amy Weiss, Spanish Interpreter

2. ORAL AND WRITTEN COMMUNICATION:

Written:

a. R. Paul Marcelin-Sampson

RE: Highway 17 Express Service

Oral:

Jeff LeBlanc reported that he is the new Vice Chair of MASTF due to Robert Yount's resignation due to health reasons. He reported on the status of MASTF which will continue for the coming year with the support of CCCIL through June 2004 for reproduction of the Minutes. Mr. LeBlanc reported that MASTF opened a bank account and he requested donations for MASTF. Contributors should contact Dale Carr, Administrative Service Coordinator of METRO, at 426-6080.

Chairperson Reilly stated that Item #16 would be deferred until the April Board meetings.

3. **LABOR ORGANIZATION COMMUNICATIONS**

None

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

SECTION I:
OPEN SESSION:
CONSENT AGENDA:

- ADD TO ITEM #5-3** ACCEPT AND FILE 1st PAGE OF THE JANUARY 2004 RIDERSHIP REPORT AND THE FEBRUARY 2004 RIDERSHIP REPORT
(Add Page One of the February Ridership Report)
- ADD TO ITEM #5-5** ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF MARCH 18, 2004 AND THE MINUTES OF THE FEBRUARY 19, 2004 MEETING
(Add Attachment F)
- ADD TO ITEM #5-12** CONSIDERATION OF NON-RENEWAL OF EMPLOYMENT PRACTICES LIABILITY INSURANCE
(Add Staff Report and Attachment)
- ADD TO ITEM #5-14** CONSIDERATION OF AWARD OF CONTRACT FOR UNIFORM, FLAT GOODS AND LAUNDRY SERVICES
(Add Staff Report and Attachments)
- ADD TO ITEM #5-15** CONSIDERATION OF STATUS OF FEDERAL LEGISLATION AND REPORT REGARDING THE AMERICAN PUBLIC TRANSPORTATION ASSOCIATION LEGISLATIVE CONFERENCE
(Add Staff Report and Attachment)

REGULAR AGENDA:

- ADD TO ITEM #7** CONSIDERATION OF ADOPTION OF AMENDED FARE ORDINANCE TO REVISE HIGHWAY 17 EXPRESS FARES AND THE SCHOOL STUDENT FIELD TRIP RATE
(Add all Emails received and Information from Paul Marcelin-Sampson, Bus Riders Union)
- ADD TO ITEM #8** CONSIDERATION OF APPROVAL OF FY 04-05 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES/STUDY SESSION

- (Replace Staff Report. Replace Pages 8.a2, 8.a3, 8.a6. Add Attachments B through I)**
- DELETE ITEM #9** CONSIDERATION OF OFFERING NOMINEES FOR MEMBERSHIP FOR THE METRO ADVISORY COMMITTEE (MAC)
(Action taken at the March 12, 2004 Board Meeting)
- ADD TO ITEM #12** CONSIDERATION OF APPOINTMENT OF NOMINEES TO MEMBERSHIP OF METRO ADVISORY COMMITTEE (MAC)
(Add Staff Report and Attachments)
- ADD TO ITEM #13** CONSIDERATION OF REQUEST FOR AUTHORIZATION TO USE STATE CONTRACT FOR PURCHASE OF PICKUP TRUCK
(Add Staff Report and Attachment)
- ADD TO ITEM #14** CONSIDERATION OF A STAFF PROPOSAL TO REQUEST \$60,000 IN FTA PLANNING FUNDS FROM AMBAG TO DEVELOP A SHORT RANGE TRANSIT PLAN
(Add Staff Report and Attachment)
- ADD TO ITEM #15** CONSIDERATION OF AMENDING TRANSIT CENTER TENANTS' LEASES TO ALLOW FOR HEALTH AND SAFETY INSPECTIONS OF ALL TENANTS' PREMISES WITHOUT NOTICE AND AT METRO'S DISCRETION AND METRO'S ABILITY TO ENTER TENANTS' PREMISES WITHOUT NOTICE FOR EMERGENCIES
(Add Staff Report)
- ADD TO ITEM #16** CONSIDERATION OF SERVICE ADJUSTMENTS FOR JUNE 3, 2004
(Add Staff Report and Attachments)

Four additional emails were distributed to support Item #7.

CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF FEBRUARY 13 AND FEBRUARY 27, 2004
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
- 5-3. ACCEPT AND FILE 1st PAGE OF THE JANUARY 2004 RIDERSHIP REPORT AND THE FEBRUARY 2004 RIDERSHIP REPORT
PAGE 1 OF THE FEBRUARY RIDERSHIP REPORT IS INCLUDED IN THE MARCH 26, 2004 BOARD PACKET
- 5-4. CONSIDERATION OF TORT CLAIMS: Reject the Claim Entirely of Peter L. Finegan, Claim #04-0004; Reject the application of Ramon Ceras to present a late claim and reject Ramon Ceras' claim as untimely, Claim #04-0006
- 5-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF MARCH 18, 2004 AND THE MINUTES OF THE FEBRUARY 19, 2004 MEETING
- 5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JANUARY 2004, AND APPROVAL OF BUDGET TRANSFERS
- 5-7. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR DECEMBER 2003
- 5-8. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JANUARY 2004
- 5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE
- 5-10. ACCEPT AND FILE STATUS OF METROBASE PROJECT

ACCEPT AND FILE VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE FEBRUARY MEETINGS

- 5-11. **CONSIDERATION OF NON-RENEWAL OF EMPLOYMENT PRACTICES LIABILITY INSURANCE**
- 5-12. **CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF EIGHT (8) GMC BUSES AND ASSOCIATED PARTS INVENTORY**
- 5-13. **CONSIDERATION OF AWARD OF CONTRACT FOR UNIFORM, FLAT GOODS AND LAUNDRY SERVICES**
- 5-14. **CONSIDERATION OF STATUS OF FEDERAL LEGISLATION AND REPORT REGARDING THE AMERICAN PUBLIC TRANSPORTATION ASSOCIATION LEGISLATIVE CONFERENCE**

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR SKILLICORN

Approve the Consent Agenda.

Motion passed with Directors Beautz, Norton and Tavantzis being absent.

REGULAR AGENDA

ITEM #7 WAS TAKEN OUT OF ORDER AT THIS TIME.

7. CONSIDERATION OF ADOPTION OF AMENDED FARE ORDINANCE TO REVISE HIGHWAY 17 EXPRESS FARES AND THE SCHOOL STUDENT FIELD TRIP RATE

Summary:

Mark Dorfman stated that this is the second reading of the Fare Ordinance which will include a public hearing to accept input on the proposed changes. The fare structures were brought in line to facilitate the merge of the Highway 17 Express service with Amtrak. Mr. Dorfman read the proposed increases to the fares, which includes an increase to the Student Field Trip Rate. All comments received by METRO are attached to the staff report.

Discussion:

The 10-ride discount pass issue will be considered after the Memorandum of Understanding is agreed to and signed by all parties. Staff will return to the Board in April with information on the issues surrounding the new equipment on the Highway 17 buses.

Public Hearing was opened at 9:16 a.m.

Those who spoke in support of the proposed increases to the Fare Ordinance:

Paul Marcelin-Sampson, Bus Riders Union
Jeff LeBlanc, MASTF

Those who spoke in opposition of the proposed increases to the Fare Ordinance:

Andy Chow, Associated Students of San Jose State University. Mr. Chow submitted a letter to the Board. He asked for a timetable of when the 10-ride pass would be discussed and suggested that it be implemented prior to the start of the fall semester in August.

Public Hearing was closed at 9:23 a.m.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR KEOGH

Adopt the Amended Fare Ordinance to adjust the fare structure on the Highway 17 Express as a result of the proposal to merge with the AMTRAK service and extend service to METRO Center and seven (7) days a week, and to adjust the School Student Field Trip Rate.

Director Rotkin noted that the Board would be diligent in giving the 10-ride pass serious consideration. Mr. Dorfman reported that he will contact San Jose State University regarding the Eco pass which they could sell at a discounted rate to their students.

Motion passed unanimously with Directors Norton and Tavantzis being absent.

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

The following employees were acknowledged with longevity certificates for their years of service:

FIFTEEN YEARS

Alberto C. Barragan, Bus Operator
Bonnie L. Morr, Bus Operator
Dennis Neil Dougherty, Custodial Service Worker I

TWENTY YEARS

Juanita Archibeque, Bus Operator
Oscar L. Andrade, Bus Operator

THIRTY YEARS

Judy K. Souza, Base Superintendent

Chairperson Reilly recessed the meeting for a short time for the Board and audience to participate in a celebration in honor of METRO's first thirty-year employee.

8. CONSIDERATION OF APPROVAL OF FY 04-05 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES/STUDY SESSION

Summary:

Elisabeth Ross asked the Board not to take any action on the budget or on the TDA claim. The deadline for the TDA claim has been extended past April 1st. This will be brought back to the Board in April. Ms. Ross reviewed the various attachments on line items that the Board had

questions on at their last meeting. Ms. Ross reported that the sales tax revenue is down from last year. She added that the current budget deficit for FY 04/05 would be \$1.3 million. Mr. White added that the Alternate Fuel Conversion Reserve has only one year's worth of funds in it but he will begin to request supplemental funding from the Federal government, in addition to requesting earmark funding for Pacific Station/Metro Center. Mr. White outlined the timeframe for completion of the fueling station in order to meet CARB requirements. He expressed concern about the expiration date on the design build being 12/31/04 and would like it at least through the end of 2005.

Direction: *Director Reilly asked that Mr. White supply the Senate Bill numbers to her and Director Rotkin so they can bring it to the Santa Cruz City Council for support.

Public Input:

Paul Marcelin-Sampson expressed concern regarding bus operator salaries and stated that the Bus Riders Union would apply strong but productive pressure to see that this issue is included on a ballot measure to disallow raises in the future.

Jeff LeBlanc stated his concerns regarding potential service cuts. He added that Mr. Marcelin-Sampson is comparing apples and oranges when comparing bus operator salaries with those of restaurant and field workers.

9. DELETED – ACTION TAKEN AT THE MARCH 12, 2004 BOARD MEETING

10. CONSIDERATION OF RESOLUTIONS AUTHORIZING SUBMITTAL OF FY 2005 STA AND TDA CLAIMS

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Continue this item for one month.

Motion passed unanimously with Directors Norton and Tavantzis being absent.

11. REVIEW SANTA CRUZ METRO BYLAWS FOR POSSIBLE MODIFICATIONS TO BE FINALIZED AT A SUBSEQUENT MEETING

Summary:

Margaret Gallagher reported that on an annual basis the Board reviews its bylaws to see if any modifications are needed.

Discussion:

Director Rotkin referred to a set of Rules and Orders that were adopted several years ago. Ms. Gallagher will attempt to locate this document.

Direction: *Change language in the bylaws under the MAC section from “provides advice” to “advises”.

- *Change language in the MASTF section from “advise” to “provides advice”.
- *Divide Section III. Special Meetings into sub-sections for ease in reading.
- *Review the State Enabling statute to clarify whether the Board can give direction to all staff or just to specific staff members.
- *Change language under Section 14.02 from “designated” to “nominated”.
- *Change language to include verbiage that the Board can overrule the Chair on nominations to the RTC.
- *Re-format so replacement pages can be inserted easily. Place into binder for the Directors.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Continue this item to the April Board meeting.

Motion passed unanimously with Directors Norton and Tavantzis being absent.

It was confirmed that the Chairperson cannot make motions but can second them.

12. CONSIDERATION OF APPOINTMENT OF NOMINEES TO MEMBERSHIP OF METRO ADVISORY COMMITTEE (MAC)

Les White reviewed the history of the formation of MAC. The first meeting will be held on April 21 at 5:00 p.m. at the Pacific Station/Metro Center conference room. The meeting dates and time will be determined by MAC at their first meeting.

Discussion:

Jeff LeBlanc stated that he hopes more than one woman will be on MAC in the future.

Dennis Papadopolu expressed regret at not being appointed and hoped that the list would be kept active.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Accept the MAC nominations as proposed. Agendize the issue of alternates to MAC.

Motion passed unanimously with Directors Norton and Tavantzis being absent.

13. CONSIDERATION OF REQUEST FOR AUTHORIZATION TO USE STATE CONTRACT FOR PURCHASE OF PICKUP TRUCK

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR AINSWORTH

Authorize the General Manager to use the State Procurement Process for the purchase of one pickup truck.

Motion passed unanimously with Directors Norton and Tavantzis being absent.

14. CONSIDERATION OF A STAFF PROPOSAL TO REQUEST \$60,000 IN FTA PLANNING FUNDS FROM AMBAG TO DEVELOP A SHORT RANGE TRANSIT PLAN

Summary:

Mark Dorfman reported that there has been no formal update to the Short Range Transit Plan since 1997. Staff is proposing to request \$60,000 from FTA, to utilize STA funding for the balance and to hire a consultant at a cost not to exceed \$100,000 to work with staff on this plan.

Discussion:

An RFP will be needed to hire the consultant. Director Spence asked that the Watsonville routes be reviewed to eliminate any long loop rides.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Authorize staff to propose development of a Short Range Transit Plan within the Association of Monterey Bay Area Government's Overall Work Program and to request \$60,000 in Federal Transit Administration planning assistance to substantially fund the project.

Motion passed unanimously with Directors Norton and Tavantzis being absent.

15. CONSIDERATION OF AMENDING TRANSIT CENTER TENANTS' LEASES TO ALLOW FOR HEALTH AND SAFETY INSPECTIONS OF ALL TENANTS' PREMISES WITHOUT NOTICE AND AT METRO'S DISCRETION AND METRO'S ABILITY TO ENTER TENANTS' PREMISES WITHOUT NOTICE FOR EMERGENCIES

Summary:

Margaret Gallagher requested that staff be permitted to amend all the tenant leases to allow entrance to their facilities without notification in order to inspect for health and safety issues and for emergencies. Ms. Gallagher outlines instances that would determine issues of health and safety.

Discussion:

It was suggested that any health or safety issues be referred to the Health Department rather than METRO staff conducting unannounced inspections.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Approve amended leases to include any emergency situations. Instruct staff to come back to the Board with verbiage for a second round of amendments addressing the health and safety issues.

Motion passed unanimously with Directors Norton and Tavantzis being absent.

16. CONSIDERATION OF SERVICE ADJUSTMENTS FOR JUNE 3, 2004

This item was deferred to the April Board meeting.

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

Margaret Gallagher reported that the Board would discuss SEIU with the labor negotiator. She asked that the Conference with Real Property Negotiator be deleted. Existing Litigation in the case of Mary Kohama will also be discussed.

18. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

Vice Chairperson Keogh adjourned to Closed Session at 10:54 a.m. and reconvened to Open Session at 11:40 a.m.

SECTION III: RECONVENE TO OPEN SESSION

19. REPORT OF CLOSED SESSION

Margaret Gallagher had nothing to report at this time.

ADJOURN

There being no further business, Chairperson Reilly adjourned the meeting at 11:40 a.m.

Respectfully submitted.

Dale Carr
Administrative Services Coordinator

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
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DATE: 03/01/04 THRU 03/31/04

CHECK NUMBER	CHECK DATE	CHECK AMOUNT	VENDOR NAME	VENDOR TYPE	TRANS. NUMBER	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	COMMENT
1898	03/01/04	-249.00	REILLY, EMILY VOID CHECK		1008	VOID CHECK	-249.00	PRE-PAY
9057	03/07/04	86.38	SBC		615	FEB PHONE LINES	86.38	
1928	03/05/04	10,247.13	VISION SERVICE PLAN		616	MAR VISION INSURANCE	10,247.13	
1929	03/05/04	10,348.16	NEW FLYER INDUSTRIES LIMITED		617	REV VEH PARTS 3924	3,723.86	
					618	REV VEH PARTS 1309	1,303.16	
					619	REV VEH PARTS 1802	1,802.38	
					620	REV VEH PARTS 500	499.80	
					621	REV VEH PARTS 345	344.71	
					622	REV VEH PARTS 895	897.87	
					623	REV VEH PARTS 2076	2,076.86	
1930	03/05/04	15.00	DEPARTMENT OF MOTOR VEHICLES		624	EMPLOYER TESTING	15.00	
1931	03/05/04	164.82	WASTE MANAGEMENT OF SC CO		625	FEB MT HERMON/KINGS	41.87	
					626	FEB KINGS VILLAGE	142.95	
1932	03/05/04	97.106	DEVCO OIL		627	FEB FUEL	97.108	
1933	03/05/04	17,529.13	UNUM		628	MAR LTD INSURANCE	17,529.13	
1934	03/05/04	113.46	NEW PIG CORPORATION		629	SAFETY SUPPLIES 100	113.46	
1935	03/05/04	4,220.83	HARTFORD LIFE		631	NOV LIFE/ADD INS	4,220.85	
1936	03/05/04	158,284.01	COMMUNITY BRIDGES		632	JAN ADA PARATRANSIT	158,284.01	
1937	03/05/04	277.08	COSTCO		633	PROMO ITEMS/SUPPLIES	151.65	
					634	COFFEE CLUB SUPPLIES	68.97	
					635	VIDEO CASS TAPES/MET	65.62	
					636	LOCAL MEETING EXP	10.84	
1938	03/05/04	302.51	A TOOL SHED, INC.		637	EQUIPMENT RENTAL	302.51	
1939	03/05/04	271.80	AMERICAN SUPPLY COMPANY		638	CLEANING SUPPLIES	271.80	
1940	03/05/04	125.00	AUTOMOTIVE ENVIRONMENTAL & COAST LOCK & SAFE INC		639	ENVIRON GUIDE	125.00	
1941	03/05/04	43.20	CHANEY, CAROLYN & ASSOC., INC.		640	OUT REPAIR REV VEH	43.20	
1942	03/05/04	3,750.00	U.S. POSTAL SERVICE(AMS-TMS)		641	MAR LEGISLATIVE SVCS	3,750.00	
1943	03/05/04	2,000.00	DARCO PRINTING	7	642	POSTAGE FOR METER	2,000.00	
1944	03/05/04	74.35	SCOTTS VALLEY WATER DISTRICT		643	OFFICE SUPPLIES/OPS	74.35	
1945	03/05/04	125.53			644	12/9-2/11 KINGS VLG	28.95	
					645	12/9-2/11 KINGS VLG	96.58	
1946	03/05/04	531.35	ELECTRICAL DISTRIBUTORS CO.		646	REPAIRS/MAINTENANCE	531.35	
1947	03/05/04	661.67	TIFCO INDUSTRIES		647	PARTS & SUPPLIES	661.67	
1948	03/05/04	25.00	CTC ANALYTICAL SERVICES INC.		648	OUT REPAIR REV VEH	25.00	
1949	03/05/04	252.98	B & B SMALL ENGINE REPAIR		649	REPAIRS/MAINTENANCE	252.98	
1950	03/05/04	2,461.00	SANTA CRUZ COUNTY		650	HEALTH PERMITS	2,461.00	
1951	03/05/04	1,671.96	NORTH BAY FORD LINC-MERCURY		651	REV VEH PARTS	148.61	
					652	REV VEH PARTS	1,671.96	
1952	03/05/04	972.07	SALINAS VALLEY FORD SALES		653	REV VEH PARTS	972.07	
1953	03/05/04	369.62	ADT SECURITY SERVICES INC.		654	MAR ALARMS	369.62	
1954	03/05/04	159.90	ROYAL WHOLESALE ELECTRIC		655	REPAIRS/MAINTENANCE	159.90	
1955	03/05/04	159.90	KENVILLE & SONS LOCKSMITH	7	656	JAN/FEB LOCKS/KEYS	159.90	
1956	03/05/04	304.50	CRYSTAL SPRINGS WATER CO.		657	JAN WATER FLEET	304.50	
1957	03/05/04	140.40	STATE STEEL COMPANY		658	PARTS & SUPPLIES	140.40	
1958	03/05/04	144.77	ZEE MEDICAL SERVICE		659	SAFETY SUPPLIES	144.77	
1959	03/05/04	435.24	PRINT GALLERY, THE		660	PENAL CODE SIGNS	435.24	
1960	03/05/04	1,112.40	COMMUNITY PRINTERS, INC.		661	GRANT/PARRACRUZ COUPN	1,112.40	
1961	03/05/04	618.12	HOSE SHOP, INC. THE		662	REV VEH PARTS/SUPPLY	618.12	
					663	REPAIRS/MAINTENANCE	209.43	

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
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						664	REPAIRS/MAINTENANCE	45.21	
						665	REPAIRS/MAINTENANCE	20.05	
						666	REPAIRS/MAINTENANCE	99.32	
2762	03/05/04	1,416.24	172	CENTRAL WELDER 'S SUPPLY INC.		667	ANNUAL CYLINDER LEASE	664.00	
						668	PARTS & SUPPLIES	552.24	
2763	03/05/04	674.21	186	WILSON, GEORGE H., INC.		734	OUT REPAIR/MAINT	789.21	
						735	OUT REPAIR BLOSS/IMP	85.00	
1964	03/05/04	25.00	188	PACIFIC BUS MUSEUM		669	ANNUAL MEMBERSHIP	25.00	
1965	03/05/04	3,923.52	221	VEHICLE MAINTENANCE PROGRAM		670	REV VEH PARTS 3924	3,923.52	
1966	03/05/04	78.95	260	SANTA CRUZ GLASS CO., INC.		671	REPAIRS/MAINTENANCE	78.95	
247	03/05/04	60.00	271	CARLEON, BRENT D., M.D., INC.	7	672	FEB DRUG TESTING	60.00	
2468	03/05/04	86.18	286	MUNCIE TRANSIT SUPPLY		673	REV VEH PARTS	86.18	
1969	03/05/04	149.61	372	FEDERAL EXPRESS		674	JAN/FEB MAILINGS	149.61	
1970	03/05/04	3,742.89	378	STEWART & STEVENSON		675	REBUILD TRANSMISSION	2,439.03	
						676	OUT REPAIR/MAINT	1,308.79	
1971	03/05/04	790.12	395	APPLIED GRAPHICS, INC.		677	WORK ORDER FORMS	790.12	
1972	03/05/04	896.06	422	IMAGE SALES INC.		678	PHOTO SUPPLIES/MET	896.06	
1973	03/05/04	394.00	428	NEOWARE SYSTEMS, INC.		736	HW/SW SUPPORT	394.00	
1974	03/05/04	163.98	434	VERIZON WIRELESS-PAGERS		679	MAR PAGERS	163.98	
1975	03/05/04	53.20	4348	VERIZON CALIFORNIA		680	MT. BIENLASKI	53.20	
1976	03/05/04	247.64	436	WEST PAYMENT CENTER		681	JAN ACCESS CHGS	247.64	
1977	03/05/04	315.48	447	FERRIS HOIST & REPAIR, INC.		682	OUT REPAIR HOIST	315.48	
1978	03/05/04	250.00	425	TRAPEZE SOFTWARE GROUP, INC.		683	4/1 -6/30 FLEET MATE	750.00	
1979	03/05/04	321.00	481	PIED PIPER EXTERMINATORS, INC.		684	CHINA EXPRESS	100.00	
						685	STORTIES/METRO MKT	91.00	
						686	ESR PEST CONTROL	180.00	
1980	03/05/04	154.44	493	IMAGING PRODUCTS, INTERNATIONAL		687	PHOTO SUPPLIES/OPS	154.44	
1981	03/05/04	241,592.47	502	CA PUBLIC EMPLOYEES'		688	MAR MEDICAL INS	241,592.47	
1982	03/05/04	238.18	511	LUMINATOR		689	PARTS/SUPPLIES 587	600.08	
1983	03/05/04	129.07	534	REGENTS OF UNIVERSITY OF CALIF		691	DEBT COLLECTION UP	129.07	
1984	03/05/04	499.86	630	SAFEGWAY		692	SPRINGS BID CHANGE	499.86	
1985	03/05/04	855.50	733	CLAREMONT BEHAVIORAL SERVICES		693	MAR EAP PREMIUM	855.50	
1986	03/05/04	401.43	801	LOUIS AND RIPARETTI, INC.		694	SURVEY AREA REPAIRS	401.43	
297	03/05/04	12,105.00	804	ORTHOFAEDIC HOSPITAL	7	737	JAN PROF/TECH SVCS	12,105.00	
1988	03/05/04	327.00	828	M. LEE SMITH PUBLISHERS LLC		695	CA EMP LAW LETTER	327.00	
289	03/05/04	238.00	852	LAW OFFICES OF MARIE F. SARNO	7	696	WORKERS COMP CLAIM	238.00	
290	03/05/04	4,500.00	853	ZELLER APPRAISAL SERVICES, INC		697	MS APPRAISAL REVIEW	4,500.00	
1991	03/05/04	1,298.25	860	HANSEN & CO., INC.		698	MS APPRAISAL REVIEW	1,298.25	
1992	03/05/04	270.00	863	AERESCO, DELCA E.		699	ROOF PMT/INV 302137	270.00	
1993	03/05/04	1,490.17	864	TAMC		700	VIDEOCONF FEES/USAGE	1,490.17	
1994	03/05/04	38,941.49	875	PACIFICARE DENTAL		701	MAR DENTAL	38,941.49	
1995	03/05/04	128,647.52	904	RNL DESIGN		702	REIMBRS EXP TO 1/31	2,345.82	
						703	PRDF SVCS THRU 1/31	124,301.70	
1996	03/05/04	8,057.44	909	CLASSIC GRAPHICS		704	OUT REPAIR REV VEH	8,057.44	
1997	03/05/04	65.00	950	PARADISE LANDSCAPE		705	WEED CONTROL /SVTC	65.00	
						706	FEB MAINTENANCE	627.00	
228	03/05/04	10.11	973	SANTA CRUZ DODGE		707	REV VEH PARTS	10.11	
1999	03/05/04	90,123.50	975	TRISTAR RYCK MANAGEMENT NO. 2		708	FEB TRUST ACCOUNT	90,123.50	
2000	03/05/04	562.50	989	STUDSFE, NANCY K.	7	709	PRDF SVCS/BILINGUAL	562.50	

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3001	03/05/04	100.00	B001 AINSWORTH, SHERYL	7	720	FEB BOARD MEETING	100.00	
3002	03/05/04	100.00	B005 BEAUTZ, JAN	7	721	FEB BOARD MEETING	100.00	
3003	03/05/04	50.00	B006 HINKLE, MICHELLE	7	722	FEB BOARD MEETING	50.00	
3004	03/05/04	100.00	B007 KEDSH, MICHAEL	7	723	FEB BOARD MEETING	100.00	
3005	03/05/04	100.00	B010 NORTON, DENNIS	7	724	FEB BOARD MEETING	100.00	
3006	03/05/04	100.00	B011 REILLY, EMILY	7	725	FEB BOARD MEETING	100.00	
3007	03/05/04	100.00	B012 SPENCE, PAT	7	722	FEB BOARD MEETING	100.00	
3008	03/05/04	100.00	B014 CITY OF WATSONVILLE		730	FEB BOARD MEETING	100.00	
3009	03/05/04	100.00	B015 ROTKIN, MIKE	7	726	FEB BOARD MEETING	100.00	
3010	03/05/04	100.00	B016 SKILLICORN, DALE	7	727	FEB BOARD MEETING	100.00	
3011	03/05/04	100.00	B017 STONE, MARK	7	729	FEB BOARD MEETING	100.00	
3012	03/05/04	10.00	E100 ANDRADE, OSCAR		710	VTT FEES	10.00	
3013	03/05/04	44.00	E166 CHATMAN, SORETTA		711	DMV/VTT FEES	44.00	
3014	03/05/04	439.16	E287 CORTES, GUSTAVO		712	MEDICAL DEDUCTIONS	439.16	
3015	03/05/04	34.00	E351 PRECIADO, AURELIO		713	DMV FEES	34.00	
3016	03/05/04	44.00	E353 HOWARD, CAROL		714	DMV/VTT FEES	44.00	
3017	03/05/04	31.08	E373 DORFMAN, MARK		715	INTERNET ACCESS CHGS	31.08	
3018	03/05/04	123.11	E397 GALLAGHER, MARGARET		716	APTA 04 LEGAL SEMINR	63.25	
					717	BOD RULES BOOKS	39.66	
3019	03/05/04	250.00	E404 WILSON, BONNIE		718	SPRING BID CHANGE	250.00	
3020	03/05/04	269.98	R416 COAST REDWOOD CHARTER HS		719	SETTLEMENT CLAIM	269.98	
3021	03/19/04	990.36	001 SBC		736	MAR PHONE/IT	595.06	
					739	MAR PHONES	395.30	
3022	03/19/04	380.10	001002 DRACLE CORPORATION		740	SW SUPRT/CORP TIME	380.10	
3023	03/19/04	339.11	001017 J. KAEUPER AND COMPANY	7	741	MB APPRAISLS/RVR&GLF	339.11	
3024	03/19/04	105.84	001018 CABRILLO SAND & GRAVEL		742	REPAIRS/MAINTENANCE	105.84	
3025	03/19/04	109.27	001020 ERED COMPANY		743	SAFETY SUPPLIES 100	109.27	
3026	03/19/04	39.53	001052 MID VALLEY SUPPLY		744	CLEANING SUPPLIES	271.63	
					745	CREDIT ON ACCT	-232.10	
3027	03/19/04	4,540.52	001063 NEW FLYER INDUSTRIES LIMITED		890	REV VEH PARTS 4541	4,540.52	
3028	03/19/04	435.27	001072 BETSON WEST		746	COIN CHANGER PARTS	435.27	
3029	03/19/04	40.50	001112 BRINKS TROPHY SHOPPE	7	747	UNIFORMS/OPS	40.50	
3030	03/19/04	1,407.05	001119 MACERICH PARTNERSHIP LP	7	9000002	CAPITOL MALL RENT	1,407.05	
3031	03/19/04	65.88	001230 CAPITOL CLUTCH & BRAKE, INC.		748	REV VEH PARTS	65.88	
3032	03/19/04	944.00	001257 DOMINICAN HOSPITAL OF S C		749	JAN DRUG TESTING	544.00	
					750	JAN MEDICAL EXAMS	400.00	
3033	03/19/04	1,796.00	001523 SANTA CRUZ MEDICAL CLINIC	7	751	JAN MEDICAL EXAMS	1,796.00	
3034	03/19/04	8,777.24	001745 HARTFORD LIFE		752	DEC LIFE/AD&D INS	4,364.23	
					753	JAN LIFE/AD&D INS	4,413.01	
3035	03/19/04	966.80	001800 THERMO KING OF SALT AS INC		754	REV VEH PARTS	966.80	
3036	03/19/04	115.65	001856 BAY COMMUNICATIONS	7	755	OUT REPAIR PHONES	115.65	
3037	03/19/04	2,483.48	001A SBC/MCI		756	FEB PHONE/IT	91.94	
					757	FEB PHONE/IT	176.60	
					758	FEB PHONE/IT	176.60	
					759	FEB PHONES	2,038.54	
3038	03/19/04	463.87	002063 COSTCO		760	PHOTO PROCESS/OPS	25.53	
					761	DESK/MB PROJ MGR	437.99	
3039	03/19/04	567.25	002069 A T L SHED, INC.		762	EQUIPMENT RENTAL	567.25	
3040	03/19/04	30,848.21	002115 HINSHAW, EDWARD & BARBARA	7	9000003	120 DUBOIS RENT	6,435.77	
					9000004	370 ENCINAL RENT	24,412.84	

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2041	03/19/04	10,794.22	002117	LULLAWAY NICK	7	5000005	111 DUBOIS RENT	10,794.22	
2042	03/19/04	76.20	002162	ALEXANDER HAMILTON		763	RECORD KEEP REG A9	76.20	
2043	03/19/04	2,000.00	002267	SHAW & YODER, INC.		764	JAN LEGISLATIVE SVCS	2,000.00	
2044	03/19/04	2,550.00	002287	CALIFORNIA SERVICE EMPLOYEES		765	MAR.MEDICAL	2,550.00	
2045	03/19/04	24,138.90	002295	FIRST ALARM		766	FEB SECURITY	24,138.90	
2046	03/19/04	110.00	002313	HARTSELL M'OLIVIERI	7	767	PROF/TECH SVCS	110.00	
2047	03/19/04	164.20	002389	DARCO PRINTING	7	768	OFFICE SUPPLIES/OPS	164.20	
2048	03/19/04	34.76	002447	SEIGN IDENTIFICATION PRODUCTS		769	NAMEPLATE/MS 25	34.76	
2049	03/19/04	962.29	002504	TIFCO INDUSTRIES		770	PARTS & SUPPLIES	962.29	
2050	03/19/04	2,422.21	002610	FREDERICK ELECTROBUSSES CORP		5000006	375 ENCINCLARENT	2,422.21	
2051	03/19/04	275.78	002626	NELSON NYGAARD	7	771	PROF SVCS THRU 1/31	275.78	
2052	03/19/04	123.95	002639	NEXTEL COMMUNICATIONS		772	1/26-2/25 PHONES	123.95	
2053	03/19/04	253.80	002643	IOS CAPITAL		773	3/22-4/21 CANNON RENT	253.80	
2054	03/19/04	97.73	002689	B & B SMALL ENGINE REPAIR		774	REPAIRS/MAINTENANCE	97.73	
2055	03/19/04	1,309.00	002700	SANTA CRUZ COUNTY		775	BREYHND OVRSITE CHGS	1,309.00	
2056	03/19/04	2,609.32	002713	SANTA CRUZ AUTO TECH, INC		776	OUT REPAIR/49601	2,609.32	
2057	03/19/04	190.25	007	UNITED PARCEL SERVICE		777	EEP/MAR FREIGHT OUT	190.25	
2059	03/19/04	24,524.21	009	PACIFIC GAS & ELECTRIC		778	1/27-2/26 SAKATA	10.78	
						779	1/29-3/1 RODRIGUEZ	1,360.32	
						780	1/29-3/1 RODRIGUEZ	60.86	
						781	1/29-3/1 BEACH ST	105.19	
						782	1/30-3/2 HRVY WEST	51.63	
						783	1/30-3/2 GOLF CLUB	1,157.44	
						784	1/30-3/2 GOLF CLUB	1,805.49	
						785	1/30-3/2 RIVER ST	1,771.49	
						786	1/30-3/2 111 DUB	764.84	
						787	1/30-3/2 111 DUB	1,472.60	
						788	1/30-3/2 RIVER ST	619.98	
						789	1/30-3/2 370 ENC	2,055.48	
						790	1/30-3/2 370 ENC	1,050.30	
						791	1/27-2/25 SAKATA	10.65	
						792	2/5-3/4 PACIFIC	1,181.59	
						793	2/5-3/4 PACIFIC	442.44	
						794	2/5-3/4 PACIFIC	209.06	
						795	2/11-3/11 KINGS VLB	523.46	
						796	2/11-3/11 KINGS VLB	241.55	
						797	2/11-3/11 KINGS VLB	42.54	
						798	1/30-3/2 CNG/E RVR	1,469.41	
						799	1/31-2/29 CNG/S RVR	2,127.09	
2060	03/19/04	1,688.92	018	SALINAS VALLEY FORD SALES		800	REV VEH PARTS	1,688.92	
2061	03/19/04	292.50	026	ADT SECURITY SERVICES INC.		801	REPROGRAM ALARM/WTC	292.50	
2062	03/19/04	796.62	036	KELLY ANDERSON PAINT CO INC.		802	MET LOBBY PAINT/SUPP	796.62	
2063	03/19/04	1,016.02	039	KINKO'S INC.		803	FEB PRINTING	1,016.02	
2064	03/19/04	53.89	040	LENZ HASTA, INC.		804	FRAMES/EMP INC	53.89	
2065	03/19/04	2,538.45	041	MISSION UNIFORM		805	FEB UNIFORMS/LAUNDRY	73.25	
						806	ESP UNIFORMS/LAUNDRY	495.96	
						807	FEB UNIFORMS/LAUNDRY	1,968.21	
2066	03/19/04	207.96	042	ORCHARD SUPPLY HARDWARE		808	REPAIRS/MAINTENANCE	207.96	
2067	03/19/04	1,912.12	043	PALACE ART & OFFICE SUPPLY		809	OFFICE SUPP/CHAIR MB	1,912.12	
2068	03/19/04	972.00	059	BATTERIES USA, INC.		809	REV VEH PARTS	972.00	

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CHECK SER	CHECK DATE	CHECK AMOUNT	VENDOR NAME	VENDOR TYPE	TRANS. NUMBER	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	COMMENT
2069	03/19/04	90.18	REGISHER PAJARONIAN		810	CLASSIFIED AD	90.18	
2070	03/19/04	14,074.31	SANTA CRUZ MUNICIPAL UTILITIES		811	12/31-2/23 PACIFIC	109.43	
					812	12/31-2/23 PACIFIC	3,985.30	
					813	12/30-2/23 GOLF CLB	1,612.35	
					814	12/30-2/23 370 ENC	184.37	
					815	12/30-2/23 370 ENC	1,657.10	
					816	12/30-2/23 RIVER	5,152.21	
					817	12/30-2/23 111 DUB	1,380.10	
					818	FEB LANDFILL	14.65	
2071	03/19/04	2,045.00	STATE BOARD OF EQUALIZATION		819	FEB USE TAX PREPAY	2,045.00	
2072	03/19/04	45.10	KAR PRODUCTS		819	PARTS & SUPPLIES	45.00	
2073	03/19/04	22,177.72	DIXON & SON TIRE INC		820	OUT REPAIR REV VEH	192.14	
					821	FEB TIRES/TUBES	21,985.58	
2074	03/19/04	176.00	CRYSTAL SPRINGS WATER CO.		822	FEB WATER FLEET	176.10	
2075	03/19/04	785.43	SAN LORENZO LUMBER CO., INC.		823	REPAIRS/MAINT/SUPPLY	785.15	
2076	03/19/04	2,374.94	JESSICA GROCERY STORE, INC.		824	APR CUSTODIAN SVCS	2,374.44	
2077	03/19/04	95.88	WATSONVILLE CITY WATER DEPT.		825	2/1-3/1 SAKATA	13.46	
					825	2/1-3/1 RODRIGUEZ	9.96	
					826	2/2-3/1 SAKATA	73.34	
2078	03/19/04	4,435.75	DAY WIRELESS SYSTEMS		827	INSTALL ANTENNA/OPS	1,136.49	
					828	FEB OUT REPAIR EQUIP	3,299.06	
2079	03/19/04	1,190.49	SANTA CRUZ AUTO PARTS, INC.		829	REV VEH PARTS/SUPPLY	1,190.59	
2080	03/19/04	65.33	ZEE MEDICAL SERVICE		830	SAFETY SUPPLIES	65.33	
2081	03/19/04	218.66	SANTA CRUZ SENTINEL		831	FEB ADVERTISING	218.66	
2082	03/19/04	485.69	HOSE SHOP, INC.,THE		832	PARTS & SUPPLIES	281.82	
					833	REPAIRS/MAINTENANCE	203.87	
2083	03/19/04	1,074.59	TOWNSEND'S AUTO PARTS		834	REV VEH PARTS/SUPPLY	1,074.59	
2084	03/19/04	44.80	CENTRAL WELDER'S SUPPLY, INC.		835	SAFETY SUPPLIES	37.80	
					836	PARTS & SUPPLIES	7.00	
2085	03/19/04	1,063.95	MISSION PRINTERS	7	836	PRINT BUS PASSES	1,063.15	
2086	03/19/04	114.52	ZOCCOLI'S DELICATESSEN INC.		837	EMP INCENTIVE/ENC	114.12	
2087	03/19/04	78.95	SANTA CRUZ GLASS CO., INC.		838	DOOR PARTS/WTC	78.95	
2088	03/19/04	317.84	BRAINER INC. W.W.		839	3 SCREWDRIVER KITS	317.84	
2089	03/19/04	330.90	ANDY'S AUTO SUPPLY		840	REV VEH PARTS/SUPPLY	330.90	
2090	03/19/04	153.00	COMMUNITY TELEVISION OF		841	TV COVERAGE 2/27 '06	153.00	
2091	03/19/04	27.63	FEDERAL EXPRESS		842	FEB MAILING/FLT MT	27.63	
2092	03/19/04	7,325.79	STEWART & STEVENSON		843	REBUILD TRANSMISSION	5,171.35	
					844	REV VEH PARTS	1,276.12	
					845	REV VEH PARTS	154.43	
					846	REV VEH PARTS	723.69	
2093	03/19/04	610.00	DIRECT SAFETY COMPANY		847	PARTS/SUPPLIES 610	610.00	
2094	03/19/04	492.26	KEN'S AUTO PARTS, INC.		848	CLEANING SUPPLIES	492.26	
2095	03/19/04	213.58	APPLIED GRAPHICS, INC.		849	ENVELOPES/ADMIN	213.58	
2096	03/19/04	5.18	COUNTY OF SANTA CRUZ		850	CNG FUEL	5.18	
2097	03/19/04	2,206.03	AMPAC BUILDING MAINTENANCE	7	851	FEB CUSTODIAL SVCS	2,206.03	
2098	03/19/04	3,358.80	DIESEL MARINE ELECTRIC		852	REV VEH PARTS	3,358.80	
2099	03/19/04	95.00	FAST RESPONSE ON-SITE		853	PROP/TECH SVCS	95.00	
2100	03/19/04	386.10	DUMMINS WEST, INC.		854	OUT REPAIR REV VEH	386.10	
2101	03/19/04	299.00	LORMAN EDUCATION SERVICES		855	3/30 SEMINAR/LEGAL	299.00	
2102	03/19/04	191.92	ASCOM HASLER LEASING		856	APR EQUIP RENTAL	191.92	

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 CHECK JOURNAL DETAIL BY CHECK NUMBER
 ALL CHECKS FOR COAST COMMERCIAL BANK

DATE: 03/01/04 THRU 03/31/04

CCK SER	CHECK DATE	CHECK AMOUNT	VENDOR NAME	VENDOR NAME	VENDOR TYPE	TRANS. NUMBER	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	COMMENT
E103	03/19/04	201.26	511	LUMINATOR		857	REV VEH PARTS 196	201.26	
E104	03/19/04	76.74	546	GRANITE ROCK COMPANY		858	BASE ROCK/BUS STOPS	76.74	
E105	03/19/04	199.13	566	ARROWHEAD MTN SPRING WATER		859	FEB WATER ADMIN	144.11	
						860	JAN WATER PLNG	55.02	
E106	03/19/04	44.85	604	YENGLE SOLUTIONS	7	861	TRANSLATION SVCS	44.85	
E107	03/19/04	55.00	632	GOVERNMENT FINANCE OFFICERS		862	PUBLIC INVESTOR	55.00	
E108	03/19/04	5,710.23	664	BAY COUNTIES PITCOCK PETROLEUM		863	FUEL - FLEET	5,710.23	
E109	03/19/04	9,056.25	683	TRISTAR RISK MANAGEMENT		864	MAR WC SVC FEE	9,056.25	
E110	03/19/04	810.82	691	EAGLE AUTOMOTIVE		865	OUT REPAIR VEHICLES	810.82	
E111	03/19/04	494.18	711	GLASS DOCTOR	7	866	OUT REPAIR VEHICLES	494.18	
E112	03/19/04	343.72	801	LOUIS AND RIPARETTI, INC.		867	SKYLIGHT LEAK/MET	184.90	
						868	INFO BOOTH LEAK/MET	158.82	
E113	03/19/04	900.00	840	BOUCHARD, BRENT	7	9000007	VERNON ST RENT	900.00	
E114	03/19/04	2,534.00	852	LAW OFFICES OF MARIE F. SANG	7	869	WORKERS COMP CLAIMS	2,534.00	
E115	03/19/04	529.49	909	CLASSIC GRAPHICS		870	OUT REPAIR/H2228	529.49	
E116	03/19/04	150.00	989	STUCKER, NANCY K.	7	971	PROF SVCS/BILINGUAL	150.00	
E117	03/19/04	27.48	E002	STICKEL, TOM		872	EMP INCENTIVE/FLT	27.48	
E118	03/19/04	44.00	E024	HERSEY, LYNN		873	DMV/VTT FEES	44.00	
E119	03/19/04	34.00	E106	MUNGIOLI, LARRY		874	DMV FEES	34.00	
E120	03/19/04	44.00	E107	JONES, RUTH		875	DMV/VTT FEES	44.00	
E121	03/19/04	44.00	E241	TOVAR, DOMINGO		876	DMV/VTT FEES	44.00	
E122	03/19/04	10.00	E283	AXTON, APRIL		877	VTT FEES	10.00	
E123	03/19/04	10.00	E287	CORTES, GUSTAVO		878	VTT FEES	10.00	
E124	03/19/04	44.00	E289	LORENZANO, JAMES		879	DMV/VTT FEES	44.00	
E125	03/19/04	10.00	E291	FARRIS, BONNIE		880	VTT FEES	10.00	
E126	03/19/04	10.00	E293	GARCIA, DANIEL		881	VTT FEES	10.00	
E127	03/19/04	10.00	E297	HALL, DENNIS		882	VTT FEES	10.00	
E128	03/19/04	10.00	E298	MITCHELL, TODD		883	VTT FEES	10.00	
E129	03/19/04	10.00	E306	BOWERS, CAROLYN		884	VTT FEES	10.00	
E130	03/19/04	10.00	E309	LEGARD, GEOFFREY		885	VTT FEES	10.00	
E131	03/19/04	10.00	E311	VASQUEZ, RICHARD		886	VTT FEES	10.00	
E132	03/19/04	12.00	E373	DORFMAN, MARK		887	PARKING/FTA MTG SF	12.00	
E133	03/19/04	24.02	E397	GALLAGHER, MARGARET		888	MILEAGE SJ 2/26	24.02	
E134	03/19/04	249.84	M001	HORTON, JOSEPH		9000005	MED INS PREMIUM REIM	249.84	
E135	03/19/04	41.14	M002	RACKLEY, EARL		9000009	MED INS PREMIUM REIM	41.14	
E136	03/19/04	228.77	M003	WYANT, JUDI		9000010	MED INS PREMIUM REIM	228.77	
E137	03/19/04	228.77	M005	ROSS, EMERY		9000011	MED INS PREM REIMB	228.77	
E138	03/19/04	596.40	M006	VAN DER ZANDE, ED		9000012	MED INS PREM REIMB	596.40	
E139	03/19/04	489.54	M007	BLAIR-ALWARD, GREGORY		9000013	MED INS PREM REIMB	489.54	
E140	03/19/04	280.84	M008	CAMPOS, ARVILLA		9000014	MED INS PREM REIMB	280.84	
E141	03/19/04	616.40	M009	FREEMAN, MARY		9000015	MED INS PREM REIMB	616.40	
E142	03/19/04	280.84	M010	SHORT, SLOAN		9000016	MED INS PREM REIMB	280.84	
E143	03/19/04	41.14	M011	LAWSON, LOIS		9000017	MED INS PREM REIMB	41.14	
E144	03/19/04	41.14	M012	ROSE, JACK		9000018	MED INS PREM REIMB	41.14	
E145	03/19/04	72.14	M013	JAHNKE, EILEEN		9000019	MED INS PREM REIMB	72.14	
E146	03/19/04	41.14	M015	HETH, KATHRYN		9000020	MED INS PREM REIMB	41.14	
E147	03/19/04	20.07	M016	HICKLIN, DONALD KENT		9000021	MED INS PREM REIMB	20.07	
E148	03/19/04	20.07	M017	PORTILLA, EARLENE		9000022	MED INS PREM REIMB	20.07	
E149	03/19/04	72.14	M019	WILLIAMS, ROBERT		9000023	MED INS PREM REIMB	72.14	
E150	03/19/04	219.57	M022	CAPELLA, KATHLEEN		9000024	MED INS PREM REIMB	219.57	

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
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CHK SER	CHECK DATE	CHECK AMOUNT	VENDOR NAME	VENDOR TRANS. TYPE	TRANS. NUMBER	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	COMMENT
2151	03/17/04	8.94	M023 CARLSON, WILLIAM	9000025		MED INS PREM REIMB	8.94	
2152	03/19/04	30.44	M024 DOBBS, GLENN	9000025		MED INS PREM REIMB	30.44	
2153	03/19/04	35.19	M025 ELIA, LARRY	9000027		MED INS PREM REIMB	35.19	
2154	03/19/04	30.44	M026 ORTEGA, MANUELA	9000028		MED INS PREM REIMB	30.44	
2155	03/19/04	39.94	M029 REESE, CHARLES	9000029		MED INS PREM REIMB	39.94	
2156	03/19/04	11.34	M032 TONE, JAMIE	9000030		MED INS PREM REIMB	11.34	
253	03/27/04	250.00	R417 GAMBLE, HENRY	289		SETTLEMENT CLAIM	250.00	
TL		1,094,093.33	COAST COMMERCIAL BANK			TOTAL LDCHECKS	231	1,094,093.33

Santa Cruz METRO March 2004 Ridership Report

FAREBOX REVENUE AND RIDERSHIP SUMMARY BY ROUTE

ROUTE	REVENUE	RIDERSHIP	UC Student	UC Staff Faculty	Day Pass	S/D Riders	W/C	S/D Day Pass	Cabrillo	Bike	Passes/Free Rides
10	\$ 1,819.19	26,824	20,970	2,453	10	76	14	10	278	586	1,982
13	\$ 482.99	11,175	9,680	733	3	6	-	-	111	215	339
15	\$ 1,410.71	34,855	30,398	2,194	20	31	10	3	351	696	1,045
16	\$ 4,863.66	77,005	65,215	4,867	52	106	44	21	887	1,686	2,996
19	\$ 1,330.20	23,631	20,037	1,317	12	54	14	29	285	494	1,128
2	\$ 2,189.30	6,963	3,002	325	24	84	14	19	276	206	1,942
3A	\$ 877.06	2,552	306	105	16	43	5	24	246	43	1,315
3B	\$ 1,861.64	4,070	498	150	52	83	69	36	281	86	1,979
3N	\$ 90.05	313	89	21	-	5	-	-	26	16	117
3C	\$ 345.59	958	188	24	5	35	36	15	40	22	462
4	\$ 1,404.94	6,167	457	74	15	173	12	52	160	115	4,290
7	\$ 426.70	1,584	188	28	16	36	10	33	85	25	1,025
7N	\$ 1,471.45	2,600	385	128	-	21	15	-	178	132	939
9	\$ 204.35	731	93	20	2	7	-	2	23	6	460
12A	\$ 272.61	4,435	3,757	355	7	2	4	3	19	88	126
12B	\$ 190.40	3,468	2,927	278	6	6	-	-	21	43	130
20	\$ 217.50	6,067	5,286	452	2	2	1	-	68	109	118
22	\$ 158.00	4,465	3,916	295	3	3	2	-	30	147	134
31	\$ 2,296.29	4,574	298	119	34	58	13	25	252	152	2,427
32	\$ 995.92	1,731	58	33	4	29	17	2	49	44	956
33	\$ 503.00	785	10	-	-	9	-	-	-	7	429
34	\$ 307.24	687	2	-	-	-	-	-	1	2	484
35	\$ 28,470.92	48,870	1,566	587	337	637	79	236	2,226	1,659	26,273
36	\$ 348.42	556	39	46	14	19	1	3	49	46	212
40	\$ 1,668.91	2,637	63	50	57	27	2	9	122	109	1,416
41	\$ 1,168.30	1,874	301	99	16	35	1	4	99	213	634
42	\$ 654.84	1,098	186	19	3	23	1	4	67	113	393
52	\$ 719.93	1,501	15	15	13	63	28	16	161	12	854
53	\$ 621.07	1,174	11	20	12	59	76	27	161	54	565
54	\$ 393.76	832	4	16	8	18	1	7	235	79	327
55	\$ 1,918.17	5,438	56	47	30	149	136	51	1,958	123	2,150
56	\$ 331.38	680	2	9	7	11	-	22	138	16	339
58	\$ 37.00	114	-	-	-	-	-	-	-	1	91
65	\$ 4,890.43	9,189	519	253	50	298	117	54	515	248	4,585
66	\$ 10,083.72	16,803	1,095	527	198	301	160	137	1,026	479	7,773
67	\$ 5,427.06	10,176	1,006	319	123	180	96	55	643	316	4,787
69	\$ 7,503.70	14,983	1,751	747	108	333	118	98	802	516	6,759
69A	\$ 16,109.26	21,848	1,168	652	188	654	129	171	738	657	8,746
69N	\$ 1,810.26	3,766	567	158	-	41	14	1	616	172	1,234
69W	\$ 19,179.20	30,871	1,219	882	172	613	260	165	4,700	964	11,320
70	\$ 3,613.00	9,710	293	175	31	139	60	29	3,554	269	3,256
71	\$ 61,219.44	88,183	2,629	1,527	524	2,076	498	464	11,995	2,604	31,737
72	\$ 6,518.46	7,421	8	30	71	348	38	61	375	93	2,708
73	\$ 5,676.26	5,940	11	19	52	362	77	68	176	30	2,028
75	\$ 7,435.41	7,832	10	11	77	307	42	72	361	109	2,632
78	\$ 110.10	118	1	-	1	24	-	5	-	-	37
79	\$ 2,077.96	2,601	8	6	22	254	10	72	133	30	1,049
88	\$ 18.95	4,783	5	-	-	2	5	255	257	9	482
91	\$ 5,418.07	8,123	179	166	87	89	24	34	1,935	369	2,284
Unknown	\$ 179.44	371	51	13	2	12	4	3	25	15	201
TOTAL	\$217,322.21	533,132	180,523	20,364	2,486	7,943	2,257	2,397	36,734	14,225	149,695

ROUTE	REVENUE	RIDERSHIP	VTA/SC Day Pass	CalTrain	17 Day Pass	S/D Riders	W/C	None	ECO Pass	Bike	Monthly Pass
17	\$ 12,495.47	13,046	65	27	131	361	13	141	175	701	8,953

RIDERSHIP	
Night Owl	224
TOTAL	224

March Ridership	546,402
March Revenue	\$ 229,834.68

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

PASSENGER LIFT PROBLEMS

MONTH OF MARCH 2004

BUS #	DATE	DAY	REASON
2226CN	19-Mar	FRIDAY	Will not kneel until door is completely open
2226CN	23-Mar	TUESDAY	Will not kneel until door is completely open
2226CN	30-Mar	TUESDAY	Coach won't kneel with door closed
2301OR	4-Mar	THURSDAY	W/C lift will not deploy
8080F	9-Mar	TUESDAY	Lift does not raise
8080F	22-Mar	MONDAY	Inoperative
8092F	4-Mar	THURSDAY	Warning alarm beep not sounding while deploying lift
9835G	3-Mar	WEDNESDAY	Lift in low position is very difficult to stow, sensor override not much help
9835G	12-Mar	FRIDAY	Lift will not stow
9835G	29-Mar	MONDAY	Kneel won't raise, you can hear air leaking out

- F New Flyer
- G Gillig
- C Champion
- LF Low Floor Flyer
- GM GMC
- CG CNG
- CN SR855 & SR854
- OR Orion/Hwy 17

Note: Lift operating problems that cause delays of less than 30 minutes.

BUS OPERATOR LIFT TEST *PULL-OUT*

VEHICLE CATEGORY	TOTAL BUSES	AVG # DEAD IN GARAGE	AVG # AVAIL. FOR SERVICE	AVG # IN SERVICE	AVG # SPARE BUSES	AVG # LIFTS OPERATING	% LIFTS WORKING ON PULL-OUT BUSES
FLYER/HIGHWAY 17 - 40'	7	0	7	1	6	1	100%
FLYER/LOW FLOOR - 40'	12	2	10	7	3	7	100%
FLYER/LOW FLOOR - 35'	18	2	16	14	2	14	100%
FLYER/HIGH FLOOR - 35'	15	3	12	6	6	6	100%
GILLIG/SAM TRANS - 40'	10	1	9	5	4	5	100%
DIESEL CONVERSION - 35'	15	2	13	13	0	13	100%
DIESEL CONVERSION - 40'	14	2	12	11	1	11	100%
ORION/HIGHWAY 17 - 40'	12	3	9	5	4	5	100%
CHAMPION	4	1	3	1	2	1	100%
TROLLEY	1	0	1	1	0	1	100%
CNG NEW FLYER - 40'	8	1	7	6	1	6	100%

Service Interruption Summary Report
Lift Problems
03/01/2004 to 03/31/2004

AM Peak Hour/Mile	Midday Hour/Mile	PM Peak Hour/Mile	Other Hour/Mile	Weekday Hour/Mile	Saturday Hour/Mile	Sunday Hour/Mile
00:00/0	00:00/00.00	01:20/35.91	0:00	01:20/35.91	00:00/0	00:00/0

Metro Accessible Services Transit Forum (MASTF)*

(*An official Advisory group to the Metro Board of Directors
and the ADA Paratransit Program)

Thursday April 15, 2004 2:00-4:00 p.m.
The NIAC Building in the Training Center
333 Front Street, Santa Cruz, CA.

“AGENDA”

ELIGIBLE VOTING MEMBERS FOR THIS MEETING:

Sharon Barbour, Scott Bugental, Ted Chatterton, Connie Day, Shelley Day, Kasandra Fox, Ed Kramer, Jeff LeBlanc, Elizabeth Miller, Thom Onan, Pop Papadopulo, Gary Peterson, Camille Pierce, Esteban Rivas, Barbie Schaller, Link Spooner, Lesley Wright, Brelis Young and Bob Yount.

“Public participation in MASTF meeting discussions is encouraged and greatly appreciated.”

- I. Call to Order and Introductions
- II. Approval of the March 18, 2004 MASTF Minutes
- III. Oral Communication and Correspondence

MASTF will receive oral and written communications during this time on items NOT on this meeting agenda. Topics presented must be within the jurisdiction of MASTF. Presentations may be limited in time at the discretion of the Chair. MASTF members will not take action or respond immediately to any presentation, but may choose to follow up at a later time.

- IV. Amendments to this Agenda
- V. Ongoing Business
 - 5.1 MASTF Status as METRO Advisory Body
 - 5.2 Communication with Members (Sharon Barbour)
 - 5.3 Status of METRO No Smoking Policy (Bryant Baehr, Kasandra Fox and Bob Yount)
 - 5.4 MASTF Membership Recruitment & Membership Application
 - a.) Approval of MASTF Membership Application
 - 5.5 MASTF Finances and Fund Raising
 - 5.6 Paratransit Issues

- VI. New Business
 - 6.1 Discussion of Amendments to MASTF By-Laws
 - MASTF COMMITTEE REPORTS**
 - 6.2 Training and Procedures Committee Report (Kasandra Fox)
 - 6.3 Bus Service Committee Report (Connie Day)
 - a) Service Planning and Review Report
 - 6.4 Bus Stop Improvement Committee Report (Jeff LeBlanc)
 - a) Bus Stop Advisory Committee (BSAC) Report
 - 6.5 Elderly and Disabled Transportation Advisory Committee (E&D TAC) Report (Bob Yount)
 - OTHER REPORTS**

MASTF Agenda
April 15, 2004
Page Two

- 6.6 Paratransit Update
 - a) Paratransit Report (Link Spooner)
 - b) CCCIL Transportation Advocacy (Thom Onan)
- 6.7 UTU Report (Jeff North)
- 6.8 SEIU/SEA Report (Eileen Pavlik)
- 6.9 Next Month's Agenda Items

VII. Adjournment

Note: This meeting is held at a location that is accessible to persons using wheelchairs. If you have questions, or want additional information about MASTF, please contact Sharon Barbour by phone at (831) 338-6647. Or visit the MASTF web site at www.mastf.org or address email to chair@mastf.org

METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF)*
(* An official Advisory group to the Metro Board of Directors
and the ADA Paratransit Program)

MINUTES

The Metro Accessible Services Transit Forum met for its monthly meeting on March 18, 2004 in the Training Center of the NIAC Building, 333 Front Street, Santa Cruz CA.

MASTF MEMBERS PRESENT: Sharon Barbour, Scott Bugental, Ted Chatterton, Connie Day, Shelley Day, Ed Kramer, Jeff LeBlanc, Elizabeth Miller, Thom Onan, Pop Papadopulo, Gary Peterson, Camille Pierce, Esteban Rivas, Barbie Schaller, Link Spooner, Lesley Wright, Brelis Young and Bob Yount.

METRO STAFF PRESENT:

A. John Daugherty, Accessible Services Coordinator
Steve Paulson, METRO Paratransit Administrator

BOARD MEMBERS PRESENT:

None.

*****MASTF MOTIONS RELATED TO THE METRO BOARD OF DIRECTORS**

None.

RELEVANT ATTACHMENTS FORWARDED TO THE BOARD: A, B and E

***MASTF MOTIONS RELATED TO METRO MANAGEMENT**

None.

I. CALL TO ORDER AND INTRODUCTIONS

Vice Chair Bob Yount called the meeting to order at 2:08 p.m.

II. APPROVAL OF THE FEBRUARY 19, 2004 MASTF MINUTES

**MASTF Motion: To approve the February 19, 2004 MASTF Minutes as submitted.
M/S/PU: Schaller, C. Day (By affirmative voice vote)**

III. ORAL COMMUNICATION AND CORRESPONDENCE

John Daugherty described the following correspondence and other items of interest received since the last MASTF meeting:

- 1) An Agenda for the Santa Cruz County Regional Transportation Commission (SCCRTC) meeting on March 4, 2004.
- 2) An Agenda for a Transportation Policy Workshop sponsored by the SCCRTC that took place earlier today (March 18, 2004).

- 3) The March 2004 issue of *Central Coast Reporter*, a resource newsletter published by the Association of Monterey Bay Area Governments (AMBAG).
- 4) The March 15, 2004 letter from METRO General Manager Leslie R. White to MASTF Chair Barbour responding to her letter of March 4th and responding to questions she raised during their meeting on March 2nd. Ms. Barbour noted that the letter (Attachment A) would be discussed during the "MASTF Status as METRO Advisory Body" Agenda item today.
- 5) A flyer from the UC Santa Cruz Center for Justice, Tolerance & Community. The flyer describes an event titled, "Building Community Across Regions: Organizing Networks & Power in a Changing America."

The featured event speaker is Ernie Cortes. His presentation is set for April 13, 2004 at 7 p.m. at Holy Cross Hall, 170 High Street in Santa Cruz. For more information, please phone (831) 459-5743.

Bob Yount shared an article that had been discussed during the Elderly and Disabled Transportation Advisory Committee (E&D TAC) meeting this week. The article, "Paratransit Stranded in Bureaucratic Limbo", is the cover story of the current *Aptos Times*.

Note: The six items noted above were placed in a folder and circulated to the group.

Thom Onan welcomed Elizabeth Miller. Mr. Onan noted that Ms. Miller was taking over secretarial duties for MASTF. Ms. Miller noted that she welcomed support to accomplish those tasks.

Ms. Barbour reported that the MASTF Executive Committee had appointed Kasandra Fox to serve as MASTF Training and Procedures Chair after the resignation from Lesley Wright. She noted that, due to technical difficulties, a Certificate of Appreciation for Ms. Wright would be presented on another occasion.

Ms. Barbour also shared that David Taylor, a friend of Ms. Fox and a MASTF member, had passed away earlier this month. She asked for a moment of silence.

Brelis Young began discussion of how ridership has been affected since the fare increase last July. Discussion included his observation that over the last four years he has noticed, on occasion, that he is the only passenger riding the Route 35 bus. "I find that totally baffling," he shared.

Other comments included the observation from Ms. Barbour that she has had the same experience. Jeff LeBlanc noted that Mr. Young could access current ridership information at the METRO web site (www.scmt.com). Ms. Barbour noted that these topics could receive more discussion during the "Revisiting the Price of Discount (Senior and Disabled) Monthly Passes" Agenda item.

IV. AMENDMENTS TO THIS AGENDA

Ms. Barbour noted that it had been suggested that two Ongoing Business Agenda items, "Status of METRO No Smoking Policy" and "Paratransit Issues", become the first two Agenda items of Ongoing Business. She noted that the discussion of the "MASTF Status as METRO Advisory Body" Agenda

item could take time. There were no objections to moving the two Agenda items to the start of Ongoing Business.

During discussion of the "Status of METRO No Smoking Policy" Agenda item, Mr. LeBlanc suggested that the "Paratransit Issues" Agenda item be followed by the "Revisiting the Price of Discount (Senior and Disabled) Monthly Passes" Agenda item. He noted that Camille Pierce, who had requested that Agenda item, was present today. There were no objections to his suggestion.

V. ONGOING BUSINESS

5.1 Status of METRO No Smoking Policy (Bryant Baehr, Kasandra Fox and Bob Yount)

Bob Yount reported that he is collecting input on his draft policy. Mr. Yount described the draft as a project that includes several months of talk with a variety of people. He shared that he received comments on his draft from METRO Board member Mike Keogh. He also noted that Bonnie Morr, one of the leaders of the United Transportation Union (UTU) Local 23, has provided "no negative reaction so far" to his proposal.

Other comments on the draft policy included the observation from Ms. Barbour that she anticipated problems for bus operators when they have to choose persons who can, and persons who can not, board a bus. Mr. Young shared that he saw bolted down ashtrays at the Capitola Mall Transit Center. Discussion on this topic concluded after Ms. Barbour suggested that Mr. Yount might want to form an ad hoc committee to prepare recommendations.

5.2 Paratransit Issues

Link Spooner reported that he was looking forward to the upcoming symposium with members of the SCCRTC. Scott Bugental shared that the SCCRTC would have a work plan for its Paratransit Task Force to review and approve at its next meeting.

5.3 Revisiting the Price of Discount (Senior and Disabled) Monthly Passes (Camille Pierce)

Camille Pierce shared that increase in bus fares (including the cost of monthly passes) should be discussed. "That's my ticket," Ms. Pierce noted.

Discussion of this topic included the observation from Mr. LeBlanc that METRO faced a budget shortfall of as much as \$1,000,000 in the next fiscal year. Steve Paulson shared that Mr. White has told the METRO Board that METRO staff could not ask the community for another fixed route fare increase. The group debated the impact action from MASTF would, and would not have, on fare increases approved last year.

The impacts of fare increases on ridership were discussed. Discussion included the observation from Ms. Pierce that she uses the bus frequently, including trips to UC Santa Cruz to audit classes. Ms. Barbour suggested to Ms. Pierce that there might be a cost savings if Ms. Pierce checked the pass prices offered to Cabrillo College and UC Santa Cruz students.

Before the conclusion of this Agenda item, Mr. Yount handed over the duties of Chair to Ms. Barbour for the remainder of the meeting.

5.4 MASTF Status as METRO Advisory Body
a) Evaluate MASTF Options
b) Consideration of Dissolving MASTF

In response to questions from Ted Chatterton, Ms. Barbour explained that the METRO Board could not dissolve MASTF. However, the METRO Board could and has decided to cut back support for MASTF. Ms. Barbour referred to the cover letter she wrote for the March 18 MASTF meeting packet and then described six main possibilities:

1. Renounce MASTF's independence and establish a relationship with Metro such as the Metro Advisory Committee (MAC) will have.
2. Struggle on as best we (MASTF) can.
3. Seek another organization to "umbrella" us.
4. Ask Metro to hold MASTF funds.
5. Become a 501(c) 3 nonprofit group.
6. Decide that MASTF has fought the good fight, has won a moral victory, and close up shop.

Highlights of discussion on these topics included:

- 1) Ms. Barbour shared that she would loan MASTF the funds (approximately \$300) needed to open a checking account and acquire a fictitious business name. She noted that donations and optional membership dues would reimburse her. She collected several donations during the meeting.
- 2) Ms. Barbour shared that the March 15 letter from Mr. White indicates that Option #4, "Ask Metro to hold MASTF funds", is "no longer an option."
- 3) Mr. LeBlanc shared his disappointment that Central Coast Center for Independent Living (CCCIL) Executive Director

Elsa Quezada had not yet responded to his phone call and the MASTF letter requesting assistance. He stated: "The fact that she hasn't responded at all to me, reflects – and I'd like this in the Minutes and on the record – reflects badly on CCCIL's attitude toward other groups in the community, particularly in Santa Cruz County..."

"... You don't just leave other people hanging. That's not professional. Particularly in a time of crisis, as MASTF is in now. With CCCIL's reputation in the

community, a phone call is the least we could expect. And I am severely disappointed that we have received no response whatsoever..."

- 4) Lesley Wright stated: "Even if something did happen, where MASTF went away, there is nothing to stop this group- all of us know each other, we are all friends- there is nothing to stop us in the future from coming together, when there is an issue we need to work on together."
- 5) Thom Onan stated: "I think that the question isn't really as much as, "Do we want MASTF to survive?" as much as the question is, "Do we want the voice of the disability community to be heard?"
- 6) Mr. LeBlanc raised the topic with Ms. Barbour, "How feasible the option of raising the money to pay you back is." He took a "straw poll" and noted that seven persons raised hands to show willingness to give funds to MASTF.
- 7) Mr. Bugental stated: "This needs to be looked at as a challenge from the Board... Ok, MASTF, you want to be independent. Show us that you can do it. I personally believe that the disability community in Santa Cruz is quite capable of keeping a group like this together, in one manner or another."
- 8) Ms. Wright responded: "It's not going to survive without something else than what we have now."
- 9) Mr. LeBlanc made a Motion that was seconded by Connie Day: For MASTF to continue as an independent organization and to authorize opening a bank account. The wording was debated.
- 10) Mr. Yount shared that he heard obstacles described by Board members that influenced his decision. Obstacles noted included a "stacked election" by MASTF in the past, the "gift of public funds" to MASTF that was "probably illegal" and his impression that Board members don't want MASTF under the METRO "umbrella."

Mr. Yount stated: "I would say, we've done a good job. All good things come to an end. We could put our energies into better ways to advocate for the disabled community than to try to struggle to maintain the name MASTF."

- 11) The following Motion was approved during discussion:

MASTF Motion: To continue the meeting until 4:30 p.m.

M/S/PU: Yount, C. Day (By show of hands: 8 votes in favor, no votes opposed and no abstentions)

- 12) Mr. Bugental disagreed with the assertion that MASTF had received a gift of public funds. He stated: "...It's been going on for 15 years. MASTF is not a private organization. "Gift of public funds" refers to giving money to a private individual or to a private corporation. MASTF is neither of those. All the funds that went to

MASTF were for Transit District functions. MASTF exercising its job as a Transit District advisory body. In fact, I think, if anything, the METRO is going out on a limb by not providing financial support to an official advisory body..."

13) Ms. Pierce recalled that "sharing beliefs and ideas" was what had made MASTF so exciting in the past. Her comments prompted discussion of the participation of METRO management and staff at MASTF meetings.

14) The following Motion emerged from discussion:

**MASTF Motion: MASTF will continue to exist as an independent organization.
M/S/C: LeBlanc, C, Day (By show of hands: 6 votes in favor, one vote opposed and one abstention)**

15) The following Motion concluded discussion of the topic:

**MASTF Motion: To authorize Ms. Barbour and Mr. LeBlanc to open a bank account.
M/S/C: LeBlanc, Onan (By show of hands: 5 votes in favor, no votes opposed and 4 abstentions)**

Ms. Barbour noted that the approved Motion also allowed her to complete the paperwork and pay the fee for MASTF to acquire a fictitious business name.

5.5 Adoption of MASTF Goals for 2004 (Sharon Barbour)

Ms. Barbour read aloud the following proposed MASTF Goals for 2004:

- “1) Continue to strongly advocate for seniors and persons with disabilities on transit related issues.
- 2) Membership recruitment.
- 3) Identify and acquire funding sources.
- 4) To restructure the organization in order to adapt to recent changes in our status.”

She requested input. No items were removed or added to the list. The following Motion concluded discussion of this topic:

**MASTF Motion: To adopt the proposed list of MASTF Goals for 2004.
M/S/C: C. Day, LeBlanc (By show of hands: 6 votes in favor, no votes opposed and two abstentions)**

Note: The list of approved MASTF Goals for 2004 (Attachment B) are included in the April MASTF meeting packet.

- 5.6 Communication with Members (Sharon Barbour)
- 5.7 MASTF Membership Recruitment
- 5.8 MASTF Finances and Fund Raising

Ms. Barbour requested that the three Agenda items above be carried over to the April 15 MASTF meeting Agenda. She noted that review of the MASTF membership application could be discussed under the “Membership Recruitment” Agenda item next month.

VI. NEW BUSINESS

- 6.1 Revisiting the Price of Discount (Senior and Disabled) Monthly Passes (Camille Pierce)

This item was moved up the Agenda. Discussion of this Agenda item followed the “Paratransit Issues” Agenda item. Discussion highlights are noted above. No Motions emerged during discussion of this Agenda item.

MASTF COMMITTEE REPORTS

- 6.2 Training and Procedures Committee Report (Kasandra Fox)
- 6.3 Bus Service Committee Report (Connie Day)
 - a) Service Planning and Review Report
- 6.4 Bus Stop Improvement Committee Report (Jeff LeBlanc)
- 6.5 Elderly and Disabled Transportation Advisory Committee (E&D TAC) Report (Bob Yount)

OTHER REPORTS

- 6.6 Paratransit Update
 - a) Paratransit Report (Link Spooner)
 - b) CCCIL Transportation Advocacy (Thom Onan)
- 6.7 UTU Report
- 6.8 SEIU/SEA Report

There were no reports on the seven Agenda items above.

- 6.9 Next Month’s Agenda Items

Ms. Barbour requested that “Communication with Members”, “Status of METRO No Smoking Policy”, “MASTF Membership Recruitment” and “MASTF Finances and Fund Raising” be carried over as Ongoing Business on the April 15 MASTF Agenda. She noted that the MASTF membership application could be discussed during the “MASTF Membership Recruitment” Agenda item.

She also requested the New Business Agenda item, “Discussion of Amendments to MASTF By-Laws.”

VII. ADJOURNMENT

Chair Barbour adjourned the meeting at 4:28 p.m.

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Note: After the meeting, Mr. Yount resigned “for health reasons” as MASTF Vice Chair. His resignation email (Attachment C) is included in the April MASTF meeting packet.

Note: After the meeting, Chair Barbour requested that the following four Attachments (D, E, F G) be included in the April MASTF meeting packet: The current MASTF By-Laws, a copy of the MASTF fictitious business name record/receipt, the draft MASTF Membership Application and the Revised MASTF 2004 Calendar with revised contact information.

Respectfully submitted by: A. John Daugherty, Accessible Services Coordinator

NOTE: NEXT REGULAR MASTF MEETING IS: Thursday April 15, 2004 from 2:00-4:00 p.m., in the Training Center of the NIAC Building, 333 Front Street, Santa Cruz, CA.

NOTE: NEXT S.C.M.T.D. BOARD OF DIRECTORS MEETING IS: Friday April 9, 2004 at 9:00 a.m. in the S.C.M.T.D. Administrative Offices, 370 Encinal Street, Santa Cruz, CA.

NOTE: THE FOLLOWING S.C.M.T.D. BOARD OF DIRECTORS MEETING IS: Friday April 23, 2004 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Elisabeth Ross, Finance Manager
SUBJECT: MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2004, AND APPROVAL OF BUDGET TRANSFERS

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors approve the budget transfers for the period March 1 – 31, 2004.

II. SUMMARY OF ISSUES

- Operating revenue for the year to date totals \$20,773,688 or \$202,274 over the amount of revenue expected to be received during the first eight months of the fiscal year, based on the budget revised in December.
- Total operating expenses for the year to date, in the amount of \$18,904,941, are at 59% of the revised budget.
- A total of \$5,058,275 has been expended through February 29th for the FY 03-04 Capital Improvement Program.

III. DISCUSSION

An analysis of the District's budget status is prepared monthly in order to apprise the Board of Directors of the District's actual revenues and expenses in relation to the adopted operating and capital budgets for the fiscal year. The attached monthly revenue and expense report represents the status of the District's FY 03-04 budget as of February 29, 2004. The fiscal year is 66.7% elapsed.

A. Operating Revenues

Revenues are \$202,274 over the amount projected to be received for the period. Passenger revenue is \$202,232 over budget projections due to the fare increase and new contracts with UCSC and Cabrillo College. Sales tax revenue is \$20,479 under the budgeted amount since advances in January and February were lower than projected. Variances are explained in the notes following the report.

B. Operating Expenses

Operating expenses for the year to date total \$18,904,941 or 59% of the revised budget, with 66.7% of the year elapsed. Variances are explained in the notes following the report.

C. Capital Improvement Program

For the year to date, a total of \$5,058,275 has been expended on the Capital Improvement Program. The largest expenditure was for the purchase of buses in the amount of \$4,503,702.

IV. FINANCIAL CONSIDERATIONS

Approval of the budget transfers will increase some line item expenses and decrease others. Overall, the changes are expense-neutral.

V. ATTACHMENTS

Attachment A: Revenue and Expense Report for February 2004, and Budget Transfers

**MONTHLY REVENUE AND EXPENSE REPORT
OPERATING REVENUE - FEBRUARY 2004**

Operating Revenue	FY 03-04 Budgeted for Month	FY 03-04 Actual for Month	FY 03-04 Budgeted YTD	FY 02-03 Actual YTD	FY 03-04 Actual YTD	YTD Variance from Budgetec	
Passenger Fares	\$ 284,749	\$ 279,338	\$ 2,431,322	\$ 2,016,423	\$ 2,517,912	\$ 86,590	
Paratransit Fares	\$ 23,204	\$ 21,724	\$ 180,844	\$ 129,384	\$ 167,580	\$ (13,264)	
Special Transit Fares	\$ 213,155	\$ 233,626	\$ 1,155,447	\$ 1,174,425	\$ 1,304,142	\$ 148,695	
Highway 17 Revenue	\$ 59,686	\$ 55,895	\$ 460,510	\$ 538,265	\$ 440,721	\$ (19,789)	
<i>Subtotal Passenger Rev</i>	\$ 580,794	\$ 590,583	\$ 4,228,123	\$ 3,858,497	\$ 4,430,355	\$ 202,232	See Note 1
Advertising Income - OBIE	\$ -	\$ -	\$ -	\$ 90,000	\$ -	\$ -	
Advertising Income - Dist	\$ -	\$ -	\$ -	\$ 8,244	\$ 17,509	\$ 17,509	See Note 2
Commissions	\$ 767	\$ 554	\$ 6,133	\$ 6,507	\$ 4,928	\$ (1,205)	
Rent Income	\$ 13,382	\$ 13,399	\$ 100,004	\$ 99,220	\$ 100,403	\$ 399	
Interest - General Fund	\$ 22,803	\$ 21,691	\$ 194,365	\$ 295,359	\$ 189,702	\$ (4,663)	See Note 3
Non-Transportation Rev	\$ 175	\$ 181	\$ 1,400	\$ 13,771	\$ 9,882	\$ 8,482	See Note 4
Sales Tax Income	\$ 1,526,100	\$ 1,491,800	\$ 10,474,804	\$ 10,524,649	\$ 10,454,325	\$ (20,479)	See Note 5
TDA Funds	\$ -	\$ -	\$ 2,696,445	\$ 3,881,172	\$ 2,696,445	\$ -	
FTA Op Asst - Sec 5307	\$ -	\$ -	\$ 2,804,435	\$ 1,229,934	\$ 2,804,435	\$ -	
FTA Op Asst - Sec 5311	\$ -	\$ -	\$ 65,704	\$ 46,701	\$ 65,704	\$ -	
FY 02-03 Carryover	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Transfer from Reserves	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Transfer from Insurance Reserves	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Transfer - Proj Mgr	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Total Operating Revenue	\$ 2,144,021	\$ 2,118,208	\$ 20,571,413	\$ 20,054,054	\$ 20,773,688	\$ 202,274	

**MONTHLY REVENUE AND EXPENSE REPORT
OPERATING EXPENSE SUMMARY - FEBRUARY 2004**

	FY 03-04 Final Budget	FY 03-04 Revised Budget	FY 02-03 Expended YTD	FY 03-04 Expended YTD	Percent Expended of Budget	
PERSONNEL ACCOUNTS						
Administration	\$ 891,383	\$ 903,109	\$ 377,942	\$ 498,268	55.2%	
Finance	\$ 522,456	\$ 523,672	\$ 311,111	\$ 322,863	61.7%	
Customer Service	\$ 519,934	\$ 515,069	\$ 391,929	\$ 298,461	57.9%	
Human Resources	\$ 327,189	\$ 334,866	\$ 191,047	\$ 227,541	67.9%	See Note 6
Information Technology	\$ 413,963	\$ 427,948	\$ 250,394	\$ 273,597	63.9%	
District Counsel	\$ 358,878	\$ 349,527	\$ 200,928	\$ 194,628	55.7%	
Risk Management	\$ -	\$ -	\$ -	\$ -	0.0%	
Facilities Maintenance	\$ 1,029,512	\$ 1,033,569	\$ 604,970	\$ 648,826	62.8%	
Paratransit Program	\$ 229,377	\$ 229,922	\$ 120,189	\$ 133,254	58.0%	
Operations	\$ 1,908,172	\$ 1,906,819	\$ 1,147,779	\$ 1,192,744	62.6%	
Bus Operators	\$ 12,044,316	\$ 11,828,193	\$ 7,647,231	\$ 7,803,250	66.0%	
Fleet Maintenance	\$ 4,120,660	\$ 4,018,658	\$ 2,294,949	\$ 2,276,134	56.6%	
Retired Employees/COBRA	\$ 833,989	\$ 856,780	\$ 437,030	\$ 493,076	57.5%	
Total Personnel	\$ 23,199,828	\$ 22,928,131	\$ 13,975,499	\$ 14,362,643	62.6%	
NON-PERSONNEL ACCOUNTS						
Administration	\$ 585,535	\$ 585,662	\$ 333,798	\$ 333,091	56.9%	
Finance	\$ 950,128	\$ 941,801	\$ 388,512	\$ 543,764	57.7%	
Customer Service	\$ 114,080	\$ 86,580	\$ 77,114	\$ 55,927	64.6%	
Human Resources	\$ 59,322	\$ 59,379	\$ 13,848	\$ 21,222	35.7%	
Information Technology	\$ 103,670	\$ 97,727	\$ 40,050	\$ 45,764	46.8%	
District Counsel	\$ 21,735	\$ 21,777	\$ 6,144	\$ 8,288	38.1%	
Risk Management	\$ 206,350	\$ 206,350	\$ 134,709	\$ 55,228	26.8%	
Facilities Maintenance	\$ 476,840	\$ 476,840	\$ 239,623	\$ 248,722	52.2%	
Paratransit Program	\$ 3,506,306	\$ 3,178,703	\$ 1,676,465	\$ 1,486,619	46.8%	See Note 7
Operations	\$ 534,490	\$ 584,534	\$ 271,295	\$ 244,380	41.8%	
Bus Operators	\$ 7,400	\$ 7,400	\$ 2,772	\$ 2,696	36.4%	
Fleet Maintenance	\$ 2,953,059	\$ 2,878,859	\$ 1,624,385	\$ 1,496,587	52.0%	
Op Prog/SCCIC	\$ 1,257	\$ 1,257	\$ 117	\$ 10	0.8%	
Prepaid Expense	\$ -	\$ -	\$ -	\$ -	0.0%	
Total Non-Personnel	\$ 9,520,172	\$ 9,126,869	\$ 4,808,832	\$ 4,542,298	49.8%	
Subtotal Operating Expense	\$ 32,720,000	\$ 32,055,000	\$ 18,784,330	\$ 18,904,941	59.0%	
Grant Funded Studies/Programs	\$ -	\$ -		\$ -	0.0%	
Transfer to/from Cap Program	\$ -	\$ -		\$ -	0.0%	
Pass Through Programs	\$ -	\$ -		\$ -	0.0%	
Total Operating Expense	\$ 32,720,000	\$ 32,055,000	\$ 18,784,330	\$ 18,904,941	59.0%	
YTD Operating Revenue Over YTD Expense				\$ 1,868,747		

**CONSOLIDATED OPERATING EXPENSE
FEBRUARY 2004**

	FY 03-04 Final Budget	FY 03-04 Revised Budget	FY 02-03 Expended YTD	FY 03-04 Expended YTD	% Exp YTD of Budget	
LABOR						
Operators Wages	\$ 6,363,193	\$ 6,142,355	\$ 3,780,240	\$ 3,835,223	62.4%	
Operators Overtime	\$ 927,591	\$ 927,591	\$ 719,466	\$ 856,356	92.3%	See Note 8
Other Salaries & Wages	\$ 6,390,190	\$ 6,163,922	\$ 3,441,566	\$ 3,523,895	57.2%	
Other Overtime	\$ 139,709	\$ 244,709	\$ 160,024	\$ 181,222	74.1%	See Note 9
	\$ 13,820,683	\$ 13,478,577	\$ 8,101,295	\$ 8,396,696	62.3%	
FRINGE BENEFITS						
Medicare/Soc Sec	\$ 148,453	\$ 148,453	\$ 85,972	\$ 93,476	63.0%	
PERS Retirement	\$ 1,164,898	\$ 1,150,821	\$ 564,933	\$ 667,576	58.0%	
Medical Insurance	\$ 2,667,738	\$ 2,735,219	\$ 1,443,799	\$ 1,649,572	60.3%	
Dental Plan	\$ 455,704	\$ 465,509	\$ 272,387	\$ 249,639	53.6%	
Vision Insurance	\$ 123,307	\$ 123,307	\$ 79,087	\$ 76,140	61.7%	
Life Insurance	\$ 60,472	\$ 60,472	\$ 35,203	\$ 21,537	35.6%	
State Disability Ins	\$ 196,085	\$ 196,085	\$ 70,240	\$ 94,283	48.1%	
Long Term Disability Ins	\$ 221,054	\$ 221,054	\$ 254,851	\$ 139,930	63.3%	
Unemployment Insurance	\$ 46,893	\$ 46,893	\$ 27,632	\$ 57,298	122.2%	See Note 10
Workers Comp	\$ 1,666,634	\$ 1,673,634	\$ 1,191,318	\$ 1,251,521	74.8%	See Note 11
Absence w/ Pay	\$ 2,596,775	\$ 2,596,776	\$ 1,836,894	\$ 1,649,770	63.5%	
Other Fringe Benefits	\$ 31,131	\$ 31,331	\$ 11,887	\$ 15,206	48.5%	
	\$ 9,379,144	\$ 9,449,553	\$ 5,874,204	\$ 5,965,947	63.1%	
SERVICES						
Acctng/Admin/Bank Fees	\$ 299,484	\$ 291,484	\$ 134,997	\$ 130,571	44.8%	
Prof/Legis/Legal Services	\$ 490,180	\$ 483,680	\$ 232,400	\$ 197,499	40.8%	
Custodial Services	\$ 89,000	\$ 89,000	\$ 45,482	\$ 50,792	57.1%	
Uniforms & Laundry	\$ 40,500	\$ 40,239	\$ 20,281	\$ 18,631	46.3%	
Security Services	\$ 346,188	\$ 392,188	\$ 172,045	\$ 144,324	36.8%	
Outside Repair - Bldgs/Eqmt	\$ 188,686	\$ 188,686	\$ 99,291	\$ 99,838	52.9%	
Outside Repair - Vehicles	\$ 271,570	\$ 270,570	\$ 159,403	\$ 186,601	69.0%	See Note 12
Waste Disp/Ads/Other	\$ 109,845	\$ 100,845	\$ 34,157	\$ 44,283	43.9%	
	\$ 1,835,453	\$ 1,856,692	\$ 898,056	\$ 872,541	47.0%	
CONTRACT TRANSPORTATION						
Contract Transportation	\$ 100	\$ 100	\$ -	\$ -	0.0%	
Paratransit Service	\$ 3,289,256	\$ 2,961,653	\$ 1,572,733	\$ 1,392,755	47.0%	See Note 7
	\$ 3,289,356	\$ 2,961,753	\$ 1,572,733	\$ 1,392,755	47.0%	
MOBILE MATERIALS						
Fuels & Lubricants	\$ 1,486,549	\$ 1,486,549	\$ 727,828	\$ 773,071	52.0%	
Tires & Tubes	\$ 131,000	\$ 121,000	\$ 77,097	\$ 76,207	63.0%	
Other Mobile Supplies	\$ 6,500	\$ 6,500	\$ 3,310	\$ 2,227	34.3%	
Parts Credit	\$ -	\$ -	\$ -	\$ (78,586)	0.0%	See Note 13
Revenue Vehicle Parts	\$ 515,000	\$ 444,400	\$ 338,440	\$ 252,403	56.8%	
	\$ 2,139,049	\$ 2,058,449	\$ 1,146,675	\$ 1,025,322	49.8%	

**CONSOLIDATED OPERATING EXPENSE
FEBRUARY 2004**

	FY 03-04 Final Budget	FY 03-04 Revised Budget	FY 02-03 Expended YTD	FY 03-04 Expended YTD	% Exp YTD of Budget
OTHER MATERIALS					
Postage & Mailing/Freight	\$ 22,367	\$ 23,667	\$ 10,475	\$ 11,581	48.9%
Printing	\$ 73,275	\$ 72,980	\$ 41,998	\$ 30,658	42.0%
Office/Computer Supplies	\$ 64,250	\$ 63,910	\$ 30,981	\$ 29,408	46.0%
Safety Supplies	\$ 19,825	\$ 19,825	\$ 6,001	\$ 9,733	49.1%
Cleaning Supplies	\$ 66,100	\$ 66,100	\$ 30,446	\$ 18,985	28.7%
Repair/Maint Supplies	\$ 65,000	\$ 64,900	\$ 30,881	\$ 36,011	55.5%
Parts, Non-Inventory	\$ 50,000	\$ 48,300	\$ 29,655	\$ 15,724	32.6%
Tools/Tool Allowance	\$ 9,600	\$ 9,600	\$ 3,506	\$ 2,913	30.3%
Promo/Photo Supplies	\$ 14,400	\$ 12,525	\$ 1,168	\$ 2,352	18.8%
	\$ 384,817	\$ 381,807	\$ 185,113	\$ 157,364	41.2%
UTILITIES	\$ 323,677	\$ 323,677	\$ 202,224	\$ 183,667	56.7%
CASUALTY & LIABILITY					
Insurance - Prop/PL & PD	\$ 641,500	\$ 641,500	\$ 253,410	\$ 409,159	63.8%
Settlement Costs	\$ 100,000	\$ 100,000	\$ 75,402	\$ 34,692	34.7%
Repairs to Prop	\$ -	\$ -	\$ (14,810)	\$ (14,987)	0.0%
Prof/Other Services	\$ -	\$ -	\$ 36	\$ -	0.0%
	\$ 741,500	\$ 741,500	\$ 314,038	\$ 428,864	57.8%
TAXES	\$ 49,433	\$ 49,048	\$ 28,229	\$ 28,467	58.0%
MISC EXPENSES					
Dues & Subscriptions	\$ 51,970	\$ 52,265	\$ 47,203	\$ 29,076	55.6%
Media Advertising	\$ 3,000	\$ 1,500	\$ 129	\$ 40	2.7%
Employee Incentive Program	\$ 10,381	\$ 10,642	\$ 5,663	\$ 6,601	62.0%
Training	\$ 28,775	\$ 26,775	\$ 6,118	\$ 7,618	28.5%
Travel	\$ 35,941	\$ 35,941	\$ 11,354	\$ 11,840	32.9%
Other Misc Expenses	\$ 18,314	\$ 18,314	\$ 5,234	\$ 10,329	56.4%
	\$ 148,381	\$ 145,437	\$ 75,701	\$ 65,503	45.0%
OTHER EXPENSES					
Leases & Rentals	\$ 608,506	\$ 608,506	\$ 386,063	\$ 387,816	63.7%
	\$ 608,506	\$ 608,506	\$ 386,063	\$ 387,816	63.7%
Total Operating Expense	\$ 32,720,000	\$ 32,055,000	\$ 18,784,330	\$ 18,904,941	59.0%

**MONTHLY REVENUE AND EXPENSE REPORT
FY 03-04 CAPITAL IMPROVEMENT PROGRAM**

CAPITAL PROJECTS	Program Budget	Expended in February	YTD Expended
<u>Grant Funded Projects</u>			
MetroBase	\$ 9,306,548	\$ 132,769	\$ 457,948
Urban Bus Replacement	\$ 6,018,365		\$ 4,503,702
Metro Center Renovation Project	\$ 108,891		\$ 6,788
Spare Parts for New Buses (carryover)	\$ 97,550		\$ 39,272
Talking Bus (carryover)	\$ 9,000	\$ 10,706	\$ 21,776
	\$ 15,540,354		
<u>District Funded Projects</u>			
Bus Stop Improvements	\$ 60,000		\$ -
IT Projects	\$ 15,000	\$ 1,565	\$ 3,186
GIRO IT Project (carryover)	\$ 31,370		
Paratransit Program	\$ 15,000		\$ -
Facilities Repairs & Improvements	\$ 65,000		\$ 3,406
Radio Repeater	\$ 13,000		\$ 7,560
Bus Windows	\$ 29,000		\$ -
Non-revenue Vehicle Replacement	\$ 116,000		\$ -
Office Equipment	\$ 39,500		\$ 12,640
Storage Container	\$ 1,800		\$ 1,998
Transfer to Operating Budget	\$ 350,000		\$ -
	\$ 735,670		
TOTAL CAPITAL PROJECTS	\$ 16,276,024	\$ 145,039	\$ 5,058,275
CAPITAL FUNDING SOURCES			
	Budget	Received in February	YTD Received
Federal Capital Grants	\$ 8,309,278		\$ 577,678
State/Local Capital Grants	\$ 4,844,713		\$ 3,747,300
STA Funding	\$ 821,414	\$ 205,354	\$ 410,707
District Reserves	\$ 2,260,249	\$ -	\$ 322,590
TOTAL CAPITAL FUNDING	\$ 16,235,654	\$ 205,354	\$ 5,058,275

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
NOTES TO REVENUE AND EXPENSE REPORT**

1. Passenger fares (farebox and pass sales) are \$86,590 or 3.6% over the revised budget amount for the year to date. Paratransit fares are \$13,264 under budget for the period as a result of fewer trips than projected, with a corresponding decrease in program expense. Special transit fares (contracts) are \$148,695 or 12.9% over the budgeted amount. UCSC contract revenue is \$136,062 over budget. Employer bus pass program revenue is \$4,332 over budget. Highway 17 Express revenue is \$19,789 or 4% under the year to date budgeted amount. Together, all four passenger revenue accounts are over the budgeted amount for the first eight months of the fiscal year by a net \$202,232 or 4.8%.
2. Advertising income shows revenue of \$17,509 due to a final payment from OBIE Media that was not budgeted.
3. Interest income is \$4,663 under budget due to continued low interest rates. The interest rate for February fell to 1.29%.
4. Non-transportation revenue is \$8,482 over budget primarily due to a credit for past life insurance policies.
5. Sales tax income is under budget by \$20,479 for the first eight months of the fiscal year as a result of lower advances for January and February than projected.
6. Human Resources personnel expense is at 67.9% of the budget due to settlement of a workers' compensation claim.
7. Paratransit program expense is only at 46.8% of the budget because the February billing was not submitted by the contractor by the report deadline.
8. Overtime expense for Bus Operators is at 92.3% of the budget since significant overtime is currently required to cover shifts. New Bus Operators have been hired to replace Bus Operators who have retired in the past few months. Total Bus Operator payroll is within budget.
9. Overtime expense for non-operators is at 74.1% of the budget due to shift coverage for Transit Supervisors on leave. Total Operations payroll is within budget.
10. State unemployment insurance is at 122.2% of the budget due to a doubling of the District's payroll tax rate effective January 1, 2004. The budget had included only a 10% increase. This expense will significantly exceed the budgeted amount by the end of the fiscal year.
11. Workers' Compensation expense is at 74.8% of the budget due to the high number of claims paid out for the past four months.
12. Outside repair of vehicles is at 69.0% of the budget due to a \$20,000 repair bill for one vehicle in November.
13. A \$78,586 parts credit from Orion has been established against which certain bus parts will be expensed.

FY 03-04 BUDGET TRANSFERS
3/1/04-3/31/04

	ACCOUNT #	ACCOUNT TITLE	AMOUNT
TRANSFER # 04-013			
TRANSFER FROM:	504421-4100	Non-Inventory Parts	\$ (200)
TRANSFER TO:	502253-4100	Drivers License Renewal	\$ 200
REASON:	To cover expected expenditures in the Fleet Maintenance Department for the remainder of FY 03-04.		
TRANSFER # 04-014			
TRANSFER FROM:	501021-3200	Other Salaries	\$ (30,000)
TRANSFER TO:	501023-3200	Other Overtime	\$ 30,000
REASON:	To cover the cost of Supervisor overtime in the Operations Department.		
TRANSFER # 04-015			
TRANSFER FROM:	503162-3300	Uniforms/Laundry	\$ (42)
TRANSFER TO:	509101-3200	Incentive Program	\$ 42
REASON:	To cover expected expenditures in the Operations Department for the remainder of FY 03-04.		
TRANSFER # 04-016			
TRANSFER FROM:	504311-3200	Office Supplies	\$ (100)
TRANSFER TO:	504214-3200	Promotional Items	\$ 100
REASON:	To cover cost for promotional in the Operations Dept. for school programs.		
TRANSFER # 04-017			
TRANSFER FROM:	509101-1200	Incentive Program	\$ (283)
TRANSFER TO:	509101-1100	Incentive Program	\$ 127
	509101-1400	Incentive Program	\$ 57
	509101-1500	Incentive Program	\$ 57
	509101-1700	Incentive Program	\$ 42
			<u>\$ 283</u>
REASON:	To allocate funds to each department for employee incentive functions.		

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Steve Paulson, Paratransit Administrator

SUBJECT: METRO PARACRUZ PROGRAM STATUS MONTHLY UPDATE

I. RECOMMENDED ACTION

This report is for information only- no action requested

II. SUMMARY OF ISSUES

- The Board receives monthly reports on the status of the federally mandated ADA complementary paratransit program
- Operating Statistics reported are for the month of January 2004
- Cost reflects hourly rate increased by 4% over previous fiscal year.
- Revenue and subsidy figures reflect impact of fare increase.
- Eligibility/Recertification statistics reported are through March 31, 2004

III. DISCUSSION

Operating Statistics for January 2004

	This Jan	Last Jan	% Change	FYTD	Last FYTD	% Change
Cost	\$176,225.01	\$215,079.94	-18.07 %	\$1,392,755.05	\$1,569,852.67	-11.28 %
Revenue	\$20,532*	\$15,778	+30.13 %	\$158,271*	\$122,808	+28.88 %
Subsidy	\$155,693.01	\$199,301.94	-21.88 %	\$1,234,484.05	\$1,447,044.67	-14.69 %
Rides performed	6983	8216	-15.01 %	53,777	63,049	-14.71 %
Cost/ Ride	\$25.24	\$26.18	-3.6 %	\$25.90	\$24.90	+4.02 %
Productivity	2.12 rides per hour	1.81 rides per hour		2.06 rides per hour	1.87 rides per hour	

* Revenue does not equal \$3.00/ride because no revenue is generated by rides to and from certification interviews.

Performance Measures

	July	Aug	Sept	Oct	Nov	Dec	Jan	FYTD
Rides	7,887	7,402	8,157	8,709	7471	7,168	6,983	53,777
late pick ups (more than 20 minutes)	452	379	537	878	498	388	297	3,429
% late	5.73%	5.12%	6.58%	10.08%	6.67	5.41%	4.25%	6.38%
Picked up too early (more than 10 minutes)	252	271	327	164	134	132	92	1,372
Total rides not "on time"	704	650	864	1,042	632	520	389	4,801
% "on time"	91.07%	91.22%	89.41%	88.03%	91.54%	92.74%	94.43%	91.07%
missed trips	2	5	5	9	0	2	3	26
Excessively late scheduled (more than 60 minutes)	14	4	15	38	9	12	8	100
Excessively late will call (more than 100 minutes)	4	3	11	14	5	1	3	41
total violation w/ \$50 penalty	20	12	31	61	14	15	14	167
Total violation w/\$100 penalty	0	0	0	0	0	9	0	9
Liquidated damages	\$1,000	\$600	\$1,500	\$3,050	\$700	\$1,650	\$700	\$9,250

Eligibility Certification/ Recertification

All riders previously registered that staff has been able to locate have been requested to schedule an assessment. The recertification process will be complete before the end of the fiscal year.

There are few outstanding recertification assessments to complete and staff believes that numbers of eligible riders will begin to increase from this point in the process as new applicants continue to access the service.

Attachment C displays eligibility determinations by category to date.

IV. FINANCIAL CONSIDERATIONS

none

V. ATTACHMENTS

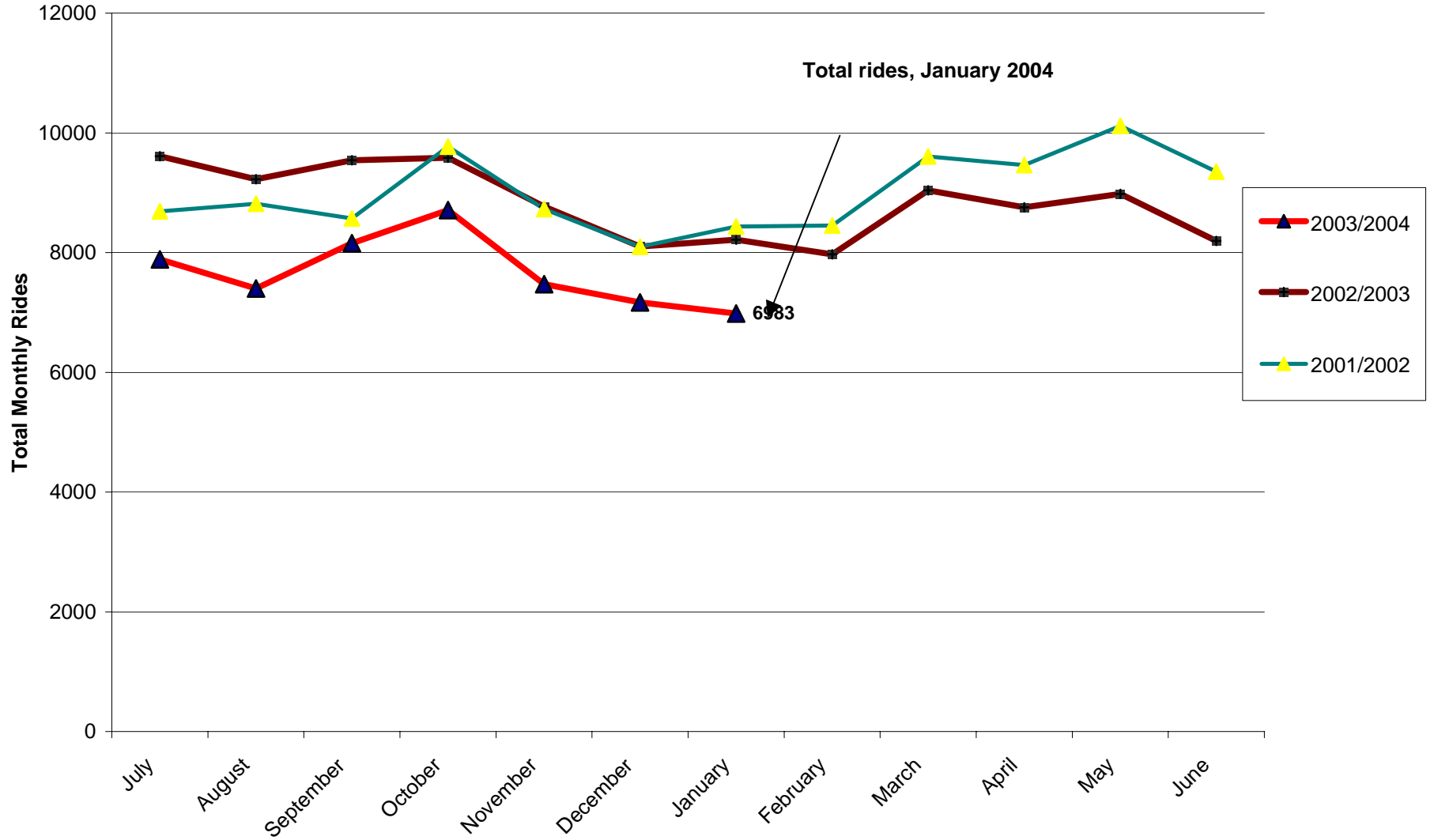
Attachment A: METRO ParaCruz Rides by Month

Attachment B: METRO ParaCruz Cost by Month

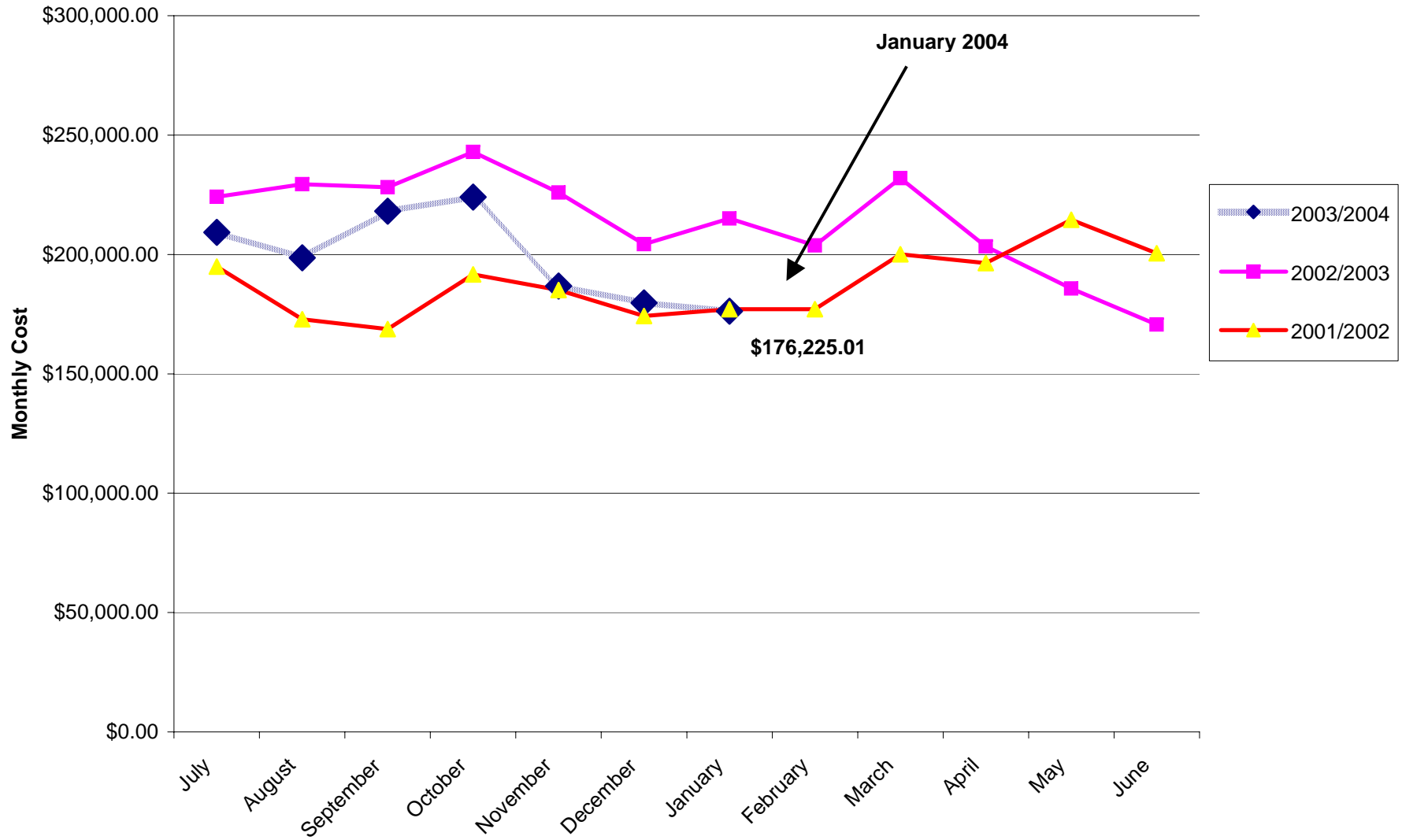
Attachment C: Recertification and New Applicant Eligibility Determinations

Attachment D: METRO ParaCruz Registrants by Month

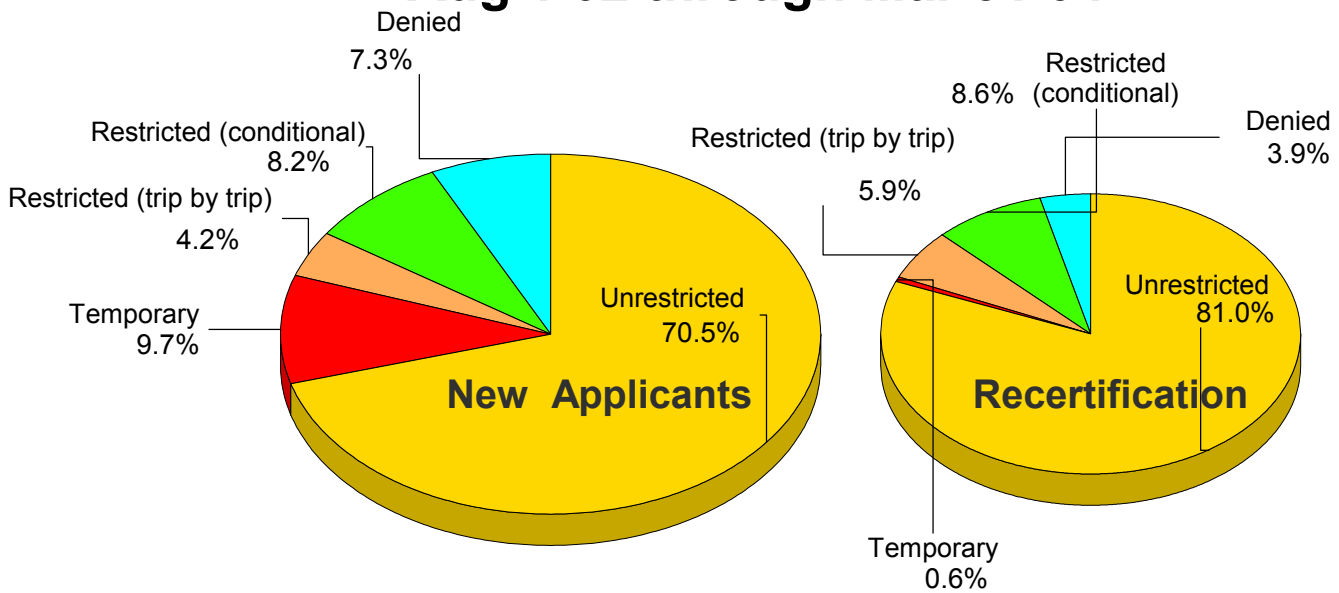
METRO ParaCruz Rides by Month



METRO ParaCruz Cost By Month



METRO ParaCruz Eligibility Determinations - Aug 1 02 through Mar 31 04



New Applicants

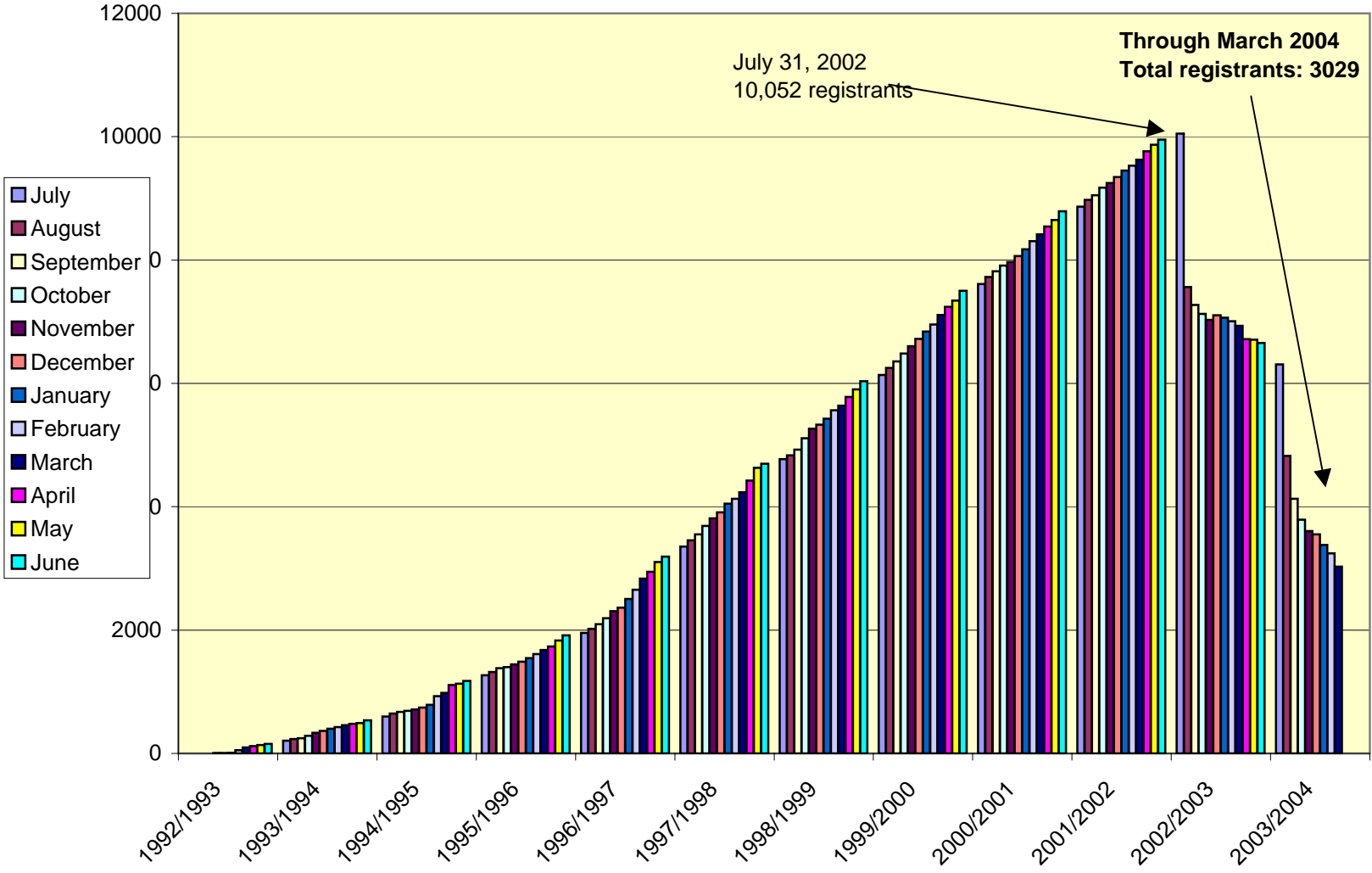
Unrestricted	1328
Temporary	183
Restricted (trip by trip)	80
Restricted (conditional)	155
Denied	138
Group Total:	1884

Recertification

Unrestricted	1188
Temporary	9
Restricted (trip by trip)	86
Restricted (conditional)	126
Denied	57
Group Total:	1466

Grand Total: 3349

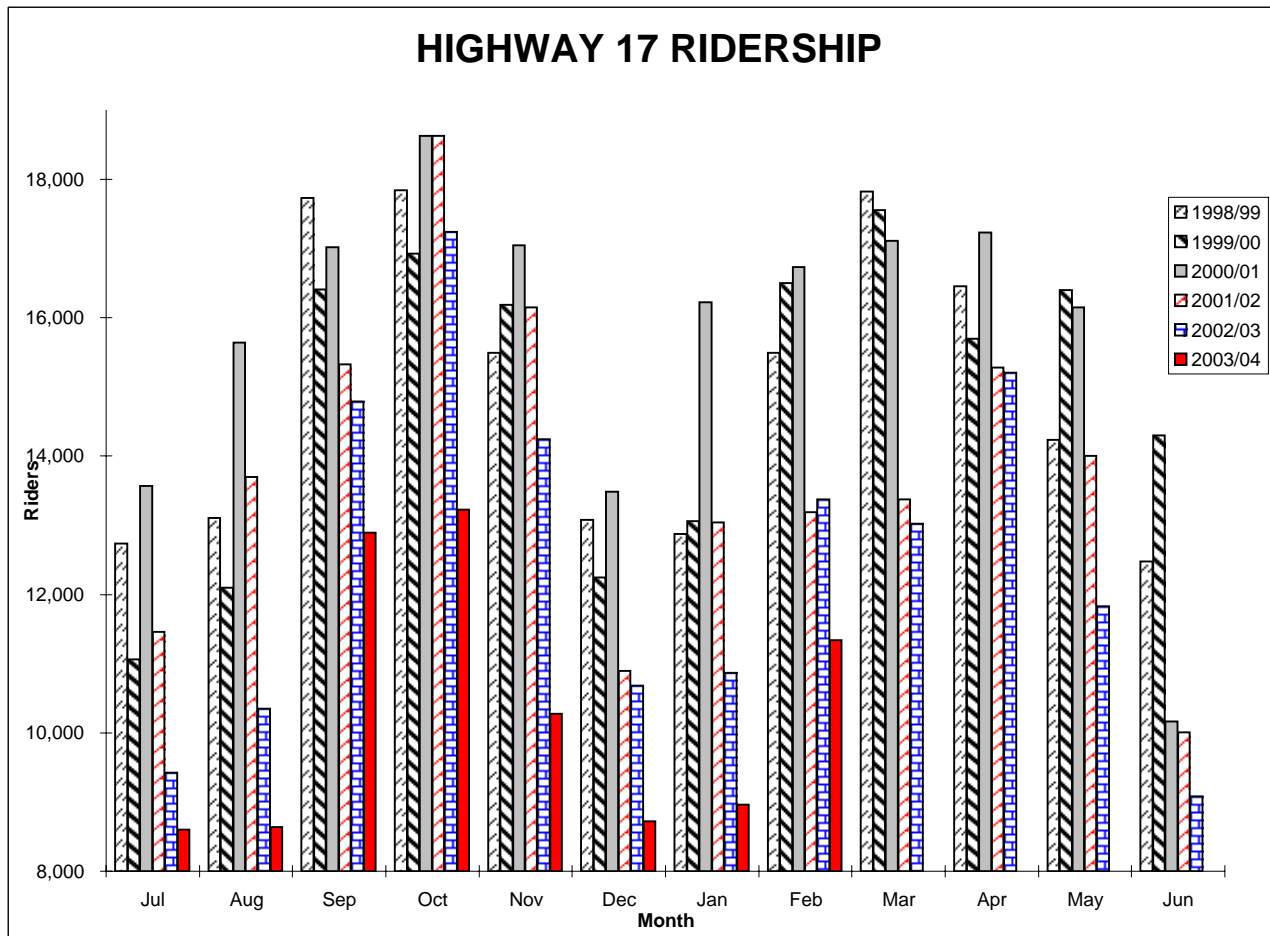
METRO ParaCruz Registrants



Growth by Month Since Inception

HIGHWAY 17 - FEBRUARY 2004

	February			YTD		
	This Year	Last Year	%	This Year	Last Year	%
FINANCIAL						
Cost	\$ 77,586	\$ 95,666	(18.9%)	\$ 651,724	\$ 808,376	(19.4%)
Farebox	\$ 31,551	\$ 32,524	(3.0%)	\$ 213,966	\$ 244,017	(12.3%)
Operating Deficit	\$ 43,381	\$ 58,844	(26.3%)	\$ 426,268	\$ 536,292	(20.5%)
Santa Clara Subsidy	\$ 21,691	\$ 29,422	(26.3%)	\$ 213,134	\$ 268,146	(20.5%)
METRO Subsidy	\$ 21,691	\$ 29,422	(26.3%)	\$ 213,134	\$ 268,146	(20.5%)
San Jose State Subsidy	\$ 2,653	\$ 4,298	(38.3%)	\$ 11,490	\$ 28,066	(59.1%)
STATISTICS						
Passengers	11,343	13,377	(15.2%)	82,659	100,983	(18.1%)
Revenue Miles	27,512	32,572	(15.5%)	231,101	275,235	(16.0%)
Revenue Hours	1,121	1,296	(13.5%)	9,416	10,951	(14.0%)
PRODUCTIVITY						
Cost/Passenger	\$ 6.84	\$ 7.15	(4.4%)	\$ 7.88	\$ 8.01	(1.5%)
Revenue/Passenger	\$ 2.78	\$ 2.43	14.4%	\$ 2.59	\$ 2.42	7.1%
Subsidy/Passenger	\$ 4.06	\$ 4.72	(14.0%)	\$ 5.30	\$ 5.59	(5.2%)
Passengers/Mile	0.41	0.41	0.4%	0.36	0.37	(2.5%)
Passengers/Hour	10.12	10.32	(2.0%)	8.78	9.22	(4.8%)
Recovery Ratio	40.7%	34.0%	19.6%	32.8%	30.2%	8.8%



SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Bryant J. Baehr, Manager of Operations
SUBJECT: UNIVERSITY OF CALIFORNIA - SANTA CRUZ SERVICE UPDATE

I. RECOMMENDED ACTION

This report is for information purposes only. No action is required

II. SUMMARY OF ISSUES

- Student trips for February 2004 increased by 9.9% versus February 2003. Year to date student billable trips have increased by 9.5%.
- Faculty / staff trips for February 2004 increased by 15.5% versus February 2003. Year to date faculty / staff billable trips have increased by 22.5%.
- Revenue received from UCSC for February 2004 was \$195,064 versus \$180,794 for February 2003 an increase of 7.9%.

	Faculty/Staff Ridership	Student Ridership	Monthly Increase - (Decrease) Student	Monthly Increase - (Decrease) Faculty-Staff
This Year	18,734	209,947	9.9%	15.5%
Last Year	16,217	191,007		

All days are now billable.

III. DISCUSSION

September 25, 2003 started the fall instructional session at UCSC. A summary of the results for February 2004 is:

- Student billable trips for the month of February 2004 were 209,947 vs. 191,007 for February 2003 an increase of 9.9%.
- Faculty / staff billable trips for the month of February 2004 were 18,734 vs. 16,217 for February 2003 an increase of 15.5%.
- Year to date Student billable trips increased by 9.9% and faculty / staff billable trips increased by 15.5%.
- Revenue for February 2004 was \$195,064 versus \$180,794 for February 2003.

IV. FINANCIAL CONSIDERATIONS

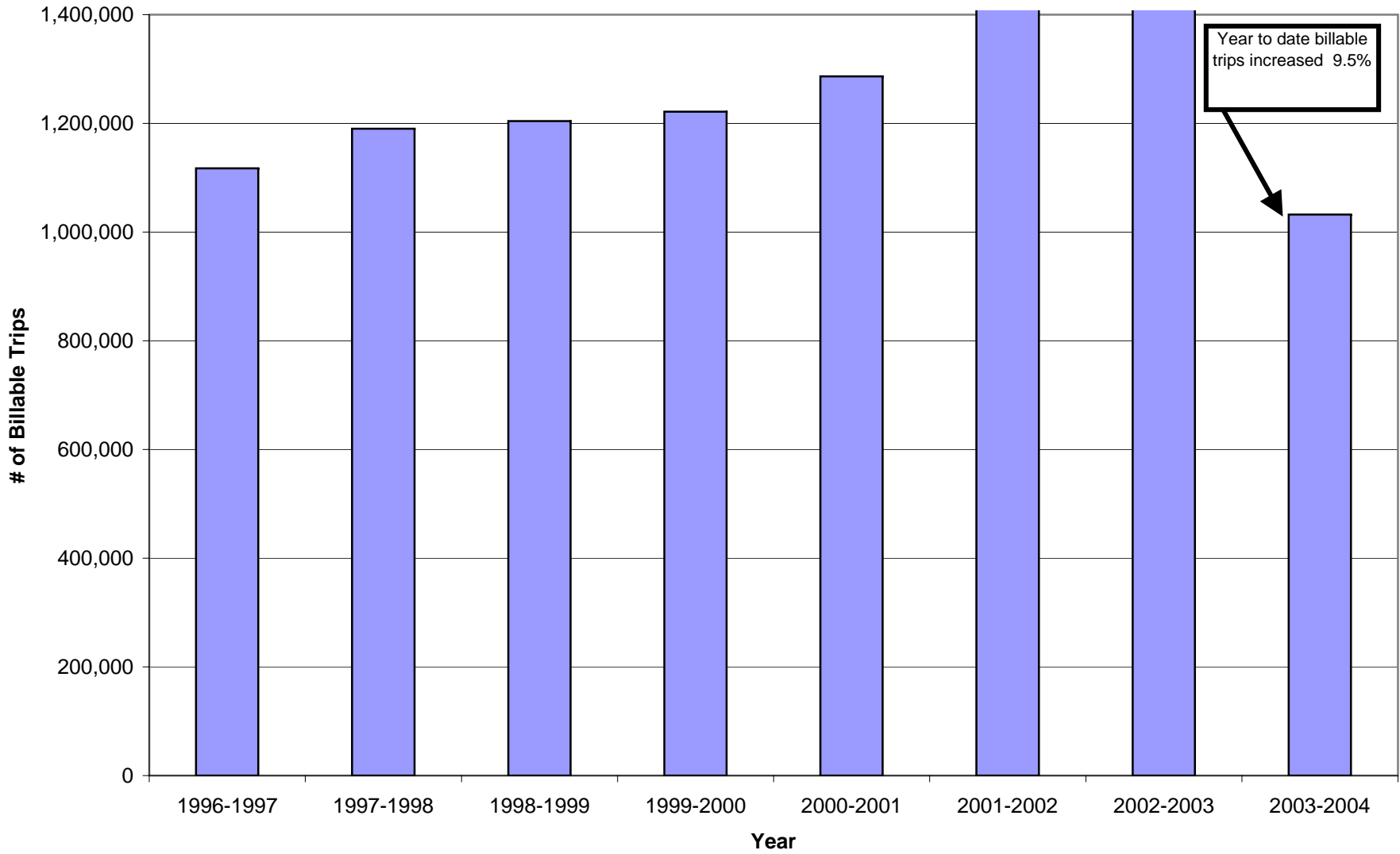
NONE

V. ATTACHMENTS

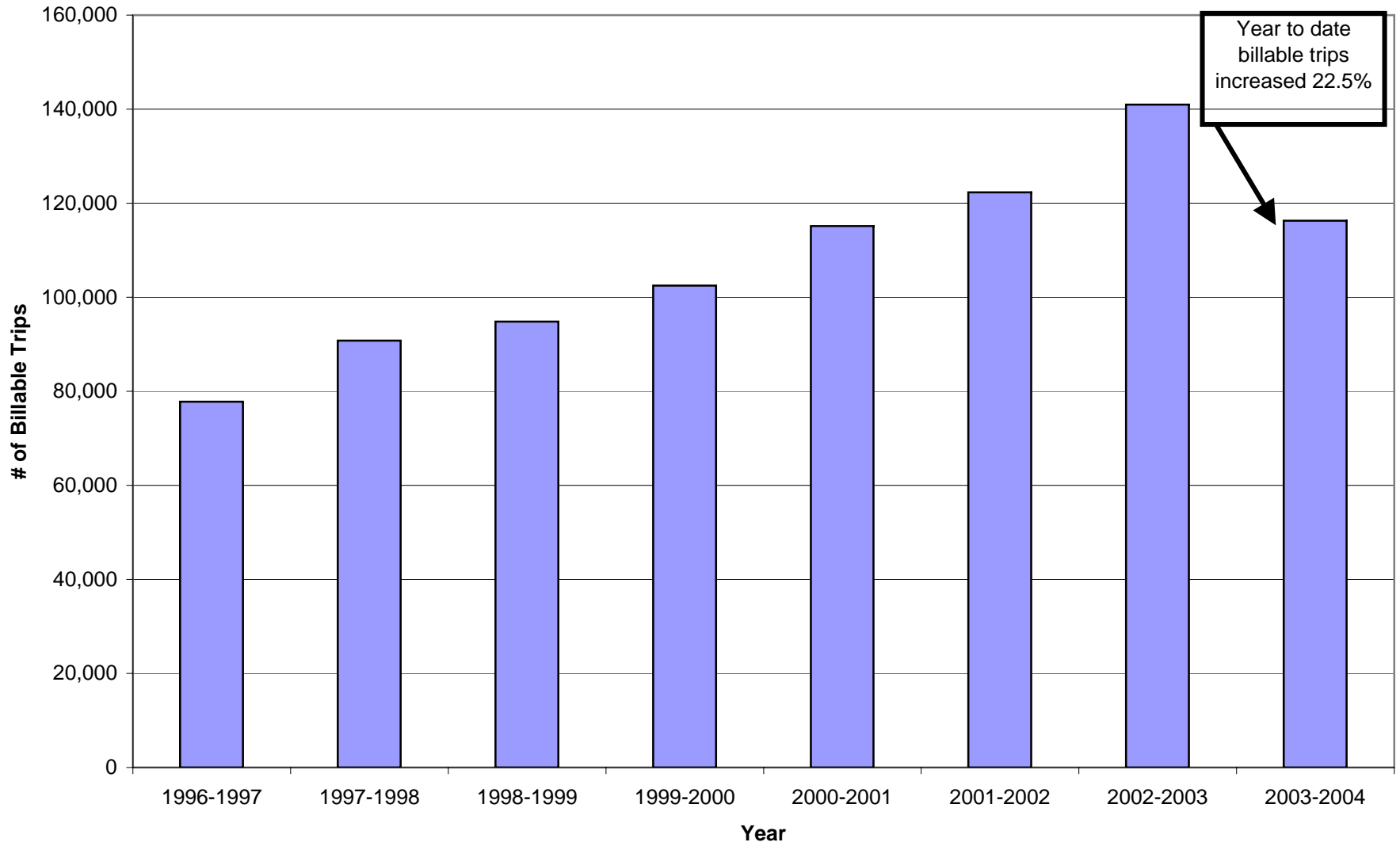
Attachment A: UCSC Student Billable Trips

Attachment B: UCSC Faculty / Staff Billable Trips

UCSC Student Billable Trips



UCSC Faculty / Staff Billable Trips



SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Frank L. Cheng, Project Manager
SUBJECT: STATUS OF THE METROBASE PROJECT

I. RECOMMENDED ACTION

That the Board of Directors receive and file the Metro Base Monthly Status Report.

II. SUMMARY OF ISSUES

- The Metro Base Project is currently proceeding in accordance with the schedule attached to this Staff Report, which is the schedule for the RNL Design Contract.
- RNL Design continues to work on the design process with the major activity this month being a Peer Review.
- The City of Santa Cruz is continuing to work on the real estate acquisition and relocation phase of the project.
- The major areas that are being addressed are: Right of Way Acquisition, Architectural/Engineering Services, Finance/Legislation, Construction Management, and the selection of a General Contractor for construction.

III. DISCUSSION

The Metro Base Project is proceeding as per the attached timeline (Attachment A & B). The format of the chart reflects the timeline and events that are contained in the RNL Design Contract. Using this document will allow the Board to directly track the future progress of the project and the architect's compliance. RNL Design is progressing on schedule at this point in the process.

The status of the major components of the project for the review period is as follows:

A. Right Of Way (ROW)

- Property Appraisal & Review
 - i. Sent to FTA for approval Feb.12th, 2004
 - ii. Received FTA approval Mar.18th, 2004
 - iii. Formal offers sent to owners for property purchase Mar.19th, 2004
 - iv. Tenant notification letters sent Mar.19th, 2004
- Encroachment Lease @ 1200 River Street will be presented to Santa Cruz City Council

- Property Access Agreement for Geo-technical Drilling received Feb. 19th, 2004
- Waiting on Geo-technical Soils Test Reports
- B. Finance
 - 25 Sakata Lane, Watsonville property being prepared for sale
 - Staff issuing Request For Proposals for appraisal services in order to dispose property
- C. Architectural & Engineering (A&E)
 - RNL: Design Phase 40% completed. Scheduled for presentation Apr 9th, 2004
 - Meeting with Santa Cruz Fire Marshal & Chief displaying design drawings for fuel/wash station Mar. 4th, 2004
 - Meeting with A&E, communication, landscape, fueling, maintenance, security, civil and structural, Mar. 12th, 2004
- D. Construction Management (CM)
 - Checked references on top candidate, Harris & Associates
 - Currently negotiating final scope of work and cost for Construction Management services
 - Final decision will be brought forth to the Board Of Directors
- E. Construction
 - Goal to locate a suitable contractor by late summer
 - Commencement and Completion of
 - i. Demolition of A Tool Shed Area in Dec. 2004 to Jul. 2005
 - ii. Demolition of Slo-Fill Fuel, Site Work, & Construction of Operations Building in Apr. 2005 to January 2007
 - iii. Demolition of existing Operations Building and Final Site Work in Mar. 2007 to May 2007
 - iv. Demolition of Parts Building & Construction of Maintenance Building in Dec. 2004 to Jan. 2006
 - v. Renovate existing Maintenance Building & Construction of new Parts Building in Mar. 2006 to Aug. 2006
 - vi. Demolition of Surf City Produce Building & Final Site Work Oct. 2006 to Dec. 2006

IV. FINANCIAL CONSIDERATIONS

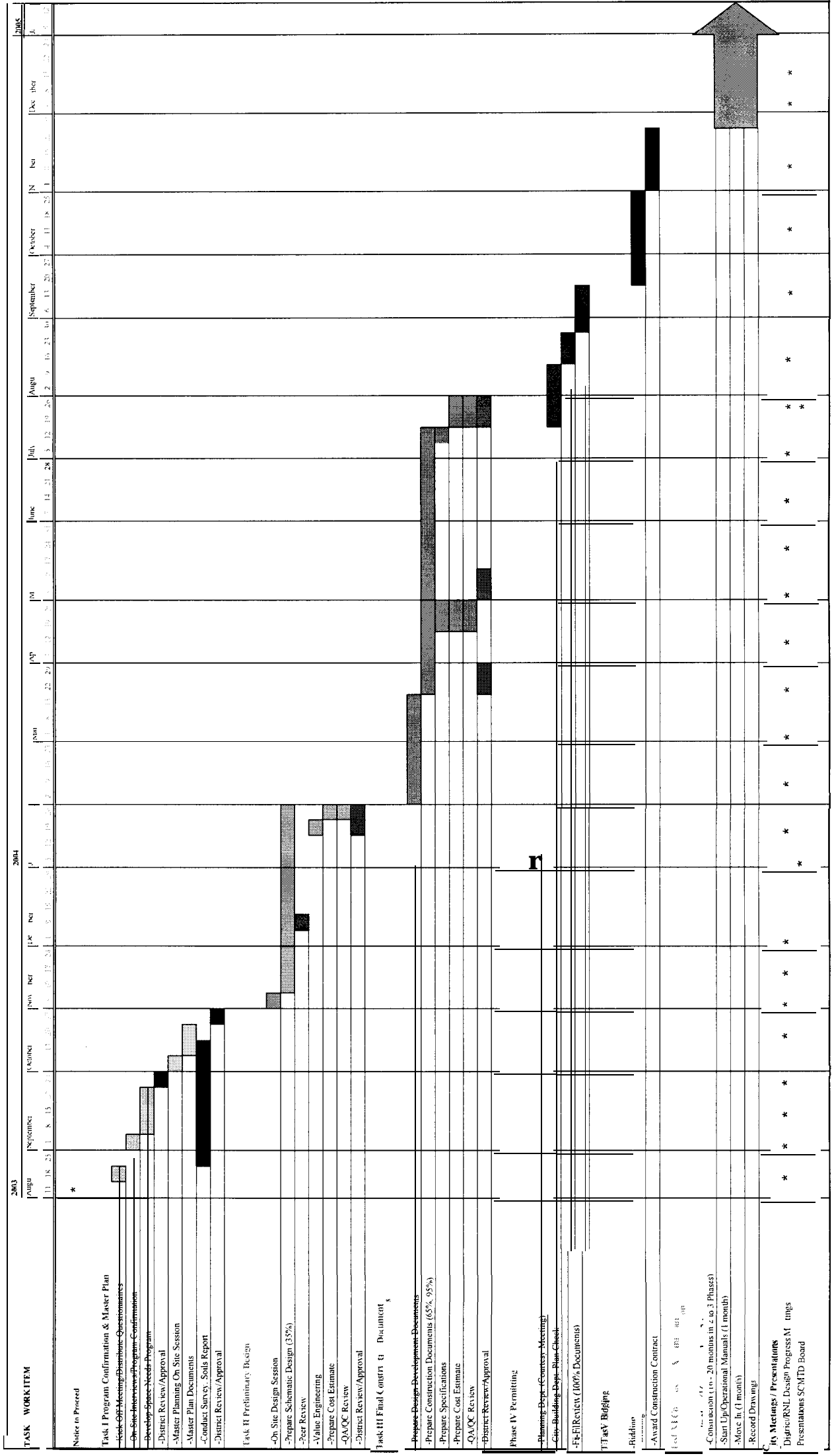
No actions have taken place during the reporting period that have changed the financial status of the Metro Base project.

V. ATTACHMENTS

Attachment A: Metro Base Project Schedule

Attachment B: Metro Base Construction Sequencing / Project Logistics Schedule

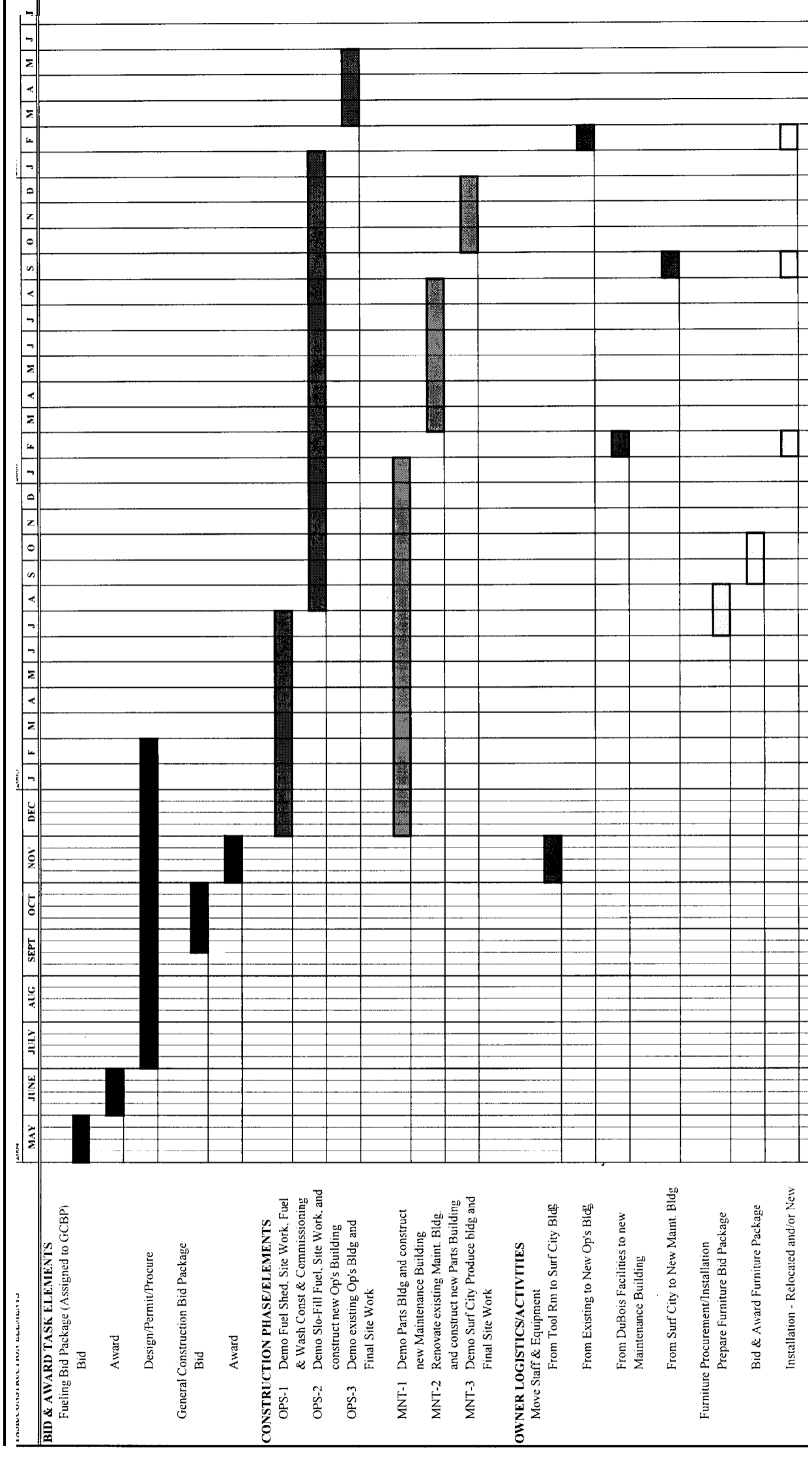
**Project Schedule
Santa Cruz Metropolitan Transit District
Metro Base**



Up-Date February 11, 2004

RNL Design

**Construction Sequencing / Project Logistics Schedule
Santa Cruz Metropolitan Transit District
Metro Base**



SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Mark J. Dorfman, Assistant General Manager

SUBJECT: ACCEPT AND FILE VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR PREVIOUS MEETINGS

I. RECOMMENDED ACTION

That the Board of Directors accept and file the voting results from appointees to the Santa Cruz County Regional Transportation Commission.

II. SUMMARY OF ISSUES

- Per the action taken by the Board of Directors, staff is providing the minutes from the most recent meetings of the Santa Cruz County Regional Transportation Commission.
- Each month staff will provide the minutes from the previous month's SCCRTC meetings.

III. DISCUSSION

At the January Board of Directors Meeting of the Santa Cruz Metropolitan Transit District, the Board requested that staff include in the Board Packet information relating to the voting results from the appointees to the Santa Cruz County Regional Transportation Commission. Staff is enclosing the minutes from these meetings as a mechanism of complying with this request.

IV. FINANCIAL CONSIDERATIONS

There is no cost impact from this action.

V. ATTACHMENTS

- Attachment A:** Minutes of the March 4, 2004 Regular SCCRTC Meeting
- Attachment B:** Minutes of the March 4, 2004 Evening SCCRTC Meeting
- Attachment C:** Minutes of the March 18, 2004 Transportation Policy Workshop

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
AND
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

MINUTES

**Thursday,
March 4, 2004
9:00 a.m.**

**Board of Supervisors Chambers
701 Ocean Street
Santa Cruz CA 95060**

1. Roll Call

Members Present: Jan Beautz Dennis Norton
 Richard De La Paz Ellen Pirie
 Mike Keogh Emily Reilly
 Scott Kennedy Pat Spence
 Cliff Barrett (Alt) Donna Ziel (Alt)
 Mardi Wormhoudt
 Edenilson Quintanilla (Alt)
 Rich Krumholz (Alt) (ex officio)

Staff Present Linda Wilshusen Pat Dellin
 Kim Shultz Sean Co
 Karena Pushnik Rachel Moriconi
 Gini Pineda Luis Mendez
 Tegan Speiser Daniel Nikuna

2. Oral Communications

3. Additions or Deletions to Consent and Regular Agendas

Commissioner Spence asked to pull Item 8 from the Consent Agenda. Chair Beautz designated it as Item 29.1

CONSENT AGENDA (Norton/Reilly)

Commissioner Beautz asked that copies of staff comment letters and draft environmental documents and plans prepared by other agencies as summarized in Item 19 be included in future packets. Staff responded that they had been included in prior packets.

Commissioner Beautz noted an error in the title of Item 23-a, which should have read "Light-Rail Woes Grow".

Commissioner Spence asked that her comment made during the discussion of Item 29 on the February 5, 2004 meeting be

added to the minutes. Ms. Spence said she hoped that Congestion Mitigation and Air Quality funds could be used to help the transit district complete its CNG fueling station.

Commissioner Spence asked that the minutes of the February 5th Public Hearing reflect several comments she made after public testimony had been taken. Ms. Spence said that she had concerns about the staff recommendations for setting up the task force. She said that staff had indicated that the United Way had already agreed to provide facilitation services and she was concerned that the United Way was not a neutral party and has many clients with prospective stakeholder members, social service providers and potential stakeholder representatives. She said she thought any facilitator should be entirely neutral. Commissioner Spence also said, regarding the next steps recommended in the staff report, that all service providers, social service agencies and potential stakeholders have a framework of definitions to enable meaningful dialogue and requested that staff research the definitions and criteria for the terms "senior" and "disability" and include them in relevant Commission packets and stakeholder task force meetings. She requested the demographics of the 2000 census showing aging trends in Santa Cruz County and the scope of paratransit impacts and level of need based on growth projections, how paratransit services are provided in peer counties and the state and federal statutes showing legal mandates of service providers and social service agencies to provide paratransit services and if possible to have these statutes included in copies of state statutes and also penalties if services are not provided. Ms. Spence said she wanted to know if funding sources are optimized from the various sources noting that the transit district cannot be stretched any further financially.

Commissioner Spence said she had not said that she wanted to personally meet with paratransit stakeholders as stated on page 5-6 of the minutes of the February 5th Public Hearing and asked that the sentence be removed. She said she had said she didn't think that only staff should meet with the stakeholders, and that paratransit users and ParaCruz management and staff should also be included. In addition, she thought that one-on-one meetings with stakeholders served the public interest since it was exclusionary.

Ms. Spence noted that Commission Alternate Schiffrin's name had been left out as the maker of the motion on Item 8 of the February 18th Transportation Policy Workshop meeting.

4. Approved Minutes of February 5, 2004 Regular SCCRTC Meeting, as amended.

5. Approved Minutes of February 5, 2004 Evening SCCRTC Meeting as amended. Commission Alternate Quintanilla abstained.
6. Approved Minutes of February 18, 2004 Transportation Policy Workshop Meeting, as amended.

POLICY

No consent items

PROJECTS and PLANNING

7. Approved Staff Recommendation Regarding Amendment to the Regional Transportation Improvement Program (RTIP) to Include the Ways to Work Project Selected by Congress for Job Access and Reverse Commute Grant Funding (Resolution 26-04)

COMMISSION BUDGET and EXPENDITURES

8. Approve Budget and Administration / Personnel Committee and Staff Recommendations Regarding Amendment to the FY 03-04 Budget and Work Program - Moved to the Regular Agenda as Item 29.1
9. Accepted Semi-Annual Financial Statements (enclosed separately for Commissioners)

ADMINISTRATION

10. Accepted Status Report on Transportation Development Act Revenues
11. Accepted Meeting Schedules for SCCRTC Committees and Invitation to Commissioners to Participate

COMMITTEE MINUTES

12. Accepted Draft Minutes of the Expenditure Plan Subcommittee Meeting of February 2, 2004
13. Accepted Draft Minutes of the Interagency Technical Advisory Committee Meeting of February 19, 2004
14. Accepted Draft Minutes of the Budget and Administration / Personnel Committee Meeting of February 18, 2004

15. Accepted Draft Minutes of the Elderly and Disabled Transportation Advisory Committee Meeting of February 10, 2004
16. Accepted Draft Minutes of the Bike Committee Meeting of February 9, 2004
17. Accepted Draft Minutes of Traffic Operation Systems Committee Meeting of February 4, 2004

INFORMATION/OTHER

18. Accepted Monthly Meeting Schedule
19. Accepted SCCRTC Staff Comment Letters on Draft Environmental Documents and Plans Prepared by Other Agencies
20. Accepted Letters from SCCRTC Committees and Staff to Other Agencies on Policy Issues - No Letters
21. Accepted Miscellaneous Written Comments from the Public on SCCRTC Projects and Transportation Issues
 - a. Letters from the United Transportation Union, Local 23, to the SCMTD and the Commission Regarding Union Participation in the Paratransit Task Force
22. Accepted Handouts from Previous Regional Transportation Commission Meeting
23. Accepted Information Items
 - a. Article from the *San Jose Mercury News* Entitled "Light Rail Woes Gene Grow" -
 - b. Response to Bill Comfort's Questions Posed at the December 2003 Santa Cruz Business Council General Meeting
 - c. Article from *SFGate.com* Entitled "High-Speed Railroad to L.A. Crawls Ahead / Schwarzenegger Wants to Put Off Ballot Measure"

REGULAR AGENDA

24. Commissioner Reports - None
25. Director's Report

Executive Director Linda Wilshusen welcomed Commission Alternate Donna Ziel to the meeting and congratulated

Commissioners Pirie and Beautz for their recent re-elections to the Board of Supervisors. She mentioned the upcoming Budget and Administration/Personnel Committee and Expenditure Plan Subcommittee meetings and noted that there would be a closed session teleconference today after the regular meeting adjourned.

26. Caltrans Report

Rich Krumholz, Caltrans District 5, announced that right-of-way funding for the Highway 1/17 Merge Lanes Project was anticipated in the near future because money had been freed up for right-of-way activities in another part of the state. This funding should keep the project on schedule to begin construction in the summer of 2005 if the construction funding is made available in the State Transportation Improvement Program.

Commissioner Reilly asked if Caltrans was still expecting to install flashing lights on Mission Street in March and requested that Public Works be notified when the work was scheduled in order to advise residents.

Commissioner Pirie said she was still concerned that the merge lanes design would create a bottleneck and asked about the status of Caltrans' proposed auxiliary lane to the Soquel Drive interchange.

Mr. Krumholz said a southbound auxiliary lane was viable but did not see funding in the foreseeable future. He said the merge lanes project was a good first step and was designed to full standards.

Mr. Krumholz said that Tony Harris had been appointed as Acting Director for Caltrans. He apologized for a scheduling conflict resulting from a meeting in Boulder Creek regarding the Highway 9/236 interchange set for the same time as the public hearing tonight regarding the recreational rail.

27. SCCRTC Committee Appointments

Chair Beautz said that Commissioner Keogh had requested to be added to the Budget and Administration/Personnel Committee and that otherwise she proposes that membership on the Expenditure Plan Subcommittee and the Budget and Administration/Personnel Committee would remain the same.

Commissioner Pirie moved to ratify the appointments and Commissioner Kennedy seconded. The motion passed unanimously.

28. Status Report on Highway 1 Projects

Executive Director Linda Wilshusen said that public meetings to define the scope of the environmental analysis for the Highway 1 HOV Widening Project were set for April 26th and 29th.

Ms. Wilshusen said that the Highway Construction Authority (HCA) was scheduled to hold its second meeting on March 5th and that the SCCRTC staff was working with the County on a transition plan. The SCCRTC will continue to provide project management oversight for the PA/ED activities until the HCA is ready to accept project responsibilities.

Director Wilshusen reported that the that the results of a poll regarding the proposed Expenditure Plan conducted by the Business Council generally confirmed the results of an earlier poll conducted by the SCCRTC's consultant, Gene Bregman, with strong support numbers in the mid 60's. The Business Council recommended incorporating a broader range of stakeholders, including people opposed to the widening project, to develop the Expenditure Plan.

29. FY 04-05 SCCRTC Budget and Work Program

Commissioner Beautz suggested discussing Item 29.1 prior to discussing Item 29.

29.1 Approve Budget and Administration / Personnel Committee and Staff Recommendations Regarding Amendment to the FY 03-04 Budget and Work Program - Formerly Item 8

Deputy Director Pat Dellin gave the staff report saying that because arranging staff support for the Highway Construction Authority Joint Powers Authority (HCA/JPA) was going to take more time than was anticipated when the FY03-04 budget was originally adopted, the RTC Budget and Work Program needed to be amended to reflect the RTC's continued oversight of the PA/ED through the end of the fiscal year. Ms. Dellin said that the budget amendment included updated fiscal costs for RTC staff, publicity, a mass mailing for public information meetings and pass-through costs to the County while its staff performs administrative duties as the host agency. Ms. Dellin verbally amended the amount budgeted for county staff from \$15,000 to \$18,000.

Ms. Dellin clarified, in response to questions from Commissioner Reilly, that funding designated for the PA/ED could not be spent on organizational work or staffing expenses for the JPA and that these funds needed to come

from either the sales tax measure or contributions from the member agencies. Ms. Dellin said that the member agencies knew the administrative costs were estimates and any increase in costs would be consistent with the percentage of contribution as previously agreed.

Commissioner Spence questioned whether the \$200,000 budgeted for ADA and digital upgrades of the call box system served a real purpose because there was no footprint indicated to make the call boxes more accessible to handicapped drivers. Director Wilshusen said that there would be a more extensive discussion of the call boxes in Item 30 and noted that many of the access requirements concern people who are deaf. She said that physical accessibility issues are the subject of a statewide call box committee discussion.

Commissioner Spence asked how much money was being added to the budget. Director Wilshusen said that the amended budget moved money around rather than added money to the budget, by putting the PA/ED reserves into the budget.

Commissioner Keogh referred to the proposed Task Force on Paratransit Coordination which needed to be included in the Work Program and asked if the transit district was included in the list of stakeholders. Director Wilshusen assured him it would be.

Commissioners decided to reserve making a motion until after discussing Item 29.

29. FY 04-05 SCCRTC Budget and Work Program

Deputy Director Pat Dellin reviewed the FY 04-05 SCCRTC Budget and Work Program recommended by the Budget and Administration/Personnel Committee, saying that the continued funding crisis has made it necessary to trade funds, make cost cuts and juggle projects competing for funds. She said that transportation funds had already been taken by the state and some State Transportation Improvement Program money was not available.

Ms. Dellin said that in prior fiscal years the Commission had a surplus in the Commission's Reserve account to backfill reductions in funding but that the Commission Reserves were practically depleted. In addition, costs for necessary operational items have increased.

Ms. Dellin highlighted cost reductions in both the elimination of one-time costs such as the installation of the Local Area Network (LAN) and the performance audit, and in discretionary reductions including reducing on-going

costs for services and supplies and retaining one unfilled staff position, noting that this reduction would impact the work program. She said that even though the work program is affected, staff should be able to deliver high priority and state-mandated programs.

Deputy Director Dellin identified areas in several programs where staff time could be reduced and programs that could trade Congestion Mitigation and Air Quality (CMAQ) or other funding for State Transportation Improvement Program (STIP) funds to keep going.

Ms. Dellin concluded that even with the reductions and funding source juggling, an increase of \$210,000 in Transportation Development Act (TDA) money would be needed. She said all TDA claimants will get the same amount of funding next fiscal year as they did this year.

Ms. Dellin said that the Budget and Administration/Personnel Committee is concerned about the lack of funding and is looking at other sources to enhance operating revenues for future fiscal years and decrease the need for TDA revenues.

Commissioners discussed staff recommendations regarding cost reductions.

Commissioner Keogh said that the transit district is facing a deficit and noted that there is no increase in TDA funding planned for either the transit district or Community Bridges. He asked that the Commission reevaluate how the \$200,000 in Transportation Development Act revenues is allocated.

Commissioner Spence concurred noting that when fixed route service is cancelled paratransit service along those routes is also cancelled. She said that the transit district should receive 85% of the TDA revenues instead of receiving the same amount as in last year's budget.

Commissioner Kennedy said that Commissioners need to be more specific with their suggestions about where to cut the RTC budget before saying that the transit district should receive more funding.

Commissioners discussed how the work program will be affected after the Widening Project is handed off to the Highway Construction Authority (HCA). Director Dellin said that the Commission will continue to have a role in the project even after the HCA takes over and that the RTC will still be working with Caltrans on the Highway 1/17 Merge Lanes Project. She noted that many RTC projects had been

put aside to work on the Highway 1 Widening Project, that the Regional Transportation Plan needs to be updated and that the increase in paratransit coordination could take a lot of staff time.

Ms. Dellin said that the Budget and Administration/Personnel Committee still had TDA issues to discuss but that it was important to adopt a budget today in order to be included into AMBAG's work program. She noted that the budget could be amended in the future.

Rich Krumholz, Caltrans District 5, said he did not recommend cutting staff time in the area of land use and transportation coordination and said that even with its own significant budget cuts, Caltrans puts money into this area because as development continues, developers need to pay their pro-rata share of impact on transportation.

Public comment was heard.

Kem Akol, Bike Committee Chair, asked how staff time reduction for bike programs affected these programs stating that bike programs can be measured in results, including filling potholes and compliance with state and federal mandates.

Piet Canin, Bike to Work, said that having a bike staff person allows experts in the field to help local jurisdictions with decisions and in getting good value for their money. He used the bike lanes in Capitola and crossing lanes on Empire Grade as examples of this cooperative effort.

Commissioner Kennedy moved to adopt the budget as presented. Commissioner Reilly seconded.

In lieu of Commissioner Reilly's friendly amendment to notice the next Budget and Administration/Personnel Committee meeting as a full Commission meeting, noting that if a quorum of Commissioners were not present the Committee could not proceed, Commissioners agreed with Director Wilshusen's suggestion to let the Committee work on the TDA issue and bring any additional recommendations to the Commission.

Commissioner Kennedy confirmed that the motion included Item 29.1.

The motion (Resolutions 27-04 and 28-04) passed unanimously.

30. Accept SAFE Call Box and Freeway Service Patrol Operational and Financial Review and Approve Budget and Administration / Personnel Committee and Staff Recommendations Regarding Call Box Answering Services

Senior Planner Luis Mendez reviewed the call box program noting that some call box ADA accessibility improvements for mobility and hearing impaired individuals have become viable recently. He said that analog service will be eliminated in 2007 and that call boxes will be upgraded to digital service at an estimated cost of \$300,000 to \$350,000. Mr. Mendez said that staff will present recommendations for these improvements to the Budget and Administration/Personnel Committee as work priorities permit.

Mr. Mendez said that call box programs can now use private answering services and that doing so will result in a cost reduction of 28% in the first year and 44% thereafter.

Mr. Mendez said that the Commission may want to consider a reduction in Freeway Service Patrol (FSP) service hours because State Transportation Improvement Program funds programmed to the FSP are not currently available due to the State's budget crisis. He said the FY 03-04 budget will cover the shortfall with SAFE funds but cannot continue to do so indefinitely.

Commissioner Wormhoudt moved to approve the Budget and Administration Personnel Committee and staff recommendations that the Regional Transportation Commission/Service Authority for Freeway Emergencies (SAFE):

1. Review the operational and financial report on the SAFE call box, the Freeway Service Patrol, the Traffic Operations System (TOS), and Safe on 17 programs, and
2. Approve privatizing call box call answering services through the Metropolitan Transportation Commission's private call answering contract.

Commission Alternate Quintanilla seconded and the motion passed unanimously.

The meeting adjourned into closed session.

CLOSED SESSION

31. Conference with Real Property Negotiator for Acquisition of the Santa Cruz Branch Rail Line

Property: Santa Cruz Branch Rail Line from Watsonville Junction to Davenport

Agency Negotiator: Kirk Trost, Miller, Owen & Trost

Negotiation Parties: SCCRTC, Union Pacific

Under Negotiation: All terms

OPEN SESSION

32. Next Meetings/Adjournment

A Public Hearing on the Recreational Rail Environmental Impact Report and Proposition 116 Funding for Acquisition of the Santa Cruz Branch Line is scheduled for Thursday, March 4, 2004 at 7:00 p.m. at the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz, CA 95060.

The next Transportation Policy Workshop is scheduled for Thursday, March 18, 2004 at 9:00 a.m. at the SCCRTC offices, 1523 Pacific Avenue, Santa Cruz, CA 95060.

The next regular SCCRTC meeting is scheduled for Thursday, April 1, 2004 at 9:00 a.m. at the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz, CA 95060.

Respectfully submitted,

Gini Pineda, Staff

ATTENDEES

<u>Name</u>	<u>Representing</u>
John Presleigh	County DPW
Neil McElwee	
Bob Yount	MASTF
Charles Sanchez	Caltrans
Les White	SC Metro
David Bianchi	Family Services Agency
Ken Kannegaard	RMC Pacific
Al Cornibe	RMC Pacific
Dena LoiJos	HSA
Celia Barry	HSA
Jeff North	UTU

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
AND
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

MINUTES

**Thursday,
March 4, 2004
7:00 p.m.**

**Board of Supervisors Chambers
701 Ocean Street
Santa Cruz CA 95060**

1. Roll Call

Members Present:	Jan Beautz	Tony Campos
	Richard De La Paz	Ellen Pirie
	Mike Keogh	Emily Reilly
	Scott Kennedy	Pat Spence
	Randy Johnson	Mark Stone
	Dennis Norton	Mardi Wormhoudt

Staff Present	Linda Wilshusen	Pat Dellin
	Cory Irimes	Sean Co
	Karena Pushnik	Rachel Moriconi
	Gini Pineda	Luis Mendez

2. Oral Communications - None

3. Additions or Deletions to Regular Agenda - None

4. Public Hearing on the Continuation of the Recreational Rail Environmental Impact Report and Use of Proposition 116 Funds to Acquire the Santa Cruz Branch Rail Line

Senior Planner Luis corrected a statement made on page 4-3 of the staff report, noting that there was one dissenting vote in August, 2003 when the Regional Transportation Commission approved submitting an application for Proposition 116 funds with an operating plan for recreational rail service between Capitola and Aptos with an extension to Seascape.

Commissioner Pirie clarified that the purpose of the Public Hearing was not to decide whether to purchase the rail corridor, but whether to use Proposition 116 funds for the purchase and whether to continue with the Environmental Impact Report for the proposed recreational rail service.

Commissioner Norton asked about the status of the EIR and Scott Steinwert, Public Affairs Management, responded that it was about 90% complete and close to having documents ready for public view.

Commissioner Beautz confirmed that the proposed rail car is not a trolley but is a diesel train car. Ms. Beautz said that people living nearby have concerns and that there has been a dispute about what it will look like.

Commissioner Norton said that the EIR is also looking at alternative fuels.

Chair Beautz said that each of the initial presentations would be given ten minutes.

Dave Wright, Chair of the Santa Cruz County Friends of the Rail Trail, made a Powerpoint presentation on rail trails throughout the United States, rails with trails, the Santa Cruz County corridor itself, reasons to acquire the corridor at this time and precedents regarding Proposition 116 disbursements. Mr. Wright showed Santa Cruz County maps illustrating that only 2% of the corridor is less than 30 feet wide. He quoted statistics from the National Association of Realtors and the National Association of Homebuilders supporting that property values increase when located near a bike or pedestrian trail. Mr. Wright referred to the Santa Cruz County General Plan, the Regional Transportation Commission's Master Transportation Improvement Study (MTIS) and the Commission's 2001 Regional Transportation Plan that included acquiring the rail right-of-way for future transportation options. He closed with a list of supporters and endorsements from state and federal legislators, the Seaside Company, Seascape Resort, the Sierra Club and the Aptos and Capitola Chambers of Commerce.

Robert Jones, speaking on behalf of the Santa Cruz Coalition Against Recreational Rail (SCARRED), said that the public hearing was not about a trail and that he was strongly opposed to acquiring the right-of-way. He asked that all work be stopped and noted that he has been a transportation consultant and had examined the project and determined it to be wrongheaded. He said it was flawed to think that Proposition 116 money is free. He added that the quality of life of those living near the rail will be sacrificed for a scheme. He noted that matching funds are required by the California Transportation Commission and stated that the rail service will have to operate for 50 years. Mr. Jones said that the rail line can not stand on its own and that a trail is not part of the project. He said that the cycling community is being deceived and that there are hidden agendas that do not include trails. Mr. Jones asked what

will happen along the rest of the 26 miles of the rail corridor and said it would be better to do a comprehensive EIR and not segment out the section identified for the recreational rail. Mr. Jones said the County will be responsible for all maintenance and liability and Union Pacific would like to dump it with all its liabilities. He said the idea fails a fiscal test and that using a tourist train gimmick is immoral and conning the state out of funds. Mr. Jones said that if the right-of-way is worth buying then it should be purchased by the taxpayers. He said that due diligence has not been done to date and that many trails are on easements making the purchase of the corridor unnecessary.

Alec Arago from Congressman Sam Farr's office read a letter in support of the acquisition.

Michael Warren read a letter from Senator Bruce McPherson that supported passenger rail.

Commissioner Reilly suggested that those who favored proceeding with the Environmental Impact Report and application for Proposition 116 funds line up on one side of the room and those who oppose proceeding take the other side of the room.

Commissioner Beautz said that alternating viewpoints would now be heard.

Daniel Mollner and **Jeff Caplan** dressed up as caricatures of Governor Schwarzenegger and a "man in black" carrying a suitcase full of money. They made a joke of returning the \$11 million in Proposition 116 funds to the state.

Neil McElwee, SCARRED, said that one of the rail cars under consideration, the Budd car, was "budd ugly" and that the proposed rail service would duplicate existing service, disqualifying the project for Proposition 116 funds. He said that the track width is only 20 feet wide in many places and asked if eminent domain was of concern to those with property adjoining the right-of-way.

Troy Boone said he had gotten 2,397 signatures from residents in Live Oak, Aptos and Santa Cruz and that these signatures truly represented the will of the people to proceed with the acquisition.

Jerry Finney, Aptos, said the plan was committing taxpayers to unknown costs and obtaining money under false pretenses.

Cary Freidman supported the acquisition and said he wanted a safe place to ride his bike. He presented a letter from

Toni Jones, whose husband Robert was severely injured while bicycling on Highway 1.

Andrew Horne, Aptos, said the cost of the rail purchase is about \$11 million of Proposition 116 funds and the required matching funds make it \$22 million but that a press release said funding for right-of-way acquisition will be delayed for several years.

John Bush said that now is the time to move forward with the opportunity to purchase the right-of-way.

Jeff LaPierre said that a trail would be ok but that Proposition 116 funds should not be used because it will only bring rail and there is no guarantee of a bike trail. He said that Roaring Camp wants to be able to change the route.

Bart Coddington said to consider the opportunity and that the train won't be a stinking diesel.

Michael Park said he opposes the recreational rail project. He said there is no substantial business plan, that the private operators stipulate conditions the Commission would never support and that since land use and transportation planning are tied together, the long term plan is to acquire the rail line and herd people into little dense communities.

Kem Akol said that change is hard and produced a chart which he said showed that all the negative sentiment comes from those who live along the rail line- a tiny minority. He said the \$11 million is a down payment on an opportunity to acquire the rail corridor and that the rail car does not have to be diesel.

Herby Bell implored the Commission to stop the EIR and the application for Proposition 116 funds saying that the proposed project is a decoy to obtain land and exploit taxpayers and that bike path enthusiasts are being misled.

Charles Paulden referred to the Santa Cruz County General Plan saying that Section 7.6 of the plan requires trails and it is the responsibility of the RTC and the Board of Supervisors to implement it.

Geoffrey Ellis said he does not live near the right-of-way and referred to the recreational rail as an "imaginary project" which is a distraction from the Highway 1 widening and asked the Commission to focus on its priority.

Spence Erikson, Clean Air Program Manager for PG&E, said it is possible to run a train on natural gas which can reduce

emissions and particulates and is also quieter than diesel. He noted that the Napa Valley Wine Train has been operating for years on natural gas.

Joe Martinez, Seascape Greens Homeowners Association, said the 125 owners are opposed to using Proposition 116 funds.

Bill Cameron, Rails to Trails Conservancy in San Francisco, said he works to develop trails and has studies on liabilities.

Paul O'Rourke said the proposal is a chapter out of Alice in Wonderland and that it is an absurd transportation project that no one is going to use.

Paul McGrath said he set up an online petition and received 680 signatures in 18 days of which 609 were from Santa Cruz supporting the acquisition and hoped he was not being duped regarding a future bike trail.

Libby Huyck who lives eight miles away from the rail corridor has 400 signatures opposing the purchase saying that the purchase is not for a bike trail, that there is no mention of the cost to taxpayers and that a bike trail would cost \$30 million more.

Marisa Sympson represents Soltrain, an alternate method of transportation, said that the Soltrain addresses most concerns of the community and the environment.

Sue Renner said her quality of life is affected and that the public should know all costs before purchasing the right-of-way. She said that \$85,000 was not enough to do a thorough EIR.

Ted Lahti, Soltrain, said he has a company in Los Angeles ready to build the solar powered train.

John Crush said this thing is so complex it couldn't work, that there will be a sacrifice of the quality of life for those near the rail line and that pedestrians and bikes don't mix.

Greg Larson, Chief of Staff for State Finance Director Steve Westley, encouraged the Commission to continue with the EIR saying it was a waste to stop the study when it was already 90% done and to forfeit matching funds from the state.

Roderick Biswell said he was amazed at the special interests. He said a bike trail would be great if done alone and asked if Santa Cruz is expecting a huge growth necessary to support passenger rail.

Micah Posner said a friend supports a friend's dream and asked other attendees to put symbolic \$11 million "dollar bills" into a container. Numerous members of the audience came to the podium and put their "dollar bills" in.

Al Cornibe, RMC Pacific, said that approval of the recreational rail could have a negative impact on the cement plant if the freight trains could not continue to run. He said no one wants to put RMC product on trucks on the road and he will support the rail plan if the freight can continue to transport the cement. He asked why rush into it until the costs are known.

Doug Huskey favors what makes Santa Cruz good and advised taking advantage of the opportunity to purchase the rail line noting that trails are successful in other areas.

George Cross said he will completely lose his privacy and that Union Pacific will probably have to operate the freight trains at night. He said the Commission will have to maintain tracks for commercial vehicles.

Cheryl Schmidt said there is a need for a corridor for bikes and pedestrians and wants to emphasize that the corridor is for public transportation and should be considered for use for passenger rail.

Kathleen Bortolussi said she is pro rail trail but not at the expense of homeowners who will suffer an invasion of privacy for a non-sustainable rail project.

Celia Scott reminded the Commission that CEQA has a purpose and that it is not good government to stop an EIR when public funds have already been spent on it. She also said that Proposition 116 was voted on and approved by the people in the county and that relying on the tax measure to procure the rail corridor is chancy.

Elliot Omiya said he was sad and disappointed about the division on a project designed to shuttle tourists and suggested putting it before the voters.

Virginia Johnson, Ecology Action, supported continuing with the EIR. She said without alternatives the same problems will be present in 20 years and that it was important to retain the corridor for future options. She noted that several RTC Commissioners had been critical of the City of Santa Cruz for wanting to stop the EIR for the Arana Gulch bike path before it was completed.

Theresa Brown said this is a divisive issue and suggested there were other alternatives for a bike trail. She opposed taking Proposition 116 funds and said that a lot of people who signed petitions in support didn't know what they were signing.

Harold van Gorder said the tracks have been in place since 1846. He said diesel is a dirty word but that it applies to cars and trucks and SUV's as well as trains. He said to bring in the demo car to allay fears.

Lavette Domay, said the state is in crisis and the Commission needs to decide the best use of the money. She said that we don't have all the facts and don't know what the costs are and asked if it is more important to obtain a tourist trolley rather than retaining people's jobs.

Bill Fieberling said he is 76 years old and rides bikes. He said the right-of-way could be used for future transportation needs.

Marilyn O'Rourke said the confusion is obvious and that everyone would vote for the trail but that the rail will prevent the trail. She asked to stop the EIR because it is segmented and the EIR is supposed to look at cumulative effects.

Peter Scott, Coalition for Sensible Transportation, supported the opportunity to acquire the right-of-way saying many communities would love to have it. He said the Rails to Trails booklets describe 61 rail trails in the country.

Robert Solick said there were four derailments in his neighborhood and when a derailment occurs people are locked into their neighborhoods. He said to consider the liabilities and added that the rail corridor is a sacred area and that putting diesel on the trail is not good.

Gary Guffeton, Santa Cruz Big Trees Railroad, said most tourist destinations are near train tracks and the recreational rail corridor will help keep tourism alive.

Tim Carl, Sumner Woods Homeowners Association, said the recreational rail is a boondoggle and asked who is going to ride the train. He said there is no room for a combined trail.

Piet Canin, Bike to Work, said the option to acquire a bike trail is a safety issue and mentioned Robert Jones, a cyclist recently hit on Highway 1. He also took issue with the statement that people are naïve about petitioning for a bike trail saying that people know they need a train to get

the money to buy the corridor to get a trail. He also said that state and federal legislators are saying to go for the train and that there is private funding available for a trail once purchase if the right-of-way is complete.

Rene Denevan said there is concern with the recreational rail in that a bike and pedestrian trail is not part of the EIR and there is no guarantee that a trail will be built. In addition, there are concerns about parking and increased traffic.

Kristin Jensen Sullivan and **Mark Sullivan** presented a slide show illustrating the beauty of the corridor and asked that the Commission take future generations into account. Speaking on behalf of Jan Babcock and Alissa Goldring, they supported the acquisition because it would allow access to the elderly and the young.

Martin Torres, Aptos, opposed the recreational rail and said to end the EIR study and not to apply for Proposition 116 funds because he lives near Hidden Beach which is very nice and he doesn't want to hear a train go by 18 times a day. He said Proposition 116 funding is for public transportation that would help the community and buses already provide service in the area.

Elaine Chartkowski said to continue with the EIR because we need to start thinking of the future. She noted that her quality of life is impacted by the freeway.

Doug Fritch said he is concerned about pollution and dangers to children and pets. He supported a trail but not at the expense of buying a train.

Peter Beckman said he has seen the transportation situation deteriorate and that every pedestrian, biker or bus rider replaces a car on the roads.

Bart Carvallero said the Commission studied the rail years ago and decided that there was not enough ridership to support a train. He said that dollars for rail will come from the transit district.

Eileen Beaudry asked to continue with the EIR since it is 90% complete. She said the train does not have to be diesel and that leadership needs to hold a vision for the future.

Gary Fredrick said he would love to ride his bike on a bike trail but the tourist rail thing doesn't make sense. He said taxpayers voting on it would be better.

Ron Skelton said the project is a wonderful opportunity to

preserve the quality of life and to not bet on Highway 1 sales tax money to be there for the right-of-way purchase.

Nancy Fredrick said she is concerned about the number of trains and the noise, especially from the brakes. She is also concerned about trucks replacing the freight trains on the highway or freight trains running at night.

Bryan Smith said his customers, friends and fellow merchants support the recreational rail and that Proposition 116 funds are the only viable resource to buy the rail line.

Cathie McElwee said she objected to the travelogue, referring to the slides previously presented, and said that senior citizens won't be able to pay nine dollars to ride the train.

Ross Gibson said to complete the EIR and get the answers to the concerns expressed by those opposed to the recreational rail. He said if people want to know what we are getting into, that the EIR will provide the answers. He also said Budd cars are being considered because they can share the track with freight cars so that freight doesn't have to run at night and pointed out that the EIR is studying the maximum number of trips, not necessarily the actual number of trips.

Leo Moll, Aptos, said he lived near Hidden Beach and that the issue at hand is whether to continue the EIR, noting that it is almost complete and would not be responsible to not finish it.

Jim Morley said he didn't want cement shipped from Davenport on Highway 1.

Marc Adato said to complete the EIR and secure Proposition 116 funds noting that the rail trail will provide a critical east/west corridor. He said it was time to acquire this important asset.

Kent Jefferys said to take the opportunity to acquire the right-of-way; to finish the EIR in order to make an informed decision; that a tourist railroad will alleviate some traffic; and that those concerned about impact on their land values should also be concerned about the land values around the freeways.

Andy Wilson presented a letter of support from the Live Oak Grange.

Rebecca Thistlewaite, Watsonville, said in Portland there is an advanced light rail that is popular enough that they

didn't need to widen their highway.

Bill Comfort said the MTIS concluded that rail is not a viable solution to congestion problems. He said that the Proposition 116 plan is fatally flawed and the Commission will have to pay the state back with transit district funds. He said there is no need to rush our purchase since first right of first refusal will protect our ability to buy the right-of-way in the future.

Carlos Garza said he lives and works near the rail line and if there is rail service he would use it. He said it would maximize the investment in Highway 1 and said his previous neighborhood no longer remained due to eminent domain to build the highway.

Daniel Kostelec said he is a bike commuter and would like a nice flat bike alignment to ride on. He said it would be irresponsible to put aside the EIR when it is almost complete and cautioned people to not buy into the psychology of fear.

Ross Tollick spoke on behalf of his friends asking the Commission go through with the EIR.

Violet Poretz, Aptos, saw a great bike path around Manhattan and said she is willing to put up with the train to get the right-of-way and eventual bike path. She said she had an accident on Highway 1 because she got hit by someone who was afraid of a truck.

Howard Sosbee, Scotts Valley, asked whose idea it was to use a big, ugly, smelly diesel instead of a nice trolley train.

Jesse Frey, Santa Cruz, said he favored using Proposition 116 funds to acquire the right-of-way and if it takes getting tourists out of cars, then do it.

Jeremy Millburn said to get him a rail trail.

Christy Kirven said her family chooses not to have a car and that she supports the acquisition of the rail line and the completion of the EIR.

Jim Danaher, Sierra Club, said he represents over 3800 Sierra Club members in the County and that the acquisition is a unique opportunity to get a segregated bike lane. He said that there may never be another time when the Sierra Club would recommend that the County buy land and pave it.

Cliff Walters, Santa Cruz Big Trees Railroad, said Big Trees could run the tourist trolley, which should really be called

a "doodle bug". He clarified that what he meant by his comment, made at a previous meeting, that the venture was doomed to failure was only if an environmental review was required for every change to the operating plan.

Debbie Bulger said to complete the Environmental Impact Report. She said those serious about relieving congestion will use the corridor.

Anita Dyer said to complete the EIR because even the tiniest glimmer of hope that she won't have to sit in a car is worth it.

Anthony Vonder Muhll said he likes the sound of trains and that diesel trolleys can be run on biodiesel which is used in Europe to power farm equipment. He said the alternative is more congestion and supports the EIR.

Mike Dalbey said the EIR would define if the catastrophic concerns expressed by opponents were true. He contended that opponents don't want the EIR because they'll see they do not have valid concerns.

Dave Blume, International Institute of Agriculture, said he was run over when he was a kid and would like to see a safe place for bikes. Concerning pollution and noise, he said trains can run on biodiesel and on straight alcohol, which are quieter than diesel, solving the noise and pollution issues.

Paul Elerick, Coalition for Sensible Transportation, said to complete the EIR and apply for the Proposition 116 funds.

Rolf Pol said to move forward with the EIR. He said he is from Holland where public transportation works.

Lee Otter, California Coastal Commission, supports completing the EIR and the completion of the Monterey Bay Sanctuary Trail.

Bill LeBon said the corridor has been a transportation corridor for over 100 years and not an open space corridor. He said polls show a majority of residents want a train service and a trail and it would be irresponsible not to go forward with the EIR.

Spike asked why apologize for wanting to run a train along a train line.

Lisa Hochstein said the time to address objections is after the EIR is complete.

Marilyn Garrett said to complete the EIR and that alcohol fuel would be good.

Commissioner Beautz thanked everyone for a good discussion.

Commissioner De La Paz said that Proposition 116 funds are not intended for recreational rail.

Executive Director Linda Wilshusen said that actually the statute for Santa Cruz County allows these funds to be used for recreational rail.

Commissioner Wormhoudt said that the purpose of an EIR is to find out what the impacts of project would be and what can be done to prevent onerous effects. She said those fearful of impacts should want to have the EIR completed. Regarding CEQA, Ms. Wormhoudt said that this project was not required to do an EIR, but it is a policy issue of the Commission to do one. She said that Proposition 116 was overwhelmingly supported in the County and if the EIR and the business plan show that the recreational rail is a good idea, the right-of-way is an enormous asset to be used. She said it was irresponsible to not finish the EIR and business plan documents which will help the RTC decide whether to use the Proposition 116 funds. She supported going ahead with the EIR.

Commissioner Kennedy clarified that, procedurally, no action was needed in order for the Commission to continue with the EIR and application for Proposition 116 funds and a motion only had to be made if the Commission decided to stop the process.

Commissioner Pirie said that the reason for the EIR is to assess the impact of a tourist train and a tourist train is needed for Proposition 116 funds, so if there is no application for Proposition 116 funds, there is no reason to continue with an EIR. She said that the letters from Congressman Farr and Senator McPherson do not say to use Proposition 116 to acquire the right-of-way and it was unfortunate that the issue has polarized the community. Ms. Pirie said she sees tremendous support for a rail trail and that the disagreement was how to get there. She said that using state funding would allow Sacramento to decide how the rail line would be used and that such a decision should be made locally. She recommended that the community purchase the rail line without state funding.

Commissioner Pirie made a motion to stop all work on the EIR and to direct staff to not pursue a Proposition 116 application. Commissioner Beautz seconded.

Commissioner Beautz said it is ludicrous to build a tourist train that won't make money in order to build a bike path. She said that everyone supports a bike path but that polling has shown that developing a pedestrian/bike along the right-of-way has only 34% approval. Ms. Beautz said there are other ways to fund a bike path and it is easy to support a project that does not affect you but there must be other ways to raise funds that don't sacrifice people and their homes.

Commissioner Norton said that this meeting should not have happened and that the Commission should move forward with their EIR. He said there are no other funds besides Proposition 116 funds, that no one has come forward with other funds and it is the Commission's duty to proceed.

Commissioner De La Paz said the point is to complete the EIR and to see a business plan. He suggested halting the application for Proposition 116 funding until the business plan and EIR have been finished.

Commissioner Pirie said she didn't understand why the Commission would continue with the EIR and business plan if there isn't going to be a train, which is the basis for the Proposition 116 application. She said she does not object to the EIR but it isn't logical to proceed.

Commissioner De La Paz repeated his suggestion to just complete the EIR.

Commissioner Wormhoudt noted that as a matter of process, the Commission can't divide the question with a motion on the table.

Kirk Trost, legal consultant for rail line acquisition, said that the business plan is currently being funded by pre-acquisition 116 funds, saying that if the Commission decides tonight to not to proceed with an application, the RTC may not be able to use Proposition 116 funds to develop the business plan.

Commissioner Stone asked to clarify that the pre-acquisition funding being used for the business plan is not subject to being returned. Director Wilshusen said that was correct, as long as the RTC intends to submit a Proposition 116 application for the full funding amount.

Commissioner Campos said he supports finishing the EIR but said it was important to address the concerns of the homeowners adjacent to the right-of-way. He also said it was necessary for people to work together to achieve long-term goals noting that divisiveness over the rail issue

could end up hurting the Highway 1 Widening Project as well.

Mr. Campos asked for statistics regarding the Proposition 116 vote in Santa Cruz County. He also said he worries about subsidizing the rail and wants to ensure that no money is taken either from the RTC or the transit district for a rail project. He asked to have an item on a future meeting agenda that addresses this issue and said he will send a letter to the Commission.

Commissioner Reilly said that she understands that if the Commission does not move forward with the Proposition 116 application there is no need for an EIR, but noted that the questions being asked by the public would be addressed in an EIR. She said that she had not heard anything that would make it inappropriate to go forward with the Proposition 116 application and that the opinions to not go forward were not from professionals.

Commissioner Spence said she is not opposed to the rail trail but can see how residents feel. She said she is not opposed to the EIR but did not think application for Proposition 116 funds should be made until after the business plan and EIR are in place.

Commissioner Johnson said he tends to agree with Commissioner Pirie regarding the Proposition 116 funds and said that the trolley does nothing to reduce traffic on the highways, is not sustainable, and is a risk to the transit district and a threat to the county if it became necessary to pay back the funds. Mr. Johnson said that he did not think it was fiscally responsible to proceed with the Proposition 116 application and the EIR.

Commissioner Kennedy called the question.

Commissioner Pirie withdrew the motion and made a new motion to direct staff to not pursue an application for Proposition 116 funds for the rail line acquisition. Commissioner Beautz seconded.

Commissioner Norton noted that applying for Proposition 116 funds is not the same as using the funds and that they won't be used until there is a project. He said to separate one issue from the other makes no sense.

Commissioner Beautz disagreed, saying that the application for Proposition 116 is a funding issue.

Commissioner Wormhoudt asked if Proposition 116 pre-acquisition planning money was being used to fund the EIR and the business plan. Director Wilshusen said it was funding the business plan and the appraisals.

Commissioner Wormhoudt said it was irresponsible to stop the process before the Commission had the opportunity to evaluate the EIR and business plan before making a decision to not go forward.

Commissioner Kennedy said he supported Commissioner Campos' candid remarks and said that Santa Cruz has gotten good at thwarting each other's plans. He said neither side will get what they want if polarization continues and said he is against the motion.

Commissioner Campos said he does not want to see a deadlock and asked if the Commission would consider proceeding with the EIR and come back with information on the business plan and appraisals like Commissioners De La Paz and Spence suggested.

Commissioner Pirie said that lessening division is good but going forward with Proposition 116 won't help and will probably hurt getting Highway 1 widened. She said to take Proposition 116 money off the table.

The motion was defeated with Commissioners Beautz, Pirie, Johnson and De La Paz voting in favor of it and Commissioners Campos, Keogh, Kennedy, Norton, Reilly, Spence, Stone and Wormhoudt voting against it.

The meeting adjourned at 10:30 p.m.

5. Next Meetings/Adjournment

The next Transportation Policy Workshop is scheduled for Thursday, March 18, 2004 at 9:00 a.m. at the SCCRTC offices, 1523 Pacific Avenue, Santa Cruz, CA 95060.

The next regular SCCRTC meeting is scheduled for Thursday, April 1, 2004 at 9:00 a.m. at the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz, CA 95060.

Respectfully submitted,

Gini Pineda, Staff

ATTENDEESNameRepresenting

Bill Comfort	
Andrew Horne	
Neil McElwee	
Michael Park	
Charles Paulden	
Robert Jones	
Julie/Doug Fritsch	
Michael/Ruth Favia	
John Bush	Santa Cruz Big Trees RR
Spike Alper	CFST
Paul Elerick	CFST
Micah Posner	People Power
Peter Scott	CFST
Debbie Bulger	Mission Pedestrians
Elliot Omiya	
George Cross	
Fay Levinson	
Joe Vela	
Larry/ Violet Puretzt	
Don Himeyer	
Robert Jones	
Susan Kauffman	
Paul Thiem	
Paul McGrath	
Sue Renner	
Dirk West	
John Poole	
Robert Solick	
Ross Tollick	
Judy Warner	
Jim Danaher	Sierra Club
Jeffrey LaPierre	
Cheryl Schmitt	
Celia Scott	
Libby Huyck	
Bryan Smith	
William Cameron	
Kristin/ Mark Sullivan	
Spence Erickson	
Martin and Lois Torres	
Gary Harrold	
Jose Martinez	
Barbara Graves	WAVE

Robert Henry
Elaine Chartkowski People Power
Anthony Von der Muhll
Brian Garvey
Jeremy Milburn
Lois Robin
Becky and Greta Steinbruner
Davis Casterson
Daniel Kostelec
Gary Milburn
Carlos Garza
Leslye Lawrence
William LeBon Friends of the Rail Trail
Margie Biddick
Doug Huskey
Daniel Nilsson
Ed Oberweiser People Power
Don and Audrey Thompson
Chris Boman SCCCC
Ed Kilduff SCCCC
Barb Kilduff SCCCC
Mike Mooneyham Fox racing Shox
Patrick Fogerty
Mike Andalore
Maria Aufaro
Phil Kaplan
Amy Hamel
Marisa Sympson Soltrain
Eddie Brandow
Al Cornibe RMC
James Schwartz
Greg Larson
Eileen Beaudry
Jerry Finney
Tamsin McEwen
Jim Jensen
Herb Greenfield
Charles Fisher
Merlin Schlumberger
Lee Otter
Monica Pielage
Mark-Paul Goodman
Dawn Imbrie
Howard Sosbee
Ron/ Jean Skelton
Kara Elder
Jore Mazor
Alana Mitnick
Liana Harp
Stephanie Beunelle
John Thomas
Audrey Trautwein

Katherine Herndon	
Bettina/Oliver Mueller-Tuescher	
Matt Michaels	
David Wright	Friends of the Rail Trail
Charlie Zimmerman	Friends of the Rail Trail
Mike Dalbey	Friends of the Rail Trail
Lisa Hochstein	
Allison Henry	
Piet Canin	Bike to Work
Jasper Lawrence	Friends of the Rail Trail
Mary West	
Theresa Brown	SCCARRED
Kate Stafford	VWC
Bruce Sawhill	
Koala Moore	
Jan Herralin	
Christy Kirven	
Tim Fitzmaurice	
Alene Smith	
Jeff Ca[lan	
Howard Swann	
Pat McVrigh	
James Morley	

REGIONAL TRANSPORTATION COMMISSION

Transportation Policy Workshop

MINUTES

Thursday, March 18, 2004
9:00 am
SCCRTC Conference Room
Santa Cruz, CA 95060

Members Present:	Jan Beautz	Ellen Pirie
	Edenilson Quintanilla (Alt)	Scott Kennedy
	Pat Spence	Randy Johnson
	Andy Schiffrin (Alt)	Mike Keogh
	Dennis Norton	Emily Reilly
	Mark Stone	

Member Absent: Richard De La Paz

Staff Present:	Linda Wilshusen	Tegan Speiser
	Karena Pushnik	Kim Shultz
	Luis Mendez	Gini Pineda
	Rachel Moriconi	

1. Introductions

Introductions were made.

2. Oral Communications - None

3. Additions/Deletions to the Agenda

Commissioner Pirie asked to move Item 5 to the Regular Agenda

CONSENT AGENDA

4. Accept Minutes of February 19, 2004 TPW Meeting (Kennedy/Schiffrin)

Commissioner Keogh and Commission Alternate Quintanilla abstained.

5. Accept Memo from County Counsel Regarding Environmental Review of Expenditure Plan Projects - Moved to Regular Agenda

Commissioners discussed whether a CEQA review would be needed for the Expenditure Plan if only projects included in the Regional Transportation Improvement Program were listed as part of the Expenditure Plan.

County Counsel Rahn Garcia said in general it appears that an addendum to the RTIP would be adequate, but it would depend on exactly what projects were included in the plan before a definitive answer could be made.

Commissioner Kennedy moved to direct staff to give the Expenditure Plan to County Counsel for review once the plan had been approved.

Commission Alternate Schiffrin seconded so long as the direction included looking to see if the details of the specific projects were approved and had not just been included in a general program level approval.

Senior Planner Rachel Moriconi distributed a letter from Rincon Consultants, Inc. regarding clarification of the Regional Transportation Plan Environmental Impact Report study parameters for the Highway 1 Widening/HOV Project. The letter stated that the full length of the highway widening project under consideration had been addressed at a program level in the existing 2001 RTP EIR.

Commissioner Beautz asked if County Counsel could look at the preliminary list of expenditure plan projects to determine if CEQA review would be necessary and Mr. Garcia said he could.

Commission Alternate Schiffrin asked if the motion could be amended to give the draft Expenditure Plan to County Counsel for review and Commissioner Kennedy agreed to the amendment.

The motion passed unanimously.

REGULAR AGENDA

6. Accept Status Report and Approve Resolution Regarding Highway 1 Projects

Executive Director Linda Wilshusen gave a brief overview of the status of the Highway 1 Projects. Ms. Wilshusen said the dates for the public information meetings would be Monday, April 26th and Thursday, April 29th from 6:00-8:30 p.m. She said the Commission needed to take action on the resolution authorizing \$10,000 to be expended for the public information effort. Ms. Wilshusen said that a Resource Agency Information meeting will be held on April 26th to gather information from state and federal agencies to fully develop the scope of the environmental review. She reported that the Highway Construction Authority (HCA) had developed a draft RFP to secure consultant services, reviewed a transition plan

and adopted a budget. She said that the Expenditure Plan Subcommittee had changed its meeting to Friday, March 26th at 2:00 p.m.

Chris Metzger, Nolte Associates, Inc., said that the completion date for the environmental document is still May 2007 but that some slippage in the schedule may occur since the AMBAG regional traffic model has yet to be released.

Ben Strumwasser, Public Affairs Management, discussed the Draft Public Involvement Plan and distributed copies of a conceptual schedule. He reviewed the purpose and need of the widening project and the plan objectives of the Public Involvement Plan. He highlighted the involvement methods which include community forums and routine public updates, and outlined the basic approach which will emphasize demonstrating trade-offs and how project components address concerns, with information provided regarding the pros and cons of each option. He said that prior to the release of the document there would be public hearings and a variety of notification efforts.

Commissioners discussed the scope of project noting that it is hard to have a forum for public information without a clear definition of the project.

Mr. Metzger said that a balance had to be struck between too many specifics and not enough information included in the project description, because it is important for people to realize that their feedback would weigh in on the final design and not to feel that all the details had already been decided.

Bill Comfort said that inclusion of bike overpasses should be part of the project description and Notice of Preparation (NOP). Director Wilshusen agreed and Commission Alternate Schiffrin said that the Request for Proposals for the HCA director included development of bike and pedestrian amenities as part of the job description and agreed this component should be included in the NOP and the project description.

Commission Alternate Schiffrin said that publishing the first newsletter right before the November election could be perceived as advocacy for the sales tax measure and suggested postponing publication until after the election.

Commissioners discussed advantages and disadvantages of publishing the newsletter either early in the summer or after the election.

Commissioner Reilly asked what would be represented at the public meetings. Mr. Metzger said there will be aerial views to see where existing bridges would be removed or widened, but not details on aesthetics of the bridges. He said that a noise specialist would be present to answer question about soundwalls and sound bouncing off the soundwalls to areas not immediately adjacent to the freeway.

Commissioners discussed plans to notify the public about the meetings and returned to the subject of the schedule to release the first newsletter.

Commissioner Beautz asked for a list of community leader interviewees who had actually been contacted in place of the list of potential interviewees, some of whom were not able to be contacted.

Commission Alternate Schiffrin moved that the schedule for the public involvement process be amended so that the first newsletter is released as early as possible and no later than August 15th. Commissioner Pirie seconded.

The motion passed with Commissioners Beautz, Keogh and Commission Alternate Quintanilla voting “no”.

Commission Alternate Schiffrin moved to approve the staff recommendations that the Regional Transportation Commission:

1. Accept the *Public Involvement Plan* for the Highway 1 HOV Widening Project;
2. Plan to attend at least one of the Public Information Meetings to be held on Monday, April 26th, and Thursday, April 29th;
3. Approve the Resolution Authorizing Expenditure of up to \$10,000 for Public Outreach Meetings for the Highway 1 HOV Widening Project;
4. Receive a Status Report on other activities related to the Highway 1 Project;

as amended. Commissioner Kennedy seconded and the motion (Resolution 29-04) passed with Commissioner Norton voting “no”.

7. Approve Amendment to Contract with Miller, Owen and Trost for Negotiating and Other Services Regarding Acquisition of the Santa Cruz Branch Rail Line

Senior Planner Luis Mendez gave the staff report reviewing the contract with Miller, Owen and Trost and recommending the addition of \$130,000 in Proposition 116 pre-acquisition funds to the contract for costs associated with the production and completion of the business plan, title review and structures assessment.

Commissioner Beautz asked for a budget detailing the expenditures made per the contract with Miller, Owen and Trost. Director Wilshusen said that staff could provide a status report on billings with these details and that the money in question was for services provided by subcontractors.

Commissioner Keogh said he wanted to see the scope of work for the original contract.

Commission Alternate Schiffrin said, based on staff information that all money requested in the staff recommendations is designated for subcontractors, that he moved to accept the staff recommendations that the Regional Transportation Commission approve a resolution amending the Santa Cruz Branch Rail Acquisition Contract with Miller, Owen and Trost, with the condition that a detailed budget breakdown and a scope of work for the original

contract be provided at the Transportation Policy Workshop next meeting. Commissioner Norton seconded.

The motion (Resolution 30-04) passed with Commissioners Spence, Keogh and Beautz voting "no".

Director Wilshusen announced that the Closed Session had been cancelled.

8. Next Meetings / Adjournment

The next regular RTC meeting will be held Thursday, April 1, 2004 at 9:00 a.m. at the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz, CA.

The next Transportation Policy Workshop will be held Thursday, April 15, 2004 at 9:00 a.m. at the RTC Office, 1523 Pacific Avenue, Santa Cruz, CA.

Respectfully submitted,

Gini Pineda, Staff

ATTENDEES

Bill Comfort
Les White
Bob Yount
Peter Scott
Charles Sanchez
Gine Johnson
John Presleigh
Donna Ziel
Spike
Janet Singer
Chris Metzger
Ben Strumwasser

SCMTD
MASTF/E&D TAC
CFST
Caltrans
Ecology Action
County Department of Public Works

Nolte Associates, Inc.
PAM

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Tom Stickel, Manager of Fleet Maintenance
SUBJECT: CONSIDER RENEWAL OF CONTRACT WITH NATIONWIDE AUCTION SYSTEMS

I. RECOMMENDED ACTION

District staff is recommending that the Board of Directors authorize the General Manager to execute an amendment to the contract with Nationwide Auction Systems to extend the term of the contract for one (1) additional year.

II. SUMMARY OF ISSUES

- The District entered into a contract with Nationwide Auction Systems on May 5, 2000 for auctioning services of the District's surplus vehicles and equipment.
- At the option of the District, this contract may be renewed for four (4) additional one-year terms.
- Nationwide Auction Systems has indicated that they are interested in extending the contract an additional one-year period to May 4, 2005.

III. DISCUSSION

The contract with Nationwide Auction Systems for auctioning services of the District's surplus vehicles and equipment is due to expire on May 4, 2004. Nationwide Auction Systems has provided good service under this contract. An extension of the contract would be favorable to the District. Section 3.02 of the contract allows the District the option to renew the contract for four (4) additional one-year terms. Nationwide Auction Systems has also reviewed the contract and has indicated their desire to extend the contract for one additional year with no changes. It is recommended that the Board of Directors authorize the General Manager to execute an amendment to the contract with Nationwide Auction Systems to extend the contract one (1) additional year.

IV. FINANCIAL CONSIDERATIONS

No funds are expended under this contract. District receives ninety-three (93) percent of the proceeds from the sale of District surplus vehicles and eighty (80) percent of the proceeds from the sale of District surplus equipment.

V. ATTACHMENTS

Attachment A: Letter from Nationwide Auction Systems

Attachment B: Contract Amendment

March 4, 2004

Mr. Lloyd Longnecker
District Buyer
Santa Cruz Metropolitan Transit District
120 Du Bois Street
Santa Cruz, Ca. 95060

Dear Lloyd:

RE: Renewal of Contract

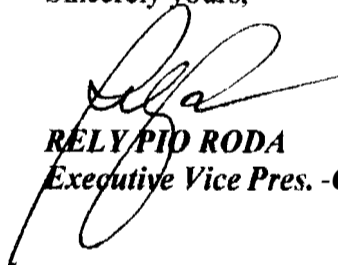
In accordance with your letter dated February 27, 2004, we would like to **inform** you that we are in agreement to extend the contract as provided, with all terms and conditions remaining the same as per the previous extension.

We sincerely thank you for the trust and confidence that you accorded us through the years of mutually beneficial business relationship. We look forward to working with your district in the upcoming year and hopefully through the foreseeable future.

Incidentally, your **Account** Representative, Mr. Phil Marshall, has left our company effective March 1, 2004. He decided to pursue a new **career** path in his professional development. I will personally handle your needs and requirements with the assistance of my staff, specifically, Samantha Smith-Ingle. You may call on either of us to handle whatever needs or concerns you have in administering the contract.

With warmest regards.

Sincerely yours,


RELY PIO RODA
Executive Vice Pres. - General Mgr.

Northern California Facility

1 Oak Road, Benicia, CA 94510

Office: (707) 745-0119

Fax: (707) 745-0240

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**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
FOURTH AMENDMENT TO CONTRACT FOR AUCTION SERVICES**

This Fourth Amendment to Contract for auction services is made effective May 5, 2004 between the Santa Cruz Metropolitan Transit District, a political subdivision of the State of California (“District”) and Nationwide Auction Services (“Contractor”).

I. RECITALS

- 1.1 District and Contractor entered into a Contract for auction services (“Contract”) on May 5, 2000.
- 1.2 The Contract allows for the extension upon mutual written consent.

Therefore, District and Contractor amend the Contract as follows:

II. TERM

- 2.1 Article 3.02 is amended to include the following language:

This Contract shall continue through May 4, 2005. This Contract may be mutually extended by agreement of both parties.

III. REMAINING TERMS AND CONDITIONS

- 3.1 All other provisions of the Contract that are not affected by this amendment shall remain unchanged and in full force and effect.

IV. AUTHORITY

- 4.1 Each party has full power to enter into and perform this Fourth Amendment to the Contract and the person signing this Fourth Amendment on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this Fourth Amendment to the Contract, understands it, and agrees to be bound by it.

SIGNATURES ON NEXT PAGE

Signed on _____

DISTRICT
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Leslie R. White
General Manager

CONTRACTOR
NATIONWIDE AUCTION SYSTEMS

By _____
Rely Pio Roda
Executive Vice President

Approved as to Form:

Margaret R. Gallagher
District Counsel

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Tom Stickel, Manager of Fleet Maintenance

**SUBJECT: CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING
HEAVY DUTY BRAKE DRUMS**

I. RECOMMENDED ACTION

District staff is recommending that the Board authorize the General Manager to enter into a two-year, firm fixed price contract with Vehicle Maintenance Program, Inc. for the purchase of heavy-duty brake drums.

II. SUMMARY OF ISSUES

- At the August 15, 1997 Board meeting, the Board of Directors authorized the District's participation in the Regional Transit Coordinating Council (RTCC) cooperative purchase agreements.
- The RTCC Procurement Committee released an invitation for bid for heavy-duty brake drums on January 5, 2004. The District is a participating transit agency in this bid.
- Bids were opened on February 9, 2004.
- RTCC Contract No. 2004-855RTCC was awarded to Vehicle Maintenance Program, Inc. for the purchase of heavy-duty brake drums.
- District staff recommends that the Board authorize the General Manager to enter into a contract with Vehicle Maintenance Program, Inc. for the purchase of heavy-duty brake drums in reference to the RTCC contract.

III. DISCUSSION

In order to obtain the best prices by combining annual quantities from several participating transit agencies, the RTCC Procurement Committee actively participates in joint procurements for commodities that are commonly used by RTCC member agencies.

RTCC bid documents were prepared and mailed in January to prospective bidders. On February 9, 2004 five bids were opened. Bids were evaluated with a recommendation that a contract be awarded to Vehicle Maintenance Program, Inc. as the lowest responsive bidder. District staff recommends that the Board authorize the General Manager to enter into a contract with Vehicle Maintenance Program, Inc. for the purchase of heavy-duty brake drums in reference to the RTCC contract.

IV. FINANCIAL CONSIDERATIONS

Funding for the procurement of heavy-duty brake drums is contained within the Fleet Maintenance operating budget. Annual estimated budget for brake drums is \$30,000.

V. ATTACHMENTS

Attachment A: Contract with Vehicle Maintenance Program, Inc.

NOTE: Exhibit C is available for review by the public at the Administration Office of METRO or online at www.scmttd.com.

2004-855RTCC

CONTRACT FOR HEAVY DUTY BRAKE DRUMS

THIS CONTRACT is made effective on March 29, 2004, between the SANTA CRUZ METROPOLITAN TRANSIT DISTRICT, a political subdivision of the State of California ("District"), and VEHICLE MAINTENANCE PROGRAM INC., ("Contractor").

1. RECITALS

1.01 District's Primary Objective

District is a public entity whose primary objective is providing public transportation and has its principal office at 370 Encinal Street, Santa Cruz, California 95060.

1.02 District's Need for Heavy Duty Brake Drums

District requires the purchase of heavy-duty brake drums to be used for standard purposes. In order to obtain said goods, the District entered into a covenant with the Regional Transit Coordinating Council (RTCC), on January 5, 2004, to obtain said goods for a period of two (2) years. This agreement, 2004-855RTCC, is attached hereto and incorporated herein by reference as Exhibit A.

1.03 Contractor's Bid Form

Contractor is a supplier of goods desired by the District and whose principal place of business is 3595 N. Dixie HWY, Bay #7, Boca Raton, Florida. Contractor was chosen as the lowest responsive, responsible bidder by AC Transit District, in a fair and open bid. The results of said Bid are attached hereto and incorporated herein by reference as Exhibit B. A copy of Contractor's Bid Form is attached hereto and incorporated herein by reference as Exhibit C.

1.04 Selection of Contractor and Intent of Contract

On February 9, 2004, AC Transit District, the lead procuring agency for this Bid, selected Contractor as the lowest responsive, responsible bidder to provide said goods. The purpose of this Contract is to set forth the provisions of this procurement.

1.05 Contractor and Supplier Synonymous

For the purposes of this Contract, the terms "contractor" and "supplier" are synonymous.

District and Contractor agree as follows:

2. INCORPORATED DOCUMENTS AND APPLICABLE LAW

2.01 Documents Incorporated in This Contract

The documents below are attached to this Contract and by reference made a part hereof. This is an integrated Contract. This writing constitutes the final expression of the parties' Contract, and it is a complete and exclusive statement of the provisions of that Contract.

a) Exhibit A - RTCC's Governing Contract.

- b) Exhibit B - Bid Abstract
- c) Exhibit C – Contractor’s Bid Form
- d) Exhibit D- Invitation for Bid, Contract No. 2004-855RTCC

2.02 Conflicts

Where in conflict, the provisions of this writing supersede those of the above-referenced documents, Exhibits A, B, and C. Where in conflict, the provisions of Exhibit A supersede Exhibits B, C and D.

2.03 Recitals

The Recitals set forth in Article 1 are part of this Contract.

3. TIME OF PERFORMANCE

3.01 General

Contractor shall provide materials under this Contract at such times as deemed necessary by the District.

3.02 Term

The term of this Contract commences on the date of execution and shall remain in force through February 28, 2006.

4. COMPENSATION

4.01 Terms of Payment

Upon written acceptance, District agrees to pay Contractor as identified in the Bid Form, Exhibit C. Upon satisfactory delivery of materials under the terms and provisions of this Contract, District agrees to pay Vehicle Maintenance Program Inc. within thirty (30) days thereof. Contractor understands and agrees that if he/she exceeds the scheduled amounts payable under this contract, that it does so at its own risk.

4.02 Invoices

Contractor shall submit invoices referencing the District supplied Purchase Order number.

Invoice records shall be kept up-to-date at all times and shall be available for inspection by the District (or any grantor of the District, including, without limitation, any State or Federal agency providing project funding or reimbursement) at any time for any reason upon demand for not less than four (4) years after the date of expiration or termination of the contract. Under penalty of law, Contractor represents that all amounts billed to the District are (1) actually incurred; (2) reasonable in amount; (3) related to this contract; and (4) necessary for performance of the services. The District shall pay no expenses unless specifically allowed by this contract.

5. NOTICES

All notices under this Contract shall be deemed duly given upon delivery, if delivered by hand; or three (3) days after posting, if sent by registered mail, receipt requested; to a party hereto at the address hereinunder set forth or to such other address as a party may designate by notice pursuant hereto.

DISTRICT

Santa Cruz Metropolitan Transit District
370 Encinal Street,
Santa Cruz, CA 95060

Attention: Lloyd Longnecker
District Buyer

CONTRACTOR

Vehicle Maintenance Program, Inc.
3595 N. Dixie HWY, Bay #7
Boca Raton, Florida 33431

Attention: Penny M. Brooks
President

6. AUTHORITY

Each party has full power and authority to enter into and perform this Contract and the person signing this Contract on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this Contract, understands it, and agrees to be bound by it.

Signed on _____

DISTRICT--SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Leslie White
General Manager

CONTRACTOR: VEHICLE MAINTENANCE PROGRAM INC.

By _____
Penny M. Brooks
President

Approved as to Form:

Margaret Rose Gallagher
District Counsel

EXHIBIT

AC TRANSIT DISTRICT
PURCHASING DEPARTMENT

CONTRACT
NO. 2004-855RTCC

HEAVY DUTY BRAKE DRUMS
FOR THE TERM MARCH 01.2004 THROUGH FEBRUARY 28.2006

CONTRACT

THIS CONTRACT is made and entered into this 26th day of February 2004, by and between ALAMEDA CONTRA COSTA TRANSIT DISTRICT (hereinafter referred to as "District"), a special transit district established pursuant to California Public Utilities Code, Section 24501 et seq., and Vehicle Maintenance Program, incorporated, 3595 N. Dixie Highway, Bay #7, Boca Raton, Florida 33431 (hereinafter referred to as "Contractor").

1. **SCOPE OF WORK**

Contractor shall furnish to the District all labor, equipment, supplies, material and services as specified in and in full accordance with the Contract Document issued by the District entitled

HEAVY DUTY BRAKE DRUMS
CONTRACT NO. 2004-855RTCC

2. **COMPONENT PARTS**

This Contract shall consist of the following documents, each of which is on file with the District, and is incorporated into and made a part of the Contract by reference:

- A. This Contract
- B. Invitation for Bid No. 2004-855RTCC
- C. Contractor's submitted Bid Form
- D. Addendum No.1

3. **PERIOD OF PERFORMANCE**

The Contractor shall furnish Webb heavy-duty brake drums as specified in the Contract, commencing March 01, 2004, and continuing for a two (2) year period ending February 28, 2006.

4. **CONTRACT PRICE**

The Contractor shall furnish Webb heavy-duty brake drums as required at the rates set forth in the Bid Form submitted to the District as follows:

<u>ACT In-house</u>	<u>Webb O.E.M.</u>	<u>Unit price per drum</u>
N/A	64115U	\$105.55
020004	64115B	\$100.21
N/A	64117U	\$ 59.63
020011	64117B	\$76.27

HEAVY DUTY BRAKE DRUMS
FOR THE TERM MARCH 01, 2004 THROUGH FEBRUARY 28, 2006

CONTRACT

<u>ACT In-house</u>	<u>Webb O.E.M.</u>	<u>Unit price per drum</u>
015026	65169B	\$ 80.49
N/A	65169BU	\$53.79
N/A	64001	\$51.39
N/A	66822	\$134.99
N/A	66892	\$47.85
552079	66812B	\$138.13
020002	64003B	\$59.59
N/A	64048B	\$182.10
N/A	64046B	\$77.13
020010	64039B	\$55.15
020009	64040B	\$ 80.17
N/A	64113	\$ 54.63
604357	65600B	\$75.75
604358	65551 B	\$41.09
N/A	64119B	\$75.99
N/A	64046U	\$66.43
N/A	64048U	\$98.51
N/A	64015B	\$103.97
N/A	64015U	\$ 89.93
N/A	64015	\$ 128.81
N/A	64089	\$116.91
N/A	64072	\$71.13

All Webb heavy-duty brake drums shall be delivered F.O.B. Receiving Point to the following address:

**AC Transit District
Receiving Dock, Central Maintenance Facility
10626 International Boulevard
Oakland, California 94603
Monday – Friday, 7:00 a.m. to 2:00 p.m.**

All invoices shall be submitted in accordance with the terms of payment, in triplicate, with all applicable back up, by Contractor to AC Transit Accounts Payable, P.O. Box 28507, Oakland, California. 94604. Payment to the contractor will be made Net 30 Days after receipt of approved invoices. **Please reference the Contract Number and the Purchase Order Number on all submitted invoices. Failure to do so could delay payments.**

HEAVY DUTY BRAKE DRUMS
FOR THE TERM MARCH 01, 2004 THROUGH FEBRUARY 28, 2006

CONTRACT

5. **NOTICES**

Any notice which may be required under this Contract shall be in writing, shall be effective when received, and shall be given by personal service or by certified or registered mail, return receipt requested, to the addresses set forth below or to such other addresses which may be specified in writing by the parties to this Contract.

DISTRICT:

Procurement and Materials Director
10626 International Blvd.
Oakland, California 94603

CONTRACTOR:

Vehicle Maintenance Program, Inc.
3595 N. Dixie Hwy., Bay #7
Boca Raton, Florida 33431

6. **ATTORNEY'S FEES**

In the event that it becomes necessary for either party to bring a lawsuit to enforce any of the provisions of the Contract, the parties agree that the court having jurisdiction over such dispute shall have the authority to determine and fix reasonable attorney's fees to be paid to the prevailing party.

7. **SEVERABILITY**

If any provision of the Contract is declared void or unenforceable, such provision shall be deemed severed from this Contract, which shall otherwise remain in full force and effect.

8. **BINDING EFFECT**

All of the terms, provisions and conditions of the Contract hereunder shall be binding upon and inure the parties hereto and their respective successors, assigns and legal representatives.

9. **ENTIRE AGREEMENT**

This Contract represents the entire agreement of the parties with respect to the subject matter hereof, and all such agreements entered into prior hereto are revoked and superseded by this Contract, and no representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

This Contract may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this Contract shall be void and of no effect.


HEAVY DUTY BRAKE DRUMS
FOR THE TERM MARCH 01, 2004 THROUGH FEBRUARY 28, 2006

CONTRACT

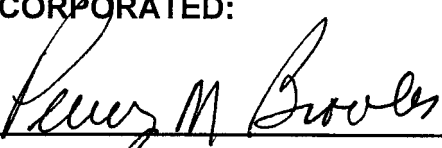
IN WITNESS WHEREOF, the parties have executed this Contract on the dates set forth below.

ALAMEDA-CONTRA COSTA
TRANSIT DISTRICT:

VEHICLE MAINTENANCE PROGRAM
INCORPORATED:

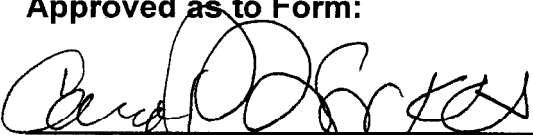


Rick Fernandez Date
General Manager



Name Date
Title *President*

Approved as to Form:



Kenneth C. Scheidig Date
General Counsel, AC Transit

RECAP
2004-855RTCC
HEAVY DUTY BRAKE DRUMS

FEBRUARY 09.2004

C TRANSIT HOUSE NO.	WEBBO.EM. NO.	DESCRIPTION	EST. YRL. QUANTITIES	AMERICAN		VEHICLE MAINTENANCE		MIRAMAR			LOWEST RESPONSIVE BIDDER	LINE ITEM TOTAL				
				MOVING	PARTS	V.M.P.	N.A.B.I.	FORD	MCI							
	6411511	REAR, UNDERSIZE	10	5	114.95	\$	105.55	\$	178.11	\$	108.78	\$	119.06	V.M.P.	\$	1,055.50
		REAR, STD. BALANCED	1900		\$106.50	\$	100.21	\$	167.52	\$	102.30	\$	121.79	V.M.P.	\$	190,399.00
20004	6411711	FRONT, UNDERSIZE	10		\$ 77.90	\$	59.63	\$	120.99	\$	73.86	\$	81.69	V.M.P.	\$	596.30
		FRONT, STD. BALANCED	945		\$ 79.70	\$	76.27	5	126.77	\$	77.43	5	85.71	V.M.P.	\$	72,075.15
20011	641178	REAR, STD. BALANCED	140		\$ 84.50	\$	80.49	\$	134.00	5	81.84	\$	97.43	V.M.P.	\$	11,268.60
15026	65169B	FRONT, UNDERSIZE BALANCED	10		\$ 84.50	\$	53.79	\$	176.10	5	81.84	\$	97.43	V.M.P.	\$	537.90
	64001	FRONT, STD.	10		\$ 113.50	\$	51.39	\$	225.74	5	137.87	5	159.24	V.M.P.	\$	513.90
	66822	REAR, STD.	100		\$ 144.75	\$	134.99	\$	100.50		61.37	5	73.06	V.M.P.	\$	13,499.00
	66892	REAR, STD.	10	5	\$ 64.90	\$	47.85	5						V.M.P.	\$	478.50
552079	66812B	REAR, STD. BALANCED	370	5	\$ 147.45	\$	138.13	5	231.58	\$	141.44	5	168.38	V.M.P.	\$	51,108.10
20002	640038	FRONT, STD. BALANCED	10		\$ 91.95	\$	59.5	\$	128.13	\$	78.26	5	81.43	V.M.P.	\$	595.90
	64048B	REAR, STD. BALANCED	140	5	\$ 116.35	\$	110.21	\$	1 82.10	5	111.22	\$	132.40	V.M.P.	\$	15,429.40
	640468	FRONT, STD. BALANCED	140		\$ 81.25	\$	77.13	5	127.45	5	77.84	\$	87.39	V.M.P.	\$	10,798.20
20010	640398	FRONT, STD.	10		\$ 123.50	\$	55.15	\$	191.60	\$	117.01	5	139.30	V.M.P.	\$	551.50
20009	640408	REAR, STD.	40	5	\$ 86.80	\$	80.17	\$	135.16	5	82.55	\$	98.28	V.M.P.	\$	3,206.80
	64113	FRONT, STD.	10		\$ 95.01	\$	54.63	\$	14713	5	89.86	\$	95.39	V.M.P.	\$	546.30
604357	65600B	FRONT, STD.	100	5	\$ 79.75	\$	75.75	5	125.44	\$	76.61	5	91.20	V.M.P.	\$	7,575.00
640358	65551B	TAG, STD.	12		\$ 78.55	\$	41.09	\$	121.73	5	7434	5	79.83	V.M.P.	\$	493.08
	64119B	FRONT, STD.	50		\$ 81.25	\$	75.99	\$	128.13	\$	78.26	\$	83.28	V.M.P.	\$	3,799.50
	640461	FRONT,UNDERSI Z E	1 0 0		\$ 77.05	\$	66.43	5	121.61	\$	74.27	\$	83.14	V.M.P.	\$	643.00
	64048U	REAR, UNDERSIZE	10		\$ 112.90	\$	98.51	\$	176.24	5	107.65	5	108.46	V.M.P.	\$	985.10
	640158	REAR, BALANCED	30		\$ 112.95	\$	103.97	5	175.32	\$	107.08	5	127.48	V.M.P.	\$	3,119.10
	64015U	REAR,UNDERSIZE	350		\$ 104.50	\$	89.93	\$	16490	\$	100.72	5	113.23	V.M.P.	\$	31,475.50
	64051		20		\$ 140.25	\$	128.81	5	2 1 7 6 0	5	132.90	\$	149.13	V.M.P.	\$	2,576.20
	64089		-54		\$ 125.25	\$	116.91	\$	197.32	5	120.51	5	127.96	V.M.P.	\$	6,313.14
	6 4 0 7 2	FRONT,STD. BO108901AC	10		\$ 93.25	\$	71.13	\$	144.37	\$	88.17	\$	104.96	V.M.P.	\$	711.30
	64072	REAR,STD. BO108901AC	10		\$ 93.25	\$	71.13	\$	144.37	\$		\$	104.96	V.M.P.	\$	711.30
											RTCCYEARLY ESTIMATED	GRAND TOTAL	\$ 437,062.27			
											AC TRANSIT YEARLY ESTIMATED AMOUNT	\$ 337,273.13				

EXHIBIT - B

NEW FLYER - NO BID
PREVOST - NO BID

SIGN AND RETURN THIS PAGE

INVITATION FOR BIDS

CONTRACT PROPOSAL NO. 2004-855RTC

AC TRANSIT DISTRICT
Purchasing Department
10626 international Blvd.
Oakland, CA 94603

Date: January 5, 2004

TITLE: Heavy Duty Brake Drums

BIDS WILL BE OPENED at 10626 international Blvd. by 2 P.M. February 09, 2004

DO NOT INCLUDE SALES OR EXCISE TAXES in Bid prices.

Sign the bid, put it in an envelope, and write the Contract Bid number and Title on the outside. Sign and return this page. Retain Bidder's Duplicate copy for your files.

ALL BIDDERS COMPLETE THIS SECTION:

FEBRUARY 5, 2004

Upon execution of a Contract Acceptance form, the undersigned agrees to furnish, subject to provisions on the reverse of this form, all articles or services within the dates specified, in the manner and at the prices stated, in accordance with the advertisement, specifications, proposal, special conditions and general conditions, all of which are made part of the contract proposal, when authorized by Purchase Order, Contract Order, or Letter of Agreement issued by the District.

Name under which business is conducted: VEHICLE MAINTENANCE PROGRAM, INC

Business street address: 3595 N. DIXIE HWY BAY #7 Telephone: 561-362-6080
BOCA RATON FL 33431
City State Zip Code

IF SOLE OWNER, sign here:

I sign as sole owner of the business named above:

Signed _____ Typed Name _____

IF PARTNERSHIP OR JOINT VENTURE, sign here:

The undersigned certify that we are partners in the business (joint venture) named above and that we sign this contract proposal with full authority to do so (one or more partners sign):

Signed _____ Typed Name _____

Signed _____ Typed Name _____

IF CORPORATION, sign here:

The undersigned certify that they sign this contract proposal with full authority to do so:

Corporate Name: Vehicle Maintenance Program, Inc

Signed Penny M. Brooks Typed Name PENNY M. BROOKS Title President

Signed _____ Typed Name _____ Title _____

Incorporated under the laws of the State of Florida

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

BUY AMERICA CERTIFICATE

COPY

Certification requirement for procurement of steel, iron, or manufactured products.

Certificate of Compliance with 49 U.S.C. 5323(j)(l)

The bidder or offeror hereby certifies that it will meet the requirements of 49 U.S.C. 5323(j)(l) and the applicable regulations in 49 CFR Part 661.

Date: 2/5/04

Signature: Kevin M. Brues

Company Name: Vehicle Maintenance Programs

Title: President

Certificate of Non-Compliance with 49 U.S.C. 5323(j)(l)

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j)(l), but it may qualify for an exception pursuant to 49 U.S.C. 5323(j)(2)(B) or (j)(2)(D) and the regulations in 49 CFR 661.7.

Date: _____

Signature: _____

Company Name: _____

Title: _____

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006

BID FORM SHEET

COPY

Price Quotation

AC TRANSIT and participating RTCC agencies will purchase **new heavy-duty brake drums**. Quantities are based on the District's prior annual purchase history. Approximate quantities are listed below, the District and participating RTCC agencies do not guarantee any specific quantities.

Est. Yearly Quantity Each	A.C. Transit In-House No.	O.E.M. For Webb Wheel	Alternative Manufacturer	Drum Description	Price Per Drum
10		64115U		REAR, UNDERSIZE	105.55
1900	020004	64115B		REAR, STD.	100.21
10		64117U		FRONT, UNDER SIZE	59.63
945	020011	64117B		FRONT, STD.	76.27
140	015026	65169B		REAR, STD.	80.49
10		65169BU		FRONT, UNDER SIZE	53.79
10		64001		FRONT, STD.	51.39
100		66822		REAR, STD.	134.99
10		66892		REAR, STD.	47.85
370	552079	66812B		REAR, STD.	138.13
10	020002	64003B		FRONT, STD.	59.59
140		64048B		REAR, STD.	110.21
140		64046B		FRONT, STD.	77.13
10	020010	64039B		FRONT, STD.	55.15
40	020009	64040B		REAR, STD.	80.17

PAYMENT TERMS:
DISCOUNTS:
MINIMUM WEIGHT:
(TO MEET MANUFACTURER'S MINIMUM WEIGHT REQUIREMENT FOR PREPAID FREIGHT)

Nil 30 Days
0
5000 lbs

Vehicle Maintenance Program
3595 N. Dixie Hwy Bay #7
Boca Raton, FL. 33431
(561) 362-6080 Fax: (561) 362-7994
sales@vmpparts.com

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006

BID FORM SHEET

Price Quotation

COPY

AC TRANSIT and participating RTCC agencies will purchase **new heavy-duty brake drums**. Quantities are based on the District's prior annual purchase history. Approximate quantities are listed below, the District and participating RTCC agencies do not guarantee any specific quantities.

Est. Yearly Quantity Each	A.C. Transit In-House No.	O.E.M. For Webb Wheel	Alternative Manufacturer	Drum Description	Price Per Drum
10		64113		FRONT, STD	54.63
100	604357	65600B		FRONT, STD.	75.75
12	604358	65551B		TAG, STD	41.09
50		64119B		FRONT, STD.	75.99
220		64117U			59.63
100		64046U			66.43
10		64048U			98.51
30		64015B		REAR, STD.	103.97
350		64015U			89.93
100		66822		REAR, STD.	133.59
20		64051		FRONT, STD.	128.81
54		64089		REAR, STD.	116.91
10		BO108901AC	WEBB 64072F	FRONT, STD.	71.13
10		BO108901AC	WEBB 64072F	REAR, STD.	71.13

PAYMENT TERMS:

DISCOUNTS:

MINIMUM WEIGHT:

(TO MEET MANUFACTURER'S MINIMUM WEIGHT REQUIREMENT FOR PREPAID FREIGHT)

Net 30 Days
0
5000 lbs

Vehicle Maintenance Program
3595 N. Dixie Hwy Bay #7
Boca Raton, FL 33431
(561) 362-6080 Fax: (561) 362-7900
sales@vmpparts.com

SIGN AND RETURN THIS PAGE

INVITATION FOR BIDS

CONTRACT PROPOSAL NO. 2004-855RTCC

**AC TRANSIT DISTRICT
Purchasing Department
10626 International Blvd.
Oakland, CA 94603**

Date: January 5, 2004

TITLE: Heavy Duty Brake Drums

**BIDS WILL BE OPENED at 10626 International
Blvd. by 2 P.M. February 09, 2004**

DO NOT INCLUDE SALES OR EXCISE TAXES in
Bid prices.

Sign the bid, put it in an envelope, and write the
Contract Bid number and Title on the outside.
Sign and return this page. Retain Bidder's
Duplicate copy for your files.

ALL BIDDERS COMPLETE THIS SECTION:

_____ 2004

Upon execution of a Contract Acceptance form, the undersigned agrees to furnish, subject to provisions on the reverse of this
form, all articles or services within the dates specified, in the manner and at the prices stated, in accordance with the
advertisement, specifications, proposal, special conditions and general conditions, all of which are made part of the contract
proposal, when authorized by Purchase Order, Contract Order, or Letter of Agreement issued by the District.

Name under which
business is conducted: _____

Business street address: _____ Telephone: _____

_____ City State Zip Code

IF SOLE OWNER, sign here:

I sign as sole owner of the business named above:

Signed _____ Typed Name _____

IF PARTNERSHIP OR JOINT VENTURE, sign here:

The undersigned certify that we are partners in the business (joint venture) named above and that we sign this contract
proposal with full authority to do so (one or more partners sign):

Signed _____ Typed Name _____

Signed _____ Typed Name _____

IF CORPORATION, sign here:

The undersigned certify that they sign this contract proposal with full authority to do so:

Corporate Name: _____

Signed _____ Typed Name _____ Title _____

Signed _____ Typed Name _____ Title _____

Incorporated under the laws of the State of _____

GENERAL CONDITIONS, INSTRUCTIONS AND INFORMATION FOR BIDDERS

1. EXPLANATIONS, CLARIFICATIONS AND CHANGES

Bidders shall request any explanation, clarification or changes to specifications in writing. Any reply and/or change to specifications will be made by written addendum which shall become a part of the bid documents.

2. BID SUBMISSION

To receive consideration, bids must be delivered prior to the date and time for bid opening. All bids shall be in a sealed envelope properly endorsed as to the bid number and opening date. Submission of a bid shall constitute a firm offer to the District for ninety (90) days from the last day for receipt of bids.

Unauthorized conditions, limitations or provisos attached to a bid will render it non-responsive and may cause its rejection. No telegraphic or facsimile bids or modifications will be considered unless otherwise stated.

A bidder may withdraw his bid prior to bid opening, without prejudice, by submitting a written request for its withdrawal to the Purchasing Manager. The bidder must be able to identify its Bid, show proper identification, and show proper authorization to withdraw the Bid.

At the hour specified in the notice, the District will open, examine and publicly declare all bids received. Bidders, their representatives, and others interested, are invited to be present at the opening of bids. Awards will be made or bids rejected by the District within a reasonable time after bids have been opened.

3. APPROVED EQUALS

When the name of a manufacturer, brand or make, with or without a model number, is used in describing any item in this document, bids for similar articles will be considered unless otherwise stated. The District shall be the sole judge whether such alternate articles are acceptable. Unless the bidder states to the contrary, articles offered are assumed to be the specific articles named in this document and that articles offered are in accordance with the specifications. If not offering the specific articles named, bidder should enclose with bid full information, specifications and descriptive data on items offered. The District reserves the right to permit deviations from the specifications if any article offered is substantially in accord with the specifications and is deemed by the District to be as good quality and as fully satisfactory for its intended use as an article fully meeting specifications.

4. CONDITION OF ARTICLES

Articles offered and furnished must be new and previously unused and of manufacturer's latest model unless otherwise specified herein.

5. TAXES

The supplies, materials or equipment called for under the specifications will be used by the District in the performance of a governmental function and are exempt from taxation by the United States Government.

Unless otherwise stated bidder shall exclude applicable California State and local sales or use taxes in the total price in his bid. Said tax, wherever applicable, will be paid by the District to the Contractor, if licensed to collect same, or otherwise directly to the State.

6. AWARD AND REJECTION OF BIDS

The District may reject any and all bids, may waive any minor irregularities or informalities in any bid or in the bidding procedure, and must reject a bid of any party who has been delinquent or unfaithful in any former contract with the District. If an award is made, it shall be made to the lowest responsible bidder.

7. DELIVERIES

FOB destination in Oakland, freight prepaid and allowed. Unless otherwise stated in the specification or bid forms, bidder shall include freight or delivery charges in the total price in its proposal.

8. SEPARATE ITEMS OR IN THE AGGREGATE

Any bidder may bid separately for any item unless otherwise provided. The District may make awards on separate items or in an aggregate of several or all items unless otherwise provided.

9. CASH DISCOUNTS

Cash discount (discount for prompt payment) will be taken into consideration in determining the low bid under the following conditions:

- a. Discount period must be at least 30 days.
- b. The discount period will start on the date of completion of delivery of all items on any Purchase Order or other authorization or upon date of properly prepared invoices covering such deliveries, whichever is later.

- c. Payment is deemed to be made, for the purpose of claiming the discount, on the date of mailing the District's warrant or check.

10. ACCEPTANCE, BILLING AND PAYMENT

Acceptance by the District of any equipment, supplies, or materials furnished under the contract to be awarded shall occur only subsequent to the final inspection by authorized employees of the District. Defective or nonconforming equipment, supplies or materials shall be rejected by the District and the contract price adjusted accordingly unless acceptable replacement is made.

Invoices shall be rendered in triplicate to AC Transit District, P.O. Box 28507, Oakland, California 94604. Invoices shall include all applicable state, city and special district sales taxes at time of delivery. Invoices shall identify the Contract and Purchase Order Numbers. Unless otherwise stated, the District will make payment within thirty (30) days of the date of completion of delivery of all items on any Purchase Order or other authorization or upon date of properly prepared invoices covering such deliveries, whichever is later.

11. WARRANTY OF TITLE

The Contractor warrants and agrees that title to all materials and equipment furnished under this contract and accepted by the District will pass to the District free and clear of all liens, claims, security interests or encumbrances.

12. PERFORMANCE WARRANTY

Contractor shall supply his standard warranty(ies) on defects in workmanship and material applicable to the materials, supplies or equipment furnished hereunder. The standard warranties should be no less than the minimum requirements stated in the Specifications. All warranties to commence after acceptance of delivery by the District unless otherwise stated. It is understood and agreed that the District does not waive any warranty either expressed or implied or any liability of the manufacturer or contractor as may be determined by a decision of any court of the State of California or the United States.

13. INDEMNIFICATION

Contractor shall indemnify, keep and save harmless the District, its Board of Directors, officers, officials, employees, agents and volunteers from and against any and all liability, loss, damage, expense, costs (including, without limitation, costs and fees of litigation) of every nature arising out of or in connection with Contractor's performance of work hereunder or its failure to comply with any of its obligations contained in the Agreement, except such loss or damage caused by the sole negligence or willful misconduct of the District.

14. TERMINATION AND TERMINATION FOR CONVENIENCE

In the event the Contractor fails to perform any of his obligations under this contract, this contract may be terminated effective after 10 days written notice and all of contractor's rights hereunder ended. No new work will be undertaken and no new deliveries will be made after the date of receipt of such notice.

The District may terminate this Agreement for the District's convenience and without cause at any time by giving Contractor written notice of termination. In the event of termination, Contractor will be paid for those services performed or deliveries made pursuant to this Agreement to the satisfaction of the District up to the date of termination. In no event will the District be liable for costs incurred by Contractor after receipt of notice of termination.

15. NON-DISCRIMINATION

In connection with the execution of any contract hereunder, the Contractor shall not discriminate against any applicant or employee on the grounds of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex or age as defined in Section 12926 Government Code.

16. GOVERNING LAW

This contract shall be governed by the laws of the State of California.

17. PROHIBITED INTERESTS

By submitting a bid, the bidder represents and warrants that neither the General Manager nor any Director, officer employee of the District is in any manner interested directly or indirectly in the bid or in the contract which may be awarded under it, or in any expected profits to arise therefrom (State of California Government Code section 1090 et Seq.). No member, officer or employee of the District, during his/her tenure or for one year thereafter, shall have an interest, direct or indirect, in this Contract or the proceeds thereof.

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH JANUARY 31, 2006**

SPECIAL CONDITIONS

The Alameda Contra-Costa Transit District, acting on behalf of the Regional Transit Coordinating Council Procurement Committee (RTCC), is soliciting bids for heavy-duty brake drums. The Contract provides for purchase and delivery of heavy-duty brake drums to participating RTCC agencies, as specified in the Technical Specifications of this bid.

These terms and conditions supplement the District's General Conditions, and Instructions and information for Bidders. In the event of a conflict between these conditions and the preceding General Conditions, these conditions take precedence.

18. CONTRACT TYPE/TERM

This is a two (2) year, firm fixed price, indefinite quantity Contract.

The Contract with each RTCC Agency shall be for two (2) years. Bid prices shall be firm for the term of the Contract.

The contract commencement date shall be three (3) days after execution of the written Contract or Purchase Order with each RTCC Agency. Notification of award shall be made to the successful bidder in writing by the Alameda Contra-Costa Transit District.

The rights and obligations offered in the contract shall be offered equally to all RTCC Agencies. Except for those provisions relating to the initial award of contract by the District to the lowest responsive, responsible bidder, all references to the District shall mean each RTCC Agency. Each RTCC Agency shall issue individual Contracts or Purchase Orders that shall specify quantity and delivery requirements and shall make payments directly to the Contractor who agrees to look solely to such agency for compensation. Any termination or modification of contractual commitments, in whole or in part, with individual RTCC agencies whether mutually agreed to or by remedy at law, shall in no way relieve the Contractor of any such contractual obligations to the remaining RTCC Agencies.

19. QUANTITIES

The quantities listed are the estimated annual requirements based on current usage. The RTCC does not guarantee, either expressed or implied, to purchase these quantities, but the right is reserved to purchase any greater or lesser quantities. The RTCC also reserves the right to buy these or other products from other Contractors. Contractor shall be bound to the prices on the Bid Form for the duration of the Contract term.

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH JANUARY 31, 2006

SPECIAL CONDITIONS

20. **DELIVERY**

Delivery of all items required within thirty (30) days of placement of orders.

21. **DELIVERY LOCATIONS FOR PARTICIPATING RTCC AGENCIES**

Time and place of Delivery:

AC Transit District
Receiving Dock, Central Maintenance Facility
10626 International Boulevard
Oakland, CA 94603
Monday – Friday, 7:00 a.m. to 2:00 p.m.

Bay Area Rapid Transit District (BART)
25 4th Street
Oakland, California 94607

San Mateo County Transit District (Sam Trans)
1960 Produce Avenue
San Mateo, California 94080

Central Contra Costa Transit Auth. (CCCTA)
2477 Arnold Industrial Way
Concord, California 94520

Golden Gate Transit District (GGTA)
1011 Andersen Drive
San Rafael, California 94901

Monterey –~~Salinas~~ Transit (MST)
One Ryan Ranch Road
Monterey, California 93940

Santa Cruz Metro (SCMTD)
111 Dubois Street
Santa Cruz, California 95060

Sonoma County Transit
355 West Robles Avenue
Santa Rosa, California 95407

Vallejo Transit
1850 Broadway
Vallejo, California 94590

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH JANUARY 31, 2006

SPECIAL CONDITIONS

22. BILLING AND INVOICING FOR PARTICIPATING RTCC AGENCIES

Contractor shall render invoices in triplicate to participating RTCC Agencies billing addresses listed below:

AC Transit District
P.O. BOX 28507
Oakland, CA 94603

Bay Area Rapid Transit District (BART)
800 Madison Street
Oakland, California 94604

San Mateo County Transit District (Sam Trans)
945 California drive
Burlingame, California 94010

Central Contra Costa Transit Auth. (CCCTA)
2477 Arnold Industrial Way
Concord, California 94520

Golden Gate Transit District (GGTA)
P.O. BOX 9000, Presidio Station
San Francisco, California 94129

Monterey –Salinas Transit (MST)
One Ryan Ranch Road
Monterey, California 93940

Santa Cruz Metro (SCMTD)
370 Encinal Street, Suite 100
Santa Cruz, California 95060

Sonoma County Transit
355 West Robles Avenue
Santa Rosa, California 95407

Vallejo Transit
1850 Broadway
Vallejo, California 94590

HEAVY DUTY BRAKE DRUMS
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SPECIAL CONDITIONS

23. COST AND PRICING DATA

In the event that there is only one (1) bid, cost and pricing data may be required to be submitted to the District by Contractor.

24. CONTRACT AWARD/EVALUATION

Award will be made to the lowest responsive and responsible bidder, and award may be made by individual item or in the aggregate, whichever is the most advantageous to the District

25. MODIFICATION OF CONTRACT

This Contract may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved in the same manner as this agreement.

26. BRAND, MANUFACTURER OR PRODUCT NAMES

Whenever brand, manufacturer or product names are indicated in these specifications, they are included **ONLY** for the purpose of establishing identification and a general description of the item. Whenever such names appear, the term, "or Approved Equal" is considered to follow. Specifying a brand name, components and/or equipment in the specification shall not relieve the supplier from his/her responsibility to produce the product in accordance with the warranty and contractual requirements.

The Contractor is responsible for notifying the District of any inappropriate brand name, components and/or equipment that may be called for in the specification, and to propose a substitute for consideration.

27. PROTEST PROCEDURES

A. Protest Before Bid Opening

Protests based upon restrictive specifications or alleged improprieties in the bidding procedure shall be filed, in writing, with the Procurement and Materials Director, ten (10) days prior to the bid opening date. The protest must clearly specify the grounds on which the protest is based and include any supporting information.

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH JANUARY 31, 2006

SPECIAL CONDITIONS

B. Protest of Award

A bidder (or other interested party as defined under the District's Protest Procedures) may file a protest with the District alleging a violation of applicable federal or state law and/or District policy or procedure relating to seeking, evaluating and/or awarding of a procurement contract. Such protest must be filed no later than ten (10) days after the date of notice of award or non-award of the contract by the District.

C. Copies of the District's Procurement Procedures should be obtained from the Districts Procurement and Materials Director. The Procurement Protest Procedures will be provided immediately upon request. FAILURE TO COMPLY WITH ANY OF THE REQUIREMENTS SET FORTH IN THE DISTRICT'S WRITTEN PROTEST PROCEDURES MAY RESULT IN REJECTION OF THE PROTEST.

28. **INSURANCE**

Vendor must have General Liability Insurance, coverage to be equal to Insurance Services Office Commercial General Liability Occurrence Form CG 0001, including contractual liability, severability of interests and products/completed operations. Limits shall be no less than \$1,000,000 per occurrence. Vendors insurance is primary as respects to any claims relating to this contract. The policy must be endorsed to add the District as additional insured. Coverage must be placed with an insurer having no less than a current A.M. Best rating of "A : VII". The District must be provided proof acceptable to the District of vendor's coverages prior to any work under this contract.

29. **CORRESPONDENCE**

All correspondence must show **Contract Bid Number 2004-855RTCC.**

30. **VENDOR REGISTRATION**

If you are not already an AC Transit registered vendor, an online Vendor Registration is required prior to contract award. Bidders should access www.actransit.org, select: purchasing, online purchasing, and register as an Online Purchasing User. To complete the process, include a W-9, Request for Taxpayer Identification Number and Certification – containing original signature – in proposals. If online access is not available, contact the Purchasing Department for instructions.

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH JANUARY 31, 2006**

SPECIAL CONDITIONS

31. FURTHER INFORMATION

Perspective bidders may contact James A. Bonds, (510) 577-8842, between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday, holidays excepted, for further information.

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**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

1. NO OBLIGATION BY THE FEDERAL GOVERNMENT

- A. The District and Contractor acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations or liabilities to the District, Contractor or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.
- B. The Contractor agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

2. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS AND RELATEDACTS

- A. The Contractor acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of the underlying contract, the Contractor certifies or **affirms** the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the Contractor further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Contractor to the extent the Federal Government deems appropriate.
- B. The Contractor also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. § 5307, the Government reserves the right to impose the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(l) on the Contractor, to the extent the Federal Government deems appropriate.

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECIPIENTS

- C. The Contractor agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clauses shall not be modified, except to identify the subcontractor who will be subject to the provisions.

3. ACCESS TO RECORDS

Access to Records of Recipients and Sub recipients. Upon request, the Recipient agrees to permit and require its Subrecipients to permit the Secretary of Transportation, the Comptroller General of the United States, and, if appropriate, the State, or their authorized representatives, to inspect all Project work, materials, payrolls, and other data, and audit the books, records, and accounts of the Recipient and its Subrecipients pertaining to the project.

4. FEDERAL CHANGES

Contractor shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Agreement between the District and FTA, as they may be amended or promulgated from time to time during the term of this contract. Contractor's failure to so comply shall constitute a material breach of this contract.

5. CIVIL RIGHTS REQUIREMENTS

In connection with the execution of this Contract, the Contractor shall not discriminate against any employee or applicant for employment because of race, color, creed, sex, disability, age or national origin. The Contractor shall take affirmative action to insure that applicants are employed, and the employees are treated during their employment, without regard to their race, color, creed, sex, disability, age or national origin. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor shall comply with any implementing regulations FTA may issue.

6. TERMINATION

Supplementing Paragraph 14 of the General Conditions, Instructions and Information for Bidder, in the event that the Contractor breaches the terms or violates the conditions of the contract to be awarded, and does not within ten (10) days of written notice from the District cure such breach or violation, the District may immediately terminate the contract, and shall pay the Contractor only its allowable costs to date of termination.

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

A. Termination for Convenience

The District may terminate this contract, in whole or in part, at any time by written notice to the Contractor when it is in the District's best interest. The Contractor shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The Contractor shall promptly submit its termination claim to District to be paid the Contractor. If the Contractor has any property in its possession belonging to the District, the Contractor will account for the same, and dispose of it in the manner the District directs.

B. Termination for Default [Breach or Cause]

If the Contractor does not deliver supplies in accordance with the contract delivery schedule, or, if the contract is for services, the Contractor fails to perform in the manner called for in the contract, or if the Contractor fails to comply with any other provisions of the contract, the District may terminate this contract for default. Termination shall be effected by serving a notice of termination on the contractor setting forth the manner in which the Contractor is in default. The Contractor will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner of performance set forth in the contract.

If it is later determined by the District that the Contract had an excusable reason for not performing s, such as a strike, fire or flood, events which are not the fault of or are beyond the control of the Contractor, the District, after setting up a new delivery of performance schedule, may allow the Contractor to continue work, or treat the termination as a termination for convenience.

C. Opportunity to Cure

The District in its sole discretion may, in the case of termination for breach or default, allow the Contractor ten (10) days in which to cure the defect. In such case, the notice of termination will state the time period in which cure is permitted and other appropriate conditions.

If the Contractors fails to remedy to District's satisfaction the breach or default or any other terms, covenants, or conditions of this Contract within ten (10) days after receipt by Contractor or written notice from District setting forth the nature of said breach or default, District shall have the right to terminate the Contract without any further obligation to Contractor. Any such termination for default shall not in any way operate to preclude District from also pursuing all available remedies against the Contractor

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

and its sureties for said breach or default.

D. Waiver of Remedies for any Breach

In the event that District elects to waive its remedies for any breach by Contractor of any covenant, term or condition of this Contract, such waiver by District shall not limit District's remedies for any succeeding breach of that or of any other term, covenant or condition of this Contract.

E. Termination for Default (Supplies and Service)

If the Contractor fails to deliver supplies or to perform the services within the time specified in this contract or any extension or if the Contractor fails to comply with any other provisions of this contract, the District may terminate this contract for default. The District shall terminate by delivering to the Contractor a Notice of Termination specifying the nature of the default. The Contractor will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner or performance set forth in this contract.

If, after termination for failure to fulfill contract obligations, it is determined that the Contractor's was not in default, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the District

7. DISADVANTAGED BUSINESS ENTERPRISES (DBE) POLICY

- A. It is the policy of the District to ensure nondiscrimination in the award and administration of all contracts and to create a level playing field on which DBEs can compete fairly for contracts and subcontracts relating to the District construction, procurement and professional services activities. To this end, the District has developed procedures to remove barriers to DBE participation in the bidding and award process, and to assist DBEs to develop and compete successfully outside the DBE program. In connection with this contract, the Contractor will cooperate with the District in meeting these commitments and objectives.
- B. The District, a recipient of federal financial assistance from the Federal Transit Administration (FTA), is committed to and has adopted a DBE program in accordance with federal regulations 49 CFR Part 26, issued by the US Department of Transportation.
- C. Pursuant to 49 CFR 26.13, the Contractor is required to make the following assurance in its agreement with the District and to include this

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECIPIENTS

assurance in any agreements it makes with Subcontractors in the performance of this contract:

- D. The Contractor or Subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the Contractor or Subcontractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the District deems appropriate.
- E. Additionally, all of the requirements described in the DBE Program shall be met. A contract that has a specific DBE participation goal will be described in the Special Conditions. Any bidder who would like to request additional information or ask questions regarding the DBE Program may contact the District's DBE Administrator at (510) 891-7176.
- F. **PROMPT PAYMENT TO SUBCONTRACTORS:** In accordance with the District's DBE Program, the Contractor shall pay all subcontractors approved by the District for work that has been satisfactorily performed no later than thirty (30) days from date of Contractor's receipt of progress payments made by the District. Within sixty (60) days of satisfactory completion of all work required of the subcontractor, Contractor shall release any retainage payments withheld to the subcontractor.

8. INCORPORATION OF FEDERAL TRANSIT ADMINISTRATION (FTA) TERMS

The following provisions include, in part, certain Standard Terms and Conditions required by DOT, whether or not expressly set forth in the preceding contract provisions. All Contractual provisions required by the DOT, as set forth in FTA Circular 4220.1 D, dated April 15, 1996, are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in the Agreement. The Contractor shall not perform any act, fail to perform any act, or refuse to comply with any AC TRANSIT requests which would cause AC TRANSIT to be in violation of the FTA terms and conditions.

9. ENVIRONMENTAL PROTECTION

The Recipient agrees to comply with all applicable requirements on the National Environmental Policy Act of 1969, as amended, 42 U.S.C. §§ 4321 et seq., Executive Order No. 11514, as amended, "Protection and Enhancement of Environmental Quality," 42 U.S.C. §§ 4321 note; FTA statutory requirements at 49 U.S.C. § 5324(b); Council on Environmental Quality regulations pertaining to

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

compliance with the National Environmental Policy Act of 1969, as amended, 40 C.F.R. Part 1500 et seq.; the joint FHWA/FTA regulations, "Environmental Impact And Related Procedures," 23 C.F.R. Part 771 and 49 C.F.R. Part 622, and, when promulgated, FHWA/FTA joint regulations, "NEPA and Related Procedures for Transportation Decision-making, Protection of Public Parks, Wildlife and Waterfowl Refuges, and Historic Sites," 23 C.F.R. Part 1420 and 49 C.F.R. Part 623

10. ENERGY CONSERVATION

The Contractor shall recognize mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. Section 6321 et seq.).

11. CARGO PREFERENCE - USE OF UNITED STATES FLAG VESSELS

The contractor agrees: a. to use privately owned United States-Flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to the underlying contract to the extent such vessels are available at fair and reasonable rates for United States-Flag commercial vessels; b. to furnish within 20 working days following the date of loading for shipments originating within the United States or within 30 working days following the date of leading for shipments originating outside the United States, a legible copy of a rated, "on-board" commercial ocean bill- of-lading in English for each shipment of cargo described in the preceding paragraph to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590 and to the District (through the contractor in the case of a subcontractor's bill- of-lading.) c. to include these requirements in all subcontracts issued pursuant to this contract when the subcontract may involve the transport of equipment, material, or commodities by ocean vessel.

12. BUY AMERICA REQUIREMENTS

The Contractor agrees to comply with 49 U.S.C. 5323(j) and 49 CFR Part 661, which provide that Federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless a waiver has been granted by FTA or the product is subject to a general waiver. General waivers are listed in 49 CFR 661.7.

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

BUY AMERICA CERTIFICATE

Certification requirement for procurement of steel, iron, or manufactured products.

Certificate of Compliance with 49 U.S.C. 5323(j)(l)

The bidder or offeror hereby certifies that it will meet the requirements of 49 U.S.C. 5323(j)(l) and the applicable regulations in 49 CFR Part 661.

Date: _____

Signature: _____

Company Name: _____

Title: _____

Certificate of Non-Compliance with 49 U.S.C. 5323(j)(l)

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j)(l), but it may qualify for an exception pursuant to 49 U.S.C. 5323(j)(2)(B) or (j)(2)(D) and the regulations in 49 CFR 661.7.

Date: _____

Signature: _____

Company Name: _____

Title: _____

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

TECHNICAL SPECIFICATIONS

1. **Introduction**

It is the intent of the District to purchase various new **Webb** heavy-duty brake drums, or "Approved Equal" for the District's fleets.

2. **Purpose**

This specification prescribes minimum acceptable requirements for heavy-duty brake drums, which will provide maximum safety and reliability for the District; while taking advantage of the latest advancements in the field, particularly with regard to reliability of operation. The absence of specifications regarding detail implies that the best general practice will prevail and that first quality material and workmanship are to be used.

The heavy-duty brake drum procurement will result in a contract, where product must be delivered from Contractor's existing shelf stock within **thirty** (30) days after issuance of a Purchase Order.

3. **Requirement**

All heavy-duty brake drums shall be delivered F.O.B. to the following addresses listed below, in accordance with this specification:

AC Transit District
Receiving Dock, Central Maintenance Facility
10626 International Boulevard
Oakland, CA 94603
Monday – Friday, 7:00 a.m. to 2:00 p.m.

Bay Area Rapid Transit District (BART)
25 4th Street
Oakland, California 94607

San Mateo County Transit District (Sam Trans)
1960 Produce Avenue
San Mateo, California 94080

Central Contra Costa Transit Auth. (CCCTA)
2477 Arnold Industrial Way
Concord, California 94520

Golden Gate Transit District (GGTA)
1011 Andersen Drive
San Rafael, California 94901

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TECHNICAL SPECIFICATIONS

Monterey –Salinas Transit (MST)
One Ryan Ranch Road
Monterey, California 93940

Santa Cruz Metro (SCMTD)
111 Dubois Street
Santa Cruz, California 95060

Sonoma County Transit
355 West Robles Avenue
Santa Rosa, California 95407

Vallejo Transit
1850 Broadway
Vallejo, California 94590

4. **Conformity**

All units or parts not specified shall be manufacturer's standard units. In all cases, material must be furnished as specified, but if the term "Approved Equal", is used, the General Manager of the District, or his designee, must approve any material or equipment substituted for specified material or equipment.

Each heavy-duty brake drum shall be delivered as a complete functional unit ready for operation, including all accessory items as may be required for the type of service herein specified. **No advantage** shall be taken by the **Contractor** if there are omissions in this specification of components, parts or installations, which are essential to the proper complete and safe operation of the equipment.

5. **Submission with Bid**

Contractor shall submit with their bid, manufacturer's specifications or literature covering heavy-duty brake drums and/or accessories or equipment offered to meet the requirements of this specification.

6. **Responsibility**

Heavy-duty brake drum manufacturer shall assume responsibility for all material used in the construction and fabrication of heavy-duty brake drums, whether same is made by heavy-brake drum manufacturer or purchased ready-made from an outside source.

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006

TECHNICAL SPECIFICATIONS

7. Approved Tested Heavy Duty Brake Drum Manufacturer

- (a) Webb Heavy Duty Brake Drums are the only approved heavy-duty brake drums for the District.
- (b) Heavy-duty brake drums must certify to **Air Brake Standard FMVSS 121**.
- (c) Heavy-duty brake drum surface should be free of scoring, excessive heat checks and free of cracks.
- (d) Heavy-duty brake drum surface diameter should be within the maximum diameter cast or stamped on the drum.
- (e) Heavy-duty brake drum mounting and pilot holes must be round and true.
- (f) Heavy-duty brake drum mounting surface must be clean and flat.

CAUTION: IF ANY OF THE ABOVE CONDITIONS ARE NOT MET, THE BRAKE DRUMS ARE TO BE REPLACED FREE OF CHARGE BY THE CONTRACTOR.

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HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006

BID FORM SHEET

Price Quotation

AC TRANSIT and participating RTCC agencies will purchase **new heavy-duty brake drums**. Quantities are based on the District's prior annual purchase history. Approximate quantities are listed below, the District and participating RTCC agencies do not guarantee any specific quantities.

Est. Yearly Quantity Each	A.C. Transit In-House No.	O.E.M. For Webb Wheel	Alternative Manufacturer	Drum Description	Price Per Drum
10		64115U		REAR, UNDERSIZE	
1900	020004	641158		REAR, STD.	
10		64117U		FRONT, UNDER SIZE	
945	020011	641178		FRONT, STD.	
140	015026	65169B		REAR, STD.	
10		65169BU		FRONT, UNDER SIZE	
10		64001		FRONT, STD.	
1100		66822		REAR, STD.	
10		66892		REAR, STD.	
370	552079	668128		REAR, STD.	
10	020002	64003B		FRONT, STD.	
140		64048B		REAR, STD.	
140		64046B		FRONT, STD.	
10	020010	64039B		FRONT, STD.	
40	020009	640408		REAR, STD.	

PAYMENT TERMS: _____

DISCOUNTS: _____

MINIMUM WEIGHT: _____

(TO MEET MANUFACTURER'S MINIMUM WEIGHT REQUIREMENT FOR PREPAID FREIGHT)

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006

BID FORM SHEET

Price Quotation

AC TRANSIT and participating RTCC agencies will purchase **new heavy-duty brake drums**. Quantities are based on the District's prior annual purchase history. Approximate quantities are listed below, the District and participating RTCC agencies do not guarantee any specific quantities.

Est. Yearly Quantity Each	A.C. Transit In-House No.	O.E.M. For Webb Wheel	Alternative Manufacturer	Drum Description	Price Per Drum
10		64113		FRONT, STD	
100	604357	656008		FRONT, STD.	
12	604358	65551 B		TAG, STD	
50		64119B		FRONT, STD.	
220		64117U			
100		64046U			
10		6404811			
30		640158		REAR, STD.	
350		64015U			
100		66822		REAR, STD.	
20		64051		FRONT, STD.	
54		64089		REAR, STD.	
10		BO108901AC		FRONT, STD.	
10		BO108901AC		REAR, STD.	

PAYMENT TERMS: _____
 DISCOUNTS: _____
 MINIMUM WEIGHT: _____
 (TO MEET MANUFACTURER'S MINIMUM WEIGHT REQUIREMENT FOR PREPAID FREIGHT)

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SAMPLE CONTRACT

This CONTRACT is made and entered into this d a y o f _____ 2004, by and between the Alameda-Contra Costa Transit District (hereinafter referred to as "District"), a special transit district established pursuant to California Public Utilities Code, Section 24501 et seq., and _____ (hereinafter referred to as "CONTRACTOR").

1. SCOPE OF WORK

Contractor shall furnish the District all labor, equipment, **supplies, material and** services as specified in and in full accordance with the **Contract Documents** issued by the District entitled:

**HEAVY DUTY BRAKE DRUMS
CONTRACT NO. 2003-855RTCC**

2. COMPONENT PARTS OF THE CONTRACT

This Contract shall consist of the following documents, each of which is on file with the District, and is incorporated into and made a part of the Contract by reference:

- A. This Contract
- B. Invitation for Bids No. 2004-855-RTCC and any Addenda thereto
- C. Bidder/Supplier's submitted Bid Forms

3. TIME OF PERFORMANCE

The Contractor shall furnish heavy-duty brake drums as specified in the Contract Documents from the date of contract, commencing **MM/DD/YYYY**, and continue for a two (2) year period.

4. CONTRACT PRICE

The Contractor shall provide the required product at the rates set forth in the Bid Form submitted to the District. The contract shall have a not - to - exceed ceiling of \$ _____ per year, with a total not - to - exceed contract ceiling of \$ _____

5. NOTICES

Any notices which may be required under this Contract shall be in writing, shall be effective when received and shall be given by personal service, or by certified or registered mail, return receipt requested, to the addresses set forth below, or to such other addresses which may be specified in writing by the parties.

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006

SAMPLE CONTRACT

District: Alameda-Contra Costa Transit District
Purchasing and Materials Manager
10626 International Boulevard
Oakland, California 94603

and

Bidder/Supplier

6. **ATTORNEY'S FEES**

In the event that it becomes necessary for either party to bring a lawsuit to enforce any of the provisions of the Contract, the parties agree that the court having jurisdiction over such dispute shall have the authority to determine and fix reasonable attorney's fees to be paid to the prevailing party.

7. **SEVERABILITY**

If any provision of this Contract is declared void or unenforceable, such provisions shall be deemed severed from this agreement, which shall otherwise remain in full force and effect.

8. **BINDING EFFECT**

All of the terms, provisions, and conditions of the Contract hereunder, shall be binding upon and inure the parties hereto and their respective successors, assigns, and legal representatives.

9. **ENTIRE AGREEMENT**

This Contract represents the entire agreement of the parties with respect to the subject matter hereof, and all such agreements entered into prior hereto are revoked and superseded by this Contract, and no representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

This Contract may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this agreement shall be void and of no effect.

**HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, 2004 THROUGH DECEMBER 31, 2006**

SAMPLE CONTRACT

IN WITNESS WHEREOF, the parties have executed this CONTRACTON on the dates set forth below..

ALAMEDA-CONTRA COSTA TRANSIT:

CONTRACTOR:

_____ Date _____

Rick Fernandez
General Manager

_____ Date _____

(Signature)

Approved as to form:

(Print Name and Title)

_____ Date _____

Kenneth C. Scheidig
General Counsel

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, THROUGH JANUARY 31, 2006

Addendum No. 1 dated January 10, 2004

The Alameda-Contra Costa Transit District herewith issues this Addendum No.1 to the above reference Bid Documents. Except as modified below, all other terms and conditions shall remain in effect. ~~Strikethrough~~ texts are words deleted from original IFB text and **bold/italicized/underlined** text are changes to original IFB text.

Amendments to Special Conditions
Delivery locations for participating RTCC Agencies

On page 4 of 23, the following is to be added:

San Joaquin Regional Transit (SJRTD)
1533 E. Lindsay Street
Stockton, California 95205

On page 5 of 23, the following is to be added:

San Joaquin Regional Transit (SJRTD)
7533 E. Lindsay Street
Stockton, California 95205

Amendments to the Supplemental Federal Requirements for FTA Recipients

NONE

Amendments to the Technical Specifications

On page 17 of 23, the following is added:

San Joaquin Regional Transit (SJRTD)
7533 E. Lindsay Street
Stockton, California 95205

Amendments to Bid Form Sheet

NONE

Amendments to Sample Contract

NONE

Amendments to the IFB Attachments

NONE

HEAVY DUTY BRAKE DRUMS
FOR THE TERM FEBRUARY 20, THROUGH JANUARY 31, 2006

Addendum No. 1 dated January 10, 2004

Attachments to this Addendum

NONE

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Tom Stickel, Manager of Fleet Maintenance

**SUBJECT: CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING
HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES**

I. RECOMMENDED ACTION

District staff is recommending that the Board authorize the General Manager to enter into a two-year, firm fixed price contract with Batteries USA, Inc. for the purchase of heavy-duty coach and automotive batteries.

II. SUMMARY OF ISSUES

- At the August 15, 1997 board meeting, the Board of Directors authorized the District's participation in the Regional Transit Coordinating Council (RTCC) cooperative purchase agreements.
- The RTCC Procurement Committee released an invitation for bid for heavy-duty coach and automotive batteries on January 6, 2004. The District is a participating transit agency in this bid.
- Bids were opened on February 13, 2004.
- RTCC Contract No. 2004-733RTCC was awarded to Batteries USA, Inc. for the purchase of heavy-duty coach and automotive batteries.
- District staff recommends that the Board authorize the General Manager to enter into a contract with Batteries USA, Inc. for the purchase of heavy-duty coach and automotive batteries in reference to the RTCC contract.

III. DISCUSSION

In order to obtain the best prices by combining annual quantities from several participating transit agencies, the RTCC Procurement Committee actively participates in joint procurements for commodities that are commonly used by RTCC member agencies.

RTCC bid documents were prepared and mailed in January to prospective bidders. On February 13, 2004 four bids were opened. Bids were evaluated with a recommendation that a contract be awarded to Batteries USA, Inc. as the lowest responsive bidder. District staff recommends that the Board authorize the General Manager to enter into a contract with Batteries USA, Inc. for the purchase of heavy-duty coach and automotive batteries in reference to the RTCC contract.

IV. FINANCIAL CONSIDERATIONS

Funding for the procurement of heavy-duty coach and automotive batteries is contained within the Fleet Maintenance operating budget. Annual estimated budget for coach and automotive batteries is \$15,000.

V. ATTACHMENTS

Attachment A: Contract with Batteries USA, Inc.

NOTE: Exhibits C & D are available for review by the public at the Administration Office of METRO or online at www.scmtd.com.

2004-733RTCC

CONTRACT FOR HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES

THIS CONTRACT is made effective on March 29, 2004, between the SANTA CRUZ METROPOLITAN TRANSIT DISTRICT, a political subdivision of the State of California ("District"), and BATTERIES USA, INC., ("Contractor").

1. RECITALS

1.01 District's Primary Objective

District is a public entity whose primary objective is providing public transportation and has its principal office at 370 Encinal Street, Santa Cruz, California 95060.

1.02 District's Need for Heavy Duty Coach And Automotive Batteries

District requires the purchase of heavy-duty coach and automotive batteries to be used for standard purposes. In order to obtain said goods, the District entered into a covenant with the Regional Transit Coordinating Council (RTCC), on January 6, 2004, to obtain said goods for a period of two (2) years. This agreement, 2004-733RTCC, is attached hereto and incorporated herein by reference as Exhibit A.

1.03 Contractor's Bid Form

Contractor is a supplier of goods desired by the District and whose principal place of business is 1 Industrial Street, San Francisco, California. Contractor was chosen as the lowest responsive, responsible bidder by AC Transit District, in a fair and open bid. The results of said Bid are attached hereto and incorporated herein by reference as Exhibit B. A copy of Contractor's Bid Form is attached hereto and incorporated herein by reference as Exhibit C.

1.04 Selection of Contractor and Intent of Contract

On February 13, 2004, AC Transit District, the lead procuring agency for this Bid, selected Contractor as the lowest responsive, responsible bidder to provide said goods. The purpose of this Contract is to set forth the provisions of this procurement.

1.05 Contractor and Supplier Synonymous

For the purposes of this Contract, the terms "contractor" and "supplier" are synonymous.

District and Contractor agree as follows:

2. INCORPORATED DOCUMENTS AND APPLICABLE LAW

2.01 Documents Incorporated in This Contract

The documents below are attached to this Contract and by reference made a part hereof. This is an integrated Contract. This writing constitutes the final expression of the parties' Contract, and it is a complete and exclusive statement of the provisions of that Contract.

a) Exhibit A - RTCC's Governing Contract.

- b) Exhibit B - Bid Abstract
- c) Exhibit C – Contractor’s Bid Form
- d) Exhibit D- Invitation for Bid, Contract No. 2004-733RTCC

2.02 Conflicts

Where in conflict, the provisions of this writing supersede those of the above-referenced documents, Exhibits A, B, and C. Where in conflict, the provisions of Exhibit A supersede Exhibits B, C and D.

2.03 Recitals

The Recitals set forth in Article 1 are part of this Contract.

3. TIME OF PERFORMANCE

3.01 General

Contractor shall provide materials under this Contract at such times as deemed necessary by the District.

3.02 Term

The term of this Contract commences on the date of execution and shall remain in force through February 28, 2006.

4. COMPENSATION

4.01 Terms of Payment

Upon written acceptance, District agrees to pay Contractor as identified in the Bid Form, Exhibit C. Upon satisfactory delivery of materials under the terms and provisions of this Contract, District agrees to pay Vehicle Maintenance Program Inc. within thirty (30) days thereof. Contractor understands and agrees that if he/she exceeds the scheduled amounts payable under this contract, that it does so at its own risk.

4.02 Invoices

Contractor shall submit invoices referencing the District supplied Purchase Order number.

Invoice records shall be kept up-to-date at all times and shall be available for inspection by the District (or any grantor of the District, including, without limitation, any State or Federal agency providing project funding or reimbursement) at any time for any reason upon demand for not less than four (4) years after the date of expiration or termination of the contract. Under penalty of law, Contractor represents that all amounts billed to the District are (1) actually incurred; (2) reasonable in amount; (3) related to this contract; and (4) necessary for performance of the services. The District shall pay no expenses unless specifically allowed by this contract.

5. NOTICES

All notices under this Contract shall be deemed duly given upon delivery, if delivered by hand; or three (3) days after posting, if sent by registered mail, receipt requested; to a party hereto at the address hereinunder set forth or to such other address as a party may designate by notice pursuant hereto.

DISTRICT

Santa Cruz Metropolitan Transit District
370 Encinal Street,
Santa Cruz, CA 95060

Attention: Lloyd Longnecker
District Buyer

CONTRACTOR

Batteries USA, Inc.
1 Industrial Street
San Francisco CA 94124

Attention: Said Senan
President

6. AUTHORITY

Each party has full power and authority to enter into and perform this Contract and the person signing this Contract on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this Contract, understands it, and agrees to be bound by it.

Signed on _____

DISTRICT--SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Leslie White
General Manager

CONTRACTOR: BATTERIES USA, INC.

By _____
Said Senan
President

Approved as to Form:

Margaret Rose Gallagher
District Counsel

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM MARCH 01, 2004 THROUGH FEBRUARY 28, 2006**

CONTRACT

THIS CONTRACT is made and entered into this 26th day of February 2004, by and between ALAMEDA CONTRA COSTA TRANSIT DISTRICT (hereinafter referred to as "District"), a special transit district established pursuant to California Public Utilities Code, Section 24501 et seq., and Batteries USA, incorporated, 1 Industrial Street, San Francisco, California 94124 (hereinafter referred to as "Contractor").

1. SCOPE OF WORK

Contractor shall furnish to the District all labor, equipment, supplies, material and services as specified in and in full accordance with the Contract Document issued by the District entitled

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
CONTRACT NO. 2004-733RTCC**

2. COMPONENT PARTS

This Contract shall consist of the following documents, each of which is on file with the District, and is incorporated into and made a part of the Contract by reference:

- A. This Contract
- B. Invitation for Bid No. 2004-733RTCC
- C. Contractor's submitted Bid Form
- D. Addendum No.1

3. PERIOD OF PERFORMANCE

The Contractor shall furnish Deka/East Penn heavy-duty coach and automotive batteries as specified in the Contract, commencing March 01, 2004, and continuing for a two (2) year period ending February 28, 2006.

4. CONTRACT PRICE

The Contractor shall furnish Deka/East Penn heavy-duty coach and automotive batteries as required at the rates set forth in the Bid Form submitted to the District as follows:

Group 1 8D High Cranking Battery		
<u>Deka/East Penn O.E.M.</u>	<u>Unit price per 8D Battery Refundable core charge</u>	
908D	\$60.00	\$15.00

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM MARCH 01, 2004 THROUGH FEBRUARY 28, 2006

CONTRACT

Group 1 8D High Reserve Capacity Battery
Deka/East Penn O.E.M. Unit price per 8D Battery Refundable core charge

908D \$60.00 \$15.00

Group 2 Type 31-H Battery
Deka/East Penn O.E.M. Unit price per 8D Battery Refundable core charge

DPE31 CS \$35.00 \$7.00

Group 3 Automotive, Truck and Service Vehicle Batteries
Deka/East Penn O.E.M. Unit price per 8D Battery Refundable core charge

Various -20% Off List Price \$7.00

Special Terminals Unit price per Battery

Flag Type \$7.00

Side Terminal \$7.00

Warranty Period Group 1: 8D Batteries

24 Months/1 00% Full Replacement

Warranty Period Group 2: Type 31-H Batteries

24 Months/1 00% Full Replacement

Warranty Period Group 3: Automotive, Truck and Service Vehicles Batteries

60 Months/1 00% Full Replacement

Payment terms: 5%/Net 30 days on all items above.

All Deka/East Penn heavy-duty coach and automotive batteries shall be delivered F.O.B. Receiving Point to the following address:

**AC Transit District
Receiving Dock, Central Maintenance Facility
10626 International Boulevard
Oakland, California 94603
Monday – Friday, 7:00 a.m. to 2:00 p.m.**

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM MARCH 01, 2004 THROUGH FEBRUARY 28, 2006

CONTRACT

All invoices shall be submitted in accordance with the terms of payment, in triplicate, with all applicable back up, by Contractor to AC Transit Accounts Payable, P.O. Box 28507, Oakland, California. 94604. Payment to the contractor will be made Net 30 Days after receipt of approved invoices. **Please reference the Contract Number and the Purchase Order Number on all submitted Invoices. Failure to do so could delay payments.**

5. NOTICES

Any notice which may be required under this Contract shall be in writing, shall be effective when received, and shall be given by personal service or by certified or registered mail, return receipt requested, to the addresses set forth below or to such other addresses which may be specified in writing by the parties to this Contract.

DISTRICT:

Procurement and Materials Director
10626 International Blvd.
Oakland, California 94603

CONTRACTOR:

Batteries USA, Incorporated
1 Industrial Street
San Francisco, California 94124

6. ATTORNEY'S FEES

In the event that it becomes necessary for either party to bring a lawsuit to enforce any of the provisions of the Contract, the parties agree that the court having jurisdiction over such dispute shall have the authority to determine and fix reasonable attorney's fees to be paid to the prevailing party.

7. SEVERABILITY

If any provision of the Contract is declared void or unenforceable, such provision shall be deemed severed from this Contract, which shall otherwise remain in full force and effect.

8. BINDING EFFECT

All of the terms, provisions and conditions of the Contract hereunder shall be binding upon and inure the parties hereto and their respective successors, assigns and legal representatives.

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM MARCH 01, 2004 THROUGH FEBRUARY 28, 2006

CONTRACT

9. ENTIRE AGREEMENT

This Contract represents the entire agreement of the parties with respect to the subject matter hereof, and all such agreements entered into prior hereto are revoked and superseded by this Contract, and no representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

This Contract may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this Contract shall be void and of no effect.

IN WITNESS WHEREOF, the parties have executed this Contract on the dates set forth below.

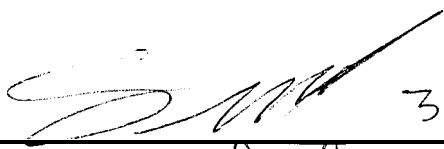
ALAMEDA-CONTRA COSTA
TRANSIT DISTRICT:



Rick Fernandez
General Manager

3/17/04
Date

BATTERIES USA, INCORPORATED:



Name: President
Title: President
Date: 3/19/04

Approved as to Form:



Kenneth C. Scheidig
General Counsel, AC Transit

3-15-04
Date

BIDDER	QUANTITY 8D HIGH CRANKING	BATTERY MANUFACTURER	MANUFACTURER CODE	MINIMUM CCA	RESERVE CAPACITY	UNIT PRICE	SPECIAL TERMINAL	CORE CHARGE	WARRANTY	LOWEST RESPONSIVE BIDDER	ESTIMATED GRAND TOTAL	RTCC AC	ESTIMATED TRANSIT TOTAL
BATTERY SYSTEM	1500	RAMCAR	A8D14	1400	460	\$ 65.00	\$ 7.00	\$ 15.00	24 MONTHS				
BATTERES USA	1500	DOUGLASS	8DHP	1550	510	\$ 60.00	\$ 7.00	\$ 15.00	24 MONTHS	BATTERES USA	\$ 90,000.00		\$ 72,000.00
BATTERES USA	1500	DEKA/EAST PENN	908D	1300	430	\$ 60.00	\$ 7.00	\$ 15.00	24 MONTHS	BATTERES USA	\$ 90,000.00		\$ 72,000.00
BATTERY BLL, INC.	1500	RAMCAR	ED-1400	1300	450	\$ 91.00	\$ 15.00	\$ -	24 MONTHS				
H. DALEY CHEVROLET	1500	INTERSTATE	MHD	1400	450	\$ 116.00	\$ -	\$ 14.00	24 MONTHS				
BIDDER	QUANTITY 8D HIGH RESERVE	BATTERY MANUFACTURER	MANUFACTURER PRODUCT CODE	MINIMUM CCA	RESERVE CAPACITY	UNIT PRICE	SPECIAL TERMINAL	CORE CHARGE	WARRANTY				
BATTERY SYSTEM	600	RAMCAR	A8D10	1050	345	\$ 65.00	\$ 7.00	\$ 15.00	24 MONTHS				
BATTERES USA	600	DOUGLASS	8D-3	1400	435	\$ 60.00	\$ 7.00	\$ 15.00	24 MONTHS	BATTERES USA	\$ 36,000.00		\$ -
BATTERES USA	600	DEKA/EAST PENN	908D	1300	430	\$ 60.00	\$ 7.00	\$ 15.00	24 MONTHS	BATTERES USA	\$ 36,000.00		\$ -
BATTERY BLL, INC.	800	RAMCAR	8D10	1150	340	\$ 78.00	\$ 15.00	\$ -	24 MONTHS				
H. DALEY CHEVROLET	600	AC DELCO	761A	1050	350	\$ 136.00	\$ -	\$ 2.00	24 MONTHS				
BIDDER	QUANTITY TYPE 31-H	BATTERY MANUFACTURER	MANUFACTURER PRODUCT CODE	MINIMUM CCA	RESERVE CAPACITY	UNIT PRICE	SPECIAL TERMINAL	CORE CHARGE	WARRANTY				
BATTERY SYSTEM	275	RAMCAR	A31A	950	180	\$ 36.00	\$ 6.00	\$ 8.00	24 MONTHS				
BATTERES USA	275	DOUGLASS	31-750T	750	180	\$ 34.00	\$ 5.00	\$ 7.00	24 MONTHS	BATTERES USA	\$ 9,350.00		\$ 6,800.00
BATTERES USA	275	DEKA/EAST PENN	DPE31CS	650	180	\$ 35.00	\$ 5.00	\$ 7.00	24 MONTHS	BATTERES USA	\$ 9,625.00		\$ 7,000.00
BATTERY BLL, INC.	275	RAMCAR	31MF	750	150	\$ 46.00	\$ -	\$ -	24 MONTHS				
H. DALEY CHEVROLET	275	AC DELCO	1150	700	180	\$ 70.00	\$ -	\$ 2.00	24 MONTHS				
DISCOUNT OFF LIST FOR AUTOMOTIVE BATTERIES PERCENTAGE													
BATTERY SYSTEM	-30%												
BATTERES USA	-20%												
BATTERY BLL, INC.	-30%												
H. DALEY CHEVROLET	3.2%												

EXHIBIT - B

BATTERIES USA SUBMITTED DOUGLAS BATTERIES AS A BACK UP.
AWARD WILL BE MADE FOR DEKA/EAST PENN

EXHIBIT -C-

SIGN AND RETURN THIS PAGE

CONTRACT PROPOSAL NO. 2004-733RTCC

AC TRANSIT DISTRICT
Purchasing Department
10626 International Blvd.
Oakland, CA 94603

Date: January 06, 2004

TITLE: Heavy Duty Coach and Automotive Batteries

BIDS WILL BE OPENED at 10626 International Blvd. by 2 P.M February 13, 2004

Sign the **bid**, put it in an envelope, and write the Contract Bid number and Title on the **outside**. Sign and return this page. Retain Bidder's duplicate copy for your files.

DO NOT INCLUDE SALES OR EXCISE TAXES in Bid prices.

ALL BIDDERS COMPLETE THIS SECTION:

January 23, 2004

COPY

Upon execution of a Contract Acceptance form, the undersigned agrees to furnish, subject to provisions on the reverse of this form, all articles or services within the dates specified, in the manner and at the prices stated in accordance with the advertisement, specifications, proposal, special conditions and general conditions, all of which are made part of the contract proposal, when authorized by Purchase Order, Contract Order, or Letter of Agreement issued by the District.

Time under which business is conducted; Batteries USA, Inc.
Business street address: 1 Industrial st. Telephone: 415-647-5575
San Francisco CA 94124
City State Zip Code

SOLE OWNER, sign here:

I sign as sole owner of the business named above:
Signed _____ Typed Name _____

PARTNERSHIP OR JOINT VENTURE, sign here:

The undersigned certify that we are partners in the business (joint venture) named above and that we sign this contract proposal with full authority to do so (one or more partners sign):
Signed _____ Typed Name _____
Signed _____ Typed Name _____

CORPORATION, sign here:

The undersigned certify that they sign this contract proposal with full authority to do so:
Corporate Name: Batteries USA, Inc.
Signed [Signature] Typed Name Said Senan Title President
Signed _____ Typed Name _____ Title _____

Incorporated under the laws of the State of California

HEAVY-DUTY COACH AND AUTOMOTIVE BATERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006
SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

BUY AMERICA CERTIFICATE

Certification requirement for procurement of steel, iron, or manufactured products.

Certificate of Compliance with 49 U.S.C. 5323(j)(1)

The bidder or offeror hereby certifies that it will meet the requirements of 49 U.S.C. 5323(j)(1) and the applicable regulations in 49 CFR Part 661.

Date: January 23, 2004

Signature: 

Company Name: Batteries USA, Inc.

Title: President

Certificate of Non-Compliance with 49 U.S.C. 5323(j)(1)

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j)(1), but it may qualify for an exception pursuant to 49 U.S.C. 5323@ (2)(B) or (j)(2)(D) and the regulations in 49 CFR 661.7.

Date: _____

Signature: _____

Company Name: _____

Title: _____

HEAVEY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

BID FORM SHEET

Price Quotation

AC TRANSIT and participating RTCC agencies will purchase **new heavy-duty coach and automotive batteries**. Quantities are based on the Districts prior annual purchase history. Approximate quantities are listed below, the District and participating RTCC agencies do not guarantee any specific quantities.

Est. Yearly Quantity Each	Group 1 High Cranking	Manufacturer	Product Code	Cold Cranking Amps	Reserve Capacity	Price Per Battery
1500	1300	East Penn	908D	1300	430	\$60.00

Either Flag/Side Terminal

Warranty period: 24 /MONTHS
100% Full Replcement

Core C harge: \$ 15.00 /EACH

Special Terminal \$ 7.00 /EACH

Pavment Terms: % Net /Days

Discounts: 5 % Net 30 /Days

Est. Yearly Quantity Each	Group 1 High Reserve Capacity	Manufacturer	Product Code	Cold Cranking Amps	Reserve Capacity	Price Per Battery
000	1300	East Penn	908D	1300	430	\$60.00

Either Flag/Side Terminal

Warranty period: 24 /MONTHS
100% Full Replcement

Core Charge: \$ 15.00 /EACH

Special Terminal \$ 7.00 /EACH

Pavment Terms: % Net /Days

Discounts: 5 % Net 30 /Days

HEAVEY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

BID FORM SHEET

Est. Yearly Quantity Each	Group 2 Type 31-H	Manufacturer	Product Code	Cold Cranking Amps	Reserve Capacity	Price Per Battery
275	31	EAST PENN	DPE31CS	650	180	\$35.00

Warranty period: 24 /MONTHS
100% Full Repalcement

Core Charge: \$ 7.00 /EACH

Special Terminal \$ 5.00 /EACH

Pavment Terms: % Net 30 /Days

Discounts: 5 % Net /Days

Est. Yearly Quantity Each	Group 3 Automotive Truck Service Vehicles	Manufacturer	Percentage Discount off list Price
100		Deka	20%

Warranty period: 60 /MONTHS
100% Full Repalcement

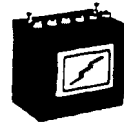
Core Charge: \$ 7.00 /EACH

Pavment Terms: % Net 30 /Days

Discounts: 5 % Net /Days



-BATTERIES USA, INC.
ONE INDUSTRIAL STREET
SAN FRANCISCO CA 94124



phone: (415) 647-5575 / 647-5261 fax: (415) 550-8226

February 11, 2004

To Whom It May Concern:

Re: Contract proposal No.: 2004-733 RTCC

Dear Gentleperson:

Enclosed please see two bids one from East Penn (Deka), and the other from Douglass Batteries.

By doing that we will be sure that if any one of the manufacturer could not supply us then the other will do that to protect our services.

Sincerely,


S. Senan

EAST PENN manufacturing co., inc.

P.O. BOX 147, DEKA ROAD • LYON STATION, PA 19536-0147
 PHONE: 610-682-6361 . FAX: 610-682-4781

August 27, 2002

Batteries USA
 Attn: Sam Senan
 One Industrial Drive
 San Francisco, CA 94124,

Dear Sam:

This letter is in reference to Deka Part number DPE31CS. This part number is not included on our Battery Specification Sheet because this Group 31 battery with a deltar eye is available only to selected East Penn customers.

This battery is available to Batteries USA for transit authority bids. Our understanding is that Batteries USA currently supplies this battery to AC Transit, Golden Gate Transit, other Transit Authorities, and City & County Municipalities.

It is our understanding that Valley Transportation Authority has tested our DPE31CS. It is also ~~our understanding that this same battery will be quoted~~ on the Valley Transportation bid and will be supplied by Batteries USA

The DPE3 LCS battery is being offered to Batteries USA to be used only for Transit Authority & Municipality bids.

Specifications for the DPE3 1 CS are:

Cold Cranking Amps @ 0° F = 650
 Reserve Capacity = 180 Minutes.
 Special Features: Deltar Eye

EPM Battery Outline Drawing is enclosed

If I can be of additional assistance, please do not hesitate to contact me.

Sincerely,
 EAST PENN MANUFACTURING CO., INC.

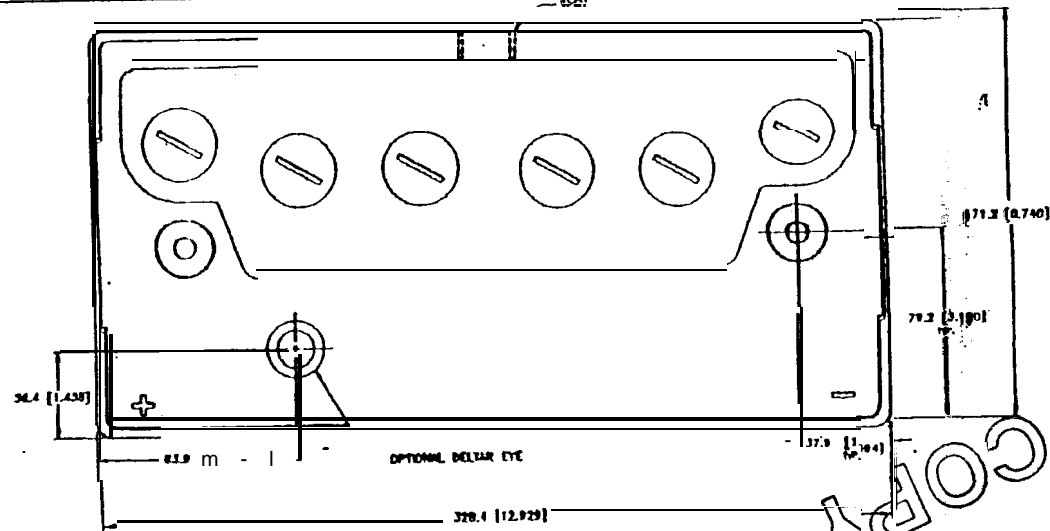
A handwritten signature in cursive script that reads 'Harold J. Eberly'.

Harold J. Eberly
 Vice President Sales
 Branded Automotive Batteries

HJE/cm

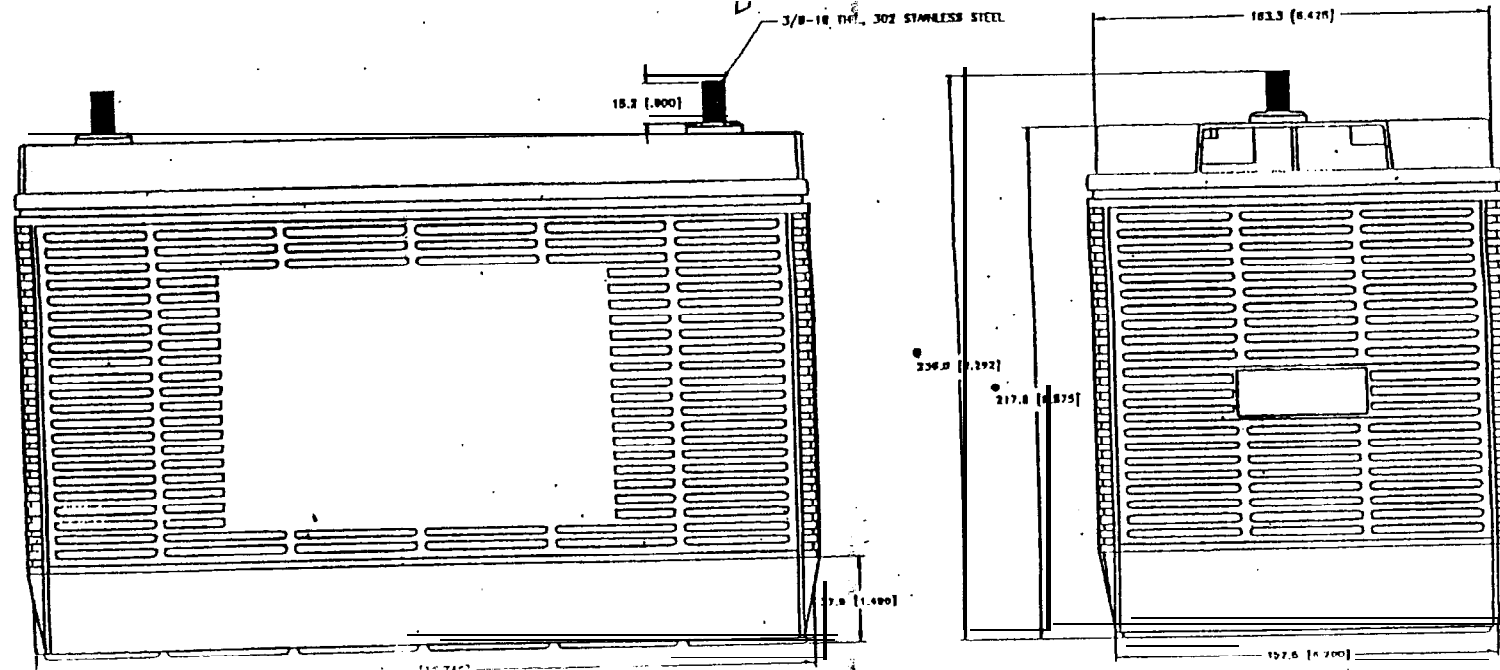
EPM PART #: DPE31CS

NO.	DATE	REVISION	BY	CHK	APP
1	8-2-88	As shown on this drawing to meet the requirements of the contract.			



NOTES:

1. ALL DIMENSIONS ARE NOMINAL DIMENSIONS UNLESS OTHERWISE NOTED.
2. RECOMMENDED TERMINAL TORQUE SPECIFICATION: 10-15 lb.-ft.
3. RECOMMENDED CONTAINER HOLD DOWN TORQUE SPECIFICATION: TOP BAR OR FRAME 4-8 lb.-ft.
4. RECOMMENDED HOLD-DOWN CONTACT AREA SPECIFICATION: MINIMUM OF SIX OF THE BATTERY TOP SURFACE AREA.
5. RECOMMENDED MAXIMUM CHARGING AND OPERATING TEMPERATURE: 122 F.



BATTERIES ACCESSORIES & ACCESSORIES
 EAST PENN manufacturing co., inc.
 EPM GROUP 31 WITH DELTAR EYE BATTERY OUTLINE
 D25244H 1



Effective June 1, 2003
Supersedes all previous information. Subject to change without notice.

EAST PENN manufacturing CO., inc.

LYON STATION, PA 19536
Phone: 610-682-6361 • Fax: 610-682-4781
Order Department Hotline: 610-682-4231
www.dekabatteries.com

GROUP NO.	PART NO. (WET)	PERFORMANCE LEVEL			SUGG. WARR.	SUGG. LIST PRICE	SUGG. RETAIL PRICE	VOLTS	QUARTS OF ACID	APPROXIMATE WEIGHT		MAXIMUM OVERALL DIMENSIONS (in inches add mm)			FOOT NOTES		
		CCA @ 0°F	RES. CAP.	RES. CA @ 32°F						WET	DRY	L	W	H			
ULTIMATE CALCIUM/SILVER MAINTENANCE-FREE																	
75/86	7AG75DT	690	90	820	70	112.95	89.95	12	—	35%	—	9%	248	7	178	8" * 206"	+CHIMV
34/78	7AG34/78	800	110	940	70	127.95	101.95	12	—	41%	—	10%	273	6%	175	8" * 203"	+CHIMV
25	7AG25MF	590	80	740	70	98.95	78.95	12	—	34	—	9%	248	6%	175	8" * 225	+HM
35	7AG35MF	590	80	740	70	98.95	78.95	12	—	32	—	9%	248	6%	175	8" * 225	+HM
58	7AG58MF	570	70	710	70	93.95	74.95	12	—	31	—	9%	248	7%	181	7" * 178	+HM
65	7AG65MF	750	130	885	70	126.95	101.95	12	—	45%	—	12	305	7%	187	7" * 194	+HM
75	7AG75MF	690	90	820	70	105.95	84.95	12	—	35%	—	9%	248	7	178	7" * 184	+HM
78	7AG78MF	800	105	940	70	119.95	95.95	12	—	41%	—	10%	273	6%	175	7" * 184	+HM
* For height with adapter add 7/8" (22mm)																	
UNIVERSAL DUAL TERMINAL CALCIUM MAINTENANCE-FREE																	
24/24F/74	1024DT	1000	135	1100	70	140.95	112.95	12	—	47%	—	10%	276	7	178	9" * 229	CHMV - ② +CHMV ③
	724DT	875	125	1000	70	128.95	102.95	12	—	44%	—	10%	276	7	178	9" * 229	
26/26R/70	700U	720	95	900	70	105.95	84.95	12	—	33%	—	—	—	—	—	—	+CHIMV
	600U	605	85	755	65	91.95	73.95	12	—	31	—	—	—	—	—	—	+CHIMV
	500U	525	80	650	60	83.95	66.95	12	—	29	—	8%	222	6%	175	8" * 203"	+CHIMV
	400U	425	60	530	50	72.95	57.95	12	—	26	—	—	—	—	—	—	+CHIMV
34/78	734/78	850	120	1000	70	121.95	97.95	12	—	40%	—	—	—	—	—	—	+CHIMV
	634/78	690	100	820	65	103.95	82.95	12	—	35%	—	10%	273	6%	175	8" * 203"	+CHIMV
	534/78	525	80	660	60	110.95	88.95	12	—	32%	—	—	—	—	—	—	+CHIMV
75/86	775DT	720	100	860	70	98.95	78.95	12	—	34%	—	—	—	—	—	—	+HIMV
	675DT	630	90	775	65	96.95	76.95	12	—	33	—	9%	248	7	178	8" * 206"	+HIMV
	575DT	550	80	690	60	88.95	69.95	12	—	30%	—	—	—	—	—	—	+HIMV
* For height with adapter add 7/8" (22mm)																	
PASSENGER CAR — LIGHT TRUCK — VAN — CALCIUM MAINTENANCE-FREE																	
22F	622FMF	425	65	540	65	85.95	68.95	12	—	29%	18	9%	238	6%	171	8" * 210	0+
24/24R	524/24R	550	90	650	60	84.95	67.95	12	—	35%	—	—	—	—	—	—	+CHM
24/24R	324/24R	330	45	430	40	65.95	52.95	12	—	32%	—	10%	273	6%	171	9" * 229	+CHM
24	624MF	675	110	820	65	94.95	75.95	12	6	39	25%	—	—	—	—	—	0+HN
	524MF	550	90	650	60	81.95	65.95	12	—	35%	—	10%	273	6%	171	9" * 229	+HM
	424MF	440	65	550	50	72.95	57.95	12	—	32%	—	—	—	—	—	—	+HM
24F	624FMF	675	110	820	65	94.95	75.95	12	6	39	25%	—	—	—	—	—	0+HN
	524FMF	550	90	650	60	81.95	65.95	12	—	35%	—	10%	273	6%	171	9" * 229	+HM
	424FMF	440	65	550	50	72.95	57.95	12	—	32%	—	—	—	—	—	—	+HM
25	525MF	550	85	675	60	86.95	69.95	12	—	33%	—	9%	248	6%	175	8" * 225	+HM
26 (24/26)	526A	525	80	650	60	77.95	61.95	12	—	29	—	8%	222	6%	171	8" * 203"	+HIM
	426A	425	60	530	50	69.95	55.95	12	—	26	—	—	—	—	—	—	+HIM
25R (24F/22F)	526RA	525	80	650	60	77.95	61.95	12	—	29	—	8%	222	6%	171	8" * 203"	+HIM
	426RA	425	60	530	50	69.95	55.95	12	—	26	—	—	—	—	—	—	+HIM
27	627MF	850	115	1020	69	115.95	95.95	12	—	49%	—	12	305	6%	171	9" * 229	+L +L*
27F	634R MF	675	115	820	65	119.95	95.95	12	—	45	—	12%	314	6%	171	9" * 229	+L
34R	MF	690	100	820	65	96.95	77.95	12	—	35%	—	10%	273	6%	175	8" * 203"	+HIM
34/24	634MF	690	100	820	65	95.95	77.95	12	—	35%	—	—	—	—	—	—	+HIM
	534MF	525	80	660	60	81.95	65.95	12	—	32%	—	10%	273	6%	175	8" * 203"	+HIM
See above for additional Group 34 (34/78) dual terminal part numbers. * For height with adapter add 7/8" (22mm)																	
35	535MF	550	85	675	60	86.95	69.95	12	—	33%	—	9%	248	6%	175	8" * 225	+HM
36R	636RMF	650	130	800	65	122.95	97.95	12	—	39%	—	7%	202	10%	260	7" * 183	+M
41	641MF	660	110	815	65	124.95	99.95	12	—	37	—	11%	292	6%	175	6" * 175	+M
42	642MF	475	70	590	65	93.95	74.95	12	—	29	—	9%	241	6%	175	6" * 175	+
42/58R	642/58R	580	80	725	65	92.95	73.95	12	—	30%	—	10	254	7%	184	6" * 175	+HM
	442/58R	500	70	630	50	81.95	65.95	12	—	28	—	—	—	—	—	—	+HM
45	545MF	460	67	570	60	85.95	60.95	12	—	30%	—	9%	238	5" * 140	9" * 229	+	

0 Available DRY - add "D" suffix to part number
② Available DRY - add "Y" suffix to part number

See last page for all additional Symbol and footnote information.

GROUP NO	PART NO (WET)	PERFORMANCE LEVEL			LUGS WARR	SUGG LIST PRICE	SUGG RETAIL PRICE	VOLTS	QUARTS OF ACID	APPROXIMATE WEIGHTS		MAXIMUM OVERALL DIMENSIONS (in inches and mm)				FDDT NOTES		
		CCA @ 0°F	RES CAP	REF. CA @ 32°F						WET	DRY	L	W	H	D			
PASSENGER CAR — LIGHT TRUCK — VAN — CALCIUM MAINTENANCE-FREE (continued)																		
46	Use 1024DT or 724DT																	
47/90	547/90	595	90	740	60	116.95	93.95	12	—	32	—	9%	240	6%	171	6%	175	+
48/91	648/91 548/91	700 600	110 95	875 670	65 60	134.95 126.95	107.95 101.95	12	—	37 35%	—	11%	295	7'	178	7	178	+HM +HM
49/93	749/93 649/93	880 800	145 145	1090 990	70 65	160.95 151.95	128.95 121.95	12	—	47 45	—	14%	368	6%	175	7	178	+HM +HM
50	650	600	108	750	65	146.95	118.95	12	—	43	—	13%	346	5%	136	10	254	*H
51	551MF	450	70	550	60	87.95	69.95	12	—	28	—	9%	238	5	127	0%	222	+M
51R	551RMF	450	70	550	60	87.95	69.95	12	—	28	—	9%	238	5	127	8%	222	+M
55 (62/55)	755A 555A	585 500	95 75	725 600	70 60	105.95 94.95	84.95 75.95	12	—	33 29%	—	8%	222	6	152	8%	216	+HI +HI
58	658MF 458MF 358MF	580 500 430	80 70 60	725 630 520	65 50 40	86.95 79.95 74.95	69.95 63.95 59.95	12	—	30% 28 28	—	10	254	7%	184	6%	175	+HM +HM +HM
58R	658RMF	580	80	725	65	89.95	71.95	12	—	30%	—	10	254	7%	184	6%	175	+HM
62	562MF	480	80	590	60	93.95	74.95	12	—	31	—	8%	222	6%	159	8%	225	+
64	664MF	630	115	785	65	118.95	94.95	12	—	42	—	11%	298	6%	159	8%	225	+
65	665MF 565MF	880 650	150 110	1040 865	65 60	123.95 103.95	98.95 82.95	12	—	45% 40	—	12	305	7%	187	7%	194	+HM +HM
70 (74/70)	570A 470A	525 425	80 60	650 530	60 50	79.95 70.95	63.95 56.95	12	—	29 26	—	8%	222	7	178	7%	181*	+HIM +HIM
74	Use Group 78 as bolt-in substitute																	
75	775MF 675MF 575MF	720 630 550	100 90 80	860 775 690	70 65 60	98.95 91.95 81.95	78.95 73.95 65.95	12	—	34% 33 30%	—	9%	248	7	178	7%	184	+CHM +CHM +CHM
78	778MF 678MF 578MF	770 690 550	115 100 80	925 820 690	70 65 60	108.95 97.95 83.95	86.95 77.95 66.95	12	—	38% 35% 33	—	10%	273	6%	175	7%	184	+HM +HM +HM
See page 1 for additional Group 78 (34/78) dual terminal part numbers.																		
86	586MF	550	80	690	60	84.95	67.95	12	—	31%	—	9	229	6%	175	8%	203	+M
Miata	8AMUTR	320	45	400	40	132.95	105.95	12	—	25	—	8%	211	5%	130	7%	184	+Q
* For height with adapter add 7/8" (22mm)																		
VINTAGE VEHICLES & LIGHT COMMERCIAL																		
3EE	403E	400	90	485	30	123.95	98.95	12	—	42	25	19%	489	4%	108	9	229	0*
22NF	See page 4, Lawn Mower — Garden Tractor — Small Engine section.																	
29NF	420NF	390	100	465	30	169.95	135.95	12	4 1/2	41	29	12%	327	5%	140	9	229	0*R
53	353	290	62	360	20	152.95	121.95	12	4	32%	23	13	330	4%	121	8%	213	0*R
SEVERE SERVICE AND/OR HIGH HEAT APPLICATIONS CALCIUM/SILVER MAINTENANCE-FREE																		
34/78	HH34/78	690	100	820	60	110.95	88.95	12	—	38%	—	10%	273	6%	175	8*	203*	+CHIMV
25	HH25	525	80	650	60	91.95	73.95	12	—	33	—	9%	248	6%	175	8%	225	+HM
35	HH35	525	80	650	60	91.95	73.95	12	—	33	—	9%	248	6%	175	8%	225	+HM
58	HH58	570	70	710	60	88.95	70.95	12	—	31	—	9%	248	7%	181	7	178	+HM
55	HH65	650	105	860	60	106.95	85.95(112)	—	—	40	—	12	305	7%	187	7%	194	+HM
75	HH75	690	90	820	60	98.95	78.95	12	—	35%	—	9%	246	7	178	7%	184	+HM
* For height with adapter add 7/8" (22mm)																		
6-VOLT — LIGHT TRUCK — FARM TRACTOR — OLDER MODEL PASSENGER CARS																		
	701	590	135	730	20	75.95	60.95	6	—	30	—	9	229	6%	175	8%	222	A
4E	402E	620	190	750	20	188.95	150.95	6	5 1/2	40	27%	19%	489	4	102	8%	225	0*R
9L	319L	440	120	560	20	118.95	94.95	6	3	25%	17%	8%	210	6%	171	7%	191	0*R
HEAVY-DUTY COMMERCIAL SERVICE																		
(8-volt)	801	520	102	650	24	108.95	86.95	8	4 1/2	31%	19	8%	225	6%	171	8%	225	0*
	901MF	635	185	805	30	99.95	78.95	6	4 1/2	38%	1	9%	229	6%	175	8%	222	0A
	902	710	215	940	30	101.95	81.95	6	6	36%	21%	10%	264	6%	175	8%	222	0*
	903Y	690	280	620	30	162.95	129.95	6	—	47	34	11%	295	6%	171	8%	225	*AR
(dry only)	903DY	1400	675	1660	30	431.95	345.95	6	11	120	84	20%	518	8%	222	10	254	0 ARK
9H	93EH	875	250	1040	30	121.95	97.95	6	7 1/2	47%	26%	19%	489	4%	108	10	254	0*

available DRY - add "D" suffix to part number
available DRY - add "Y" suffix to part number

See last page for all additional symbol and footnote information

GROUP NO.	PART NO. (WET)	PERFORMANCE LEVEL				SUGG. WARR.	SUGG. LIST PRICE	SUGG. RETAIL PRICE	VOLTS	QUARTS OF ACID	APPROXIMATE WEIGHT		MAXIMUM OVERALL DIMENSIONS (in inches and mm)			FOOT NOTES		
		CCA @ 0°F	RES. CAP.	RES. CA @ 32°F	RES. CA @ 32°F						WET	DRY	L	W	H			
HEAVY-DUTY COMMERCIAL SERVICE (continued)																		
3ET	93ET	500	120	625	30	128.95	102.95	12	7%	48%	29	19%	489	4%	108	9%	251	0*
4	904W	840	260	1030	30	107.95	85.95	6	—	47	—	12%	318	6%	175	9%	241	▲
	904WMF	1000	270	1220	30	109.95	87.95	6	—	47	—	12%	318	6%	175	9%	241	▲ ▲L
4D	804D	900	260	1100	30	192.95	153.95	12	16	97	53	20%	527	8%	216	10%	258	0*H
	904D	1010	290	1235	30	204.95	163.95	12	16	99%	58	20%	527	8%	216	10%	258	0*H
4DLT	94DLT	860 a	250 I	1020 I	30	185.95	148.95	12	10%	80	49	20	508	ax	206	8%	206	0*J
4EH	94EH	850	320	1000	30	168.95	134.95	6	7%	60	40	19%	489	5	127	10	254	0*
5D	905D	880	300	1100	30	140.95	112.95	6	5%	150	28	13%	340	7%	181	9%	235	0*
7D	907D	950	350	1120	30	164.95	131.95	6	7%	59%	34	15%	400	7	178	9%	232	0*
8D	708D	1000	345	1225	30	214.95	171.95	12	19%	116	64	20%	527	11	279	10	254	0*H
	908D	1300	430	1550	30	250.95	200.95	12	18%	130%	80	20%	527	11	279	10	254	0*H
	908DMF	1450	450	1790	30	277.95	221.95	12	—	136%	—	—	—	—	—	—	—	▲HL
16TF	916TF	545	210	665	30	320.95	256.95	12	9	90	68	16	413	7	178	11%	283	0*K
17TF	917TF	530	140	630	30	218.95	174.95	12	6%	58%	39%	17	432	6%	175	8	203	0*JR
28	928MF	535	110	660	30	138.95	110.95	12	6	41%	26	10%	260	6%	171	9%	241	0*ALX
30H	930H	550	125	695	30	112.95	89.95	12	7%	46%	28	—	330	6%	171	9%	241	0*J
	1130HMF	850	180	1040	30	134.95	107.95	12	—	57x	—	—	330	6%	171	9%	241	0*JLM
31	931MF	650	145	810	30	111.95	89.95	12	—	51	—	—	—	—	—	—	—	+JLMX
	1031MF	760	170	910	30	124.95	99.95	12	—	54%	—	—	—	—	—	—	—	+JLMX
	1131MF	815	180	1000	30	135.95	108.95	12	—	57%	—	13	330	6%	171	9%	241	+JLMX
	1131XMF	1000	185	1190	30	140.95	112.95	12	6	58	43	—	—	—	—	—	—	0+JLMX
31P	1231MF	1125	195	1260	30	152.95	121.95	12	—	61	—	—	—	—	—	—	—	+JLMX
	931PMF	650	145	810	30	111.95	89.95	12	—	51	—	—	—	—	—	—	—	+JLMS
	1031PMF	760	170	910	30	124.95	99.95	12	—	54%	—	—	—	—	—	—	—	+JLMS
	1131PMF	815	180	1000	30	135.95	108.95	12	—	57%	—	13	330	6%	171	9%	241	+JLMS
1131XPMF	1000	185	1190	30	140.95	112.95	12	—	58	—	—	—	—	—	—	—	—	+JLMS
	1231PMF	1125	195	1260	30	152.95	121.95	12	—	61	—	—	—	—	—	—	—	+JLMS

HEAVY-DUTY COMMERCIAL SEVERE SERVICE/DUAL PURPOSE

31	DP31CS	650	180	810	30†	130.95	104.95	12	—	57	—	—	—	—	—	—	—	+HLMX
	DP31PCS	650	180	810	30†	130.95	104.95	12	—	57	—	—	—	—	—	—	—	+HLMX
	7T31 (Deep Cycle)	700	190	910	30†	151.95	121.95	12	—	62%	—	—	—	—	—	—	—	+HLMX

† 12 months in deep cycle service

GROUP NUMBER	PART NO. (WET)	PERFORMANCE LEVEL				SUGG. WARR.	SUGG. LIST PRICE	SUGG. RETAIL PRICE	VOLTS	QUARTS OF ACID	APPROXIMATE WEIGHT		MAXIMUM OVERALL DIMENSIONS (in inches and mm)			FOOT NOTES		
		CCA @ 0°F	RESERVE CAPACITY	MCA @ 32°F	MCA @ 32°F						WET	DRY	L	W	H			
12-VOLT MARINE/RV STARTING CALCIUM MAINTENANCE-FREE																		
24	24M7	875	125	1000	24	129.95	103.95	—	44%	—	—	—	—	—	—	—	—	+HMU
	24M6	675	110	820	24	99.95	79.95	—	39	—	—	—	—	—	—	—	—	+HMU
	24M5	550	90	650	24	86.95	69.95	—	35%	—	—	10%	273	6%	171	9%	238	+HMU
	24M4	440	65	550	24	61.95	61.95	—	32%	—	—	—	—	—	—	—	—	+HMU
	24M3	340	50	445	24	68.95	54.95	—	30%	—	—	—	—	—	—	—	—	+HMU
27	27M6	650	182	810	24	143.95	114.95	—	55%	—	—	12%	318	6%	171	9%	238	+HU

CCA @ 0°F MCA @ 32°F MNS @ 72°F MINS @ 25°F 20AH RATE

12-VOLT MARINE/RV DUAL PURPOSE STARTING/DEEP CYCLE SERVICE

24	DP24	525	650	140	120	65	12	106.95	85.95	—	41%	—	10%	273	6%	171	9%	238	*HU
27	DP27	625	770	175	150	80	12	119.95	95.95	—	49	—	12%	318	6%	171	9%	238	*HU
31	DP31DT	650	810	205	182	100	12	136.95	109.95	—	57	—	13	330	6%	171	9%	241	▲HLMT

12-VOLT MARINE/RV HEAVY-DUTY DEEP CYCLE SERVICE (INCLUDING STARTING)

24	DC24	500	625	150	130	75	12	118.95	94.95	—	45	—	10%	273	6%	171	9%	238	*HU §
27	DC27	575	715	200	175	90	12	140.95	112.95	—	53	—	12%	318	6%	171	9%	238	*HU §
31	DC31DT	650	810	225	185	105	12	163.95	130.95	—	59	—	13	330	6%	171	9%	241	*HMT §

Note: The three "DC" deep cycle **pail** numbers above include double insulated glass mat separators.

CCA @ 0°F MCA @ 32°F 8AH RATE 5AH RATE

6-VOLT MARINE AND INDUSTRIAL

	BV195	980	1170	170	166	24	303.95	242.95	11%	90	60	20%	527	7%	184	10%	270	0*HR
	819	510	610	167	158	24	391.95	313.95	13	119	90	24%	622	7%	191	10%	267	0*HK §
	821	530	635	187	177	24	424.95	339.95	14%	135	98	27%	699	7%	191	10%	267	0*HK §
	825	730	870	224	212	24	504.95	403.95	16%	160	120	26%	683	8%	216	11%	298	0*HK §

0 Available DRY - add "D" suffix to part number
 @ Available DRY - add "Y" suffix to part number

See last page for all notes.

GROUP NUMBER	PART NO. (WET)	PERFORMANCE LEVEL			SUGG. WARE	SUGG. LIST PRICE	SUGG. RETAIL PRICE	VOLTS	QUARTS OF ACID	APPROX. WEIGHT		MAXIMUM OVERALL DIMENSIONS (in inches and mm)			FOOT NOTES			
		MBS @ 25°C	MINS @ 25°C	20 AH RATE						WET	DRY	L	W	H				
12-VOLT DEEP CYCLE — EV — WHEELCHAIR — MARINE																		
U1	EVU1	54	48	31	12	69.95	55.95	12	—	20	—	8%	213	5%	130	7%	184	*HZ
22NF	EV22NF	76	68	50	12	108.95	86.95	12	—	31	—	9%	238	5%	140	9	229	*H
24	EV24	150	130	75	12	118.95	94.95	12	—	45	—	10%	273	6%	171	9%	238	*HU
27	EV27	200	175	90	12	140.95	112.95	12	—	53	—	12%	318	6%	171	9%	238	*HU
31	EV31	230	210	110	12	181.95	145.95	12	—	65%	—	13	330	6%	171	9%	241	*HM
		CCA @ 0°F	RES. CAP.	REF. CA @ 32°F														

LAWN MOWER — GARDEN TRACTOR — SMALL ENGINE CALCIUM MAINTENANCE-FREE																		
U1	5U1L	165	—	190	12	42.95	33.95	12	—	15	—							+MZ
U1	7U1L	195	—	235	12	43.95	34.95	12	—	15	—							+MZ
U1	8U1L	230	—	275	12	46.95	37.95	12	—	15%	—	7%	197	5%	130	7%	184	+MZ
U1	9U1L	260	—	320	12	50.95	40.95	12	2%	16%	11%							0+DMZ
U1	10U1L	300	—	365	12	51.95	41.95	12	—	17	—							+MZ
U1	11U1L	340	—	400	12	62.95	49.95	12	—	19	—							+MZ
U1R	5U1R	165	—	190	12	42.95	33.95	12	—	15	—							+MZ
U1R	7U1R	195	—	235	12	43.95	34.95	12	—	15	—							+MZ
U1R	8U1R	230	—	275	12	46.95	37.95	12	—	15%	—	7%	197	5%	130	7%	184	+MZ
U1R	9U1R	260	—	320	12	50.95	40.95	12	2%	16%	11%							0+DMZ
U1R	10U1R	300	—	365	12	51.95	41.95	12	—	17	—							+MZ
22F	622FMF	425	65	540	12	85.95	68.95	12	4%	29%	18	9%	238	6%	171	8%	210	0+
22NF	322NF	345	58	415	12	81.95	65.95	12	4	29	17%	9%	238	5%	140	9	229	0*

U1 = left front positive; U1R = right front positive (with terminal side of battery facing you)

ORDNANCE																		
ZHN	ZHND (Dry only)	400	75	—	24	137.95	1109.95	12	3%	34	25	10%	260	5%	133	9	229	*AL
4HN	4HND (Dry only)	235	28	—	24	189.95	151.95	24	3%	36%	27%	10%	260	5%	133	9	229	*AHL
6TL	6TLMF	790	180	858	24	228.95	178.95	12	—	73	51%	11%	286	10%	267	9	229	0*HL5 +HL6

GROUP NUMBER	PART NO. (WET)	PERFORMANCE LEVEL			SUGG. WARE	SUGG. LIST PRICE	SUGG. RETAIL PRICE	VOLTS	QUARTS OF ACID	APPROX. WEIGHT		MAXIMUM OVERALL DIMENSIONS			FOOT NOTES					
		MBS @ 25°C	MINS @ 25°C	20 AH RATE						WET	DRY	L	W	H						
FLOOR SCRUBBER AND SWEEPER																				
	8C11	235	190	120	—	—	12	185.95	148.95	6	8	66%	48	11%	298	7	178	11%	292	0*GJ^
	9C11	250	210	130	—	—	12	197.95	157.95	6	7	73	52%							0*GJ^
	8C6V	330	270	170	—	—	12	238.95	190.95	6	10	97%	65%	11%	298	7	178	14%	365	0*JS^
	8C12	195	160	90	—	—	12	298.95	238.95	12	12	16	83	15%	394	7	178	14%	362	0*HS^
	9C12	228	180	115	—	—	12	318.95	254.95	12	12	27	95%							0*HS^
	8KFS	135	110	55	—	—	12	250.95	200.95	12	9	81	52	12%	246	6%	171	11%	292	0*HS^
	8L16	370	295	190	—	—	12	281.95	225.95	6	11%	113	83	11%	298	7	178	16%	419	0*JW^

GOLF CAR — EV — MOTIVE POWER — DEEP CYCLE SERVICE																					
GC-2	GC8V	165	—	121	318	12	169.95	135.95	6	—	67	—							11%	283	0*G^
	GC10G	190	156	100	—	—	10	138.95	110.95	6	—	59	—						10%	276	0*G^
	GC10P	190	156	100	—	—	10	138.95	110.95	6	—	59	—						10%	270	0*G^
	GC10	190	156	100	—	—	10	138.95	110.95	6	—	59	—						11%	289	0*G^
	GC15G	215	178	115	—	—	12	150.95	120.95	6	6%	63	44	10%	260	7%	181		10%	276	0*G^
	GC15P	215	178	115	—	—	12	150.95	120.95	6	—	63	—						10%	270	0*G^
	GC15	215	178	115	—	—	12	150.95	120.95	6	—	63	—						11%	289	0*G^
	GC25	235	—	132	—	488	12	163.95	130.95	6	—	67	—						11%	263	0*G^
	GC25G	235	—	132	—	488	12	163.95	130.95	6	—	67	—						11%	283	0*G^
	GC45G	244	—	145	—	530	12	196.95	157.95	6	—	70	—						11%	302	0*G^
		CCA @ 0°F	RES. CAP.	REF. CA @ 32°F																	

For gas engine golf cars with T881 terminal:

24/26	426G	425	60	530	12	72.95	57.95	12	—	26	—	8%	225	6%	171	8%	213		+GHM
		20 AH RATE																	

12-VOLT FLOODED CABLE TV (CATV)																			
	CTVE27	99	—	—	6	144.95	115.95	12	—	54%	—	12%	318	6%	171	9%	238		EH

Available DRY. add "D" suffix to part number

See last page for all additional

SYMBOL DEFINITIONS:

- * - For height with adapter add 7/8" (22 mm)
- + - Maintenance-free calcium alloy grids
- - Low maintenance - Low antimony grids
- ★ - Hybrid construction
- = - Nominal rating
- ▷ - With individual vent caps
- A - Maintenance-free w/ vent caps, calcium grids
- - Deduct 4% from CCA & CA rating to allow for special electrolyte additive
- § - Deduct 15% from CCA and CA rating shown to allow for double insulation (glass mat).
- ^ - Ratings after 15 cycles

FOOTNOTES:

- A - Available dry charged only
- C - Centerline terminal posts
- D - Dry charged batteries have black covers and white cases
- E - Deltar eye
- G - Offset post w/ horizontal hole, stainless steel 5/16" bolt and hex nut
- H - includes handles
- I - Includes top adapter
- J - Includes lifting ledges
- K - Hard rubber, multi-cell cover construction
- L - Anchor lock elements
- M - Flush manifold vented cover
- N - Flush manifold vented cover when shipped Wet standard cover when shipped dry or FP
- O - Offset post w/ vertical stainless steel 5/16" stud and hex nut
- R - Hard rubber, one-piece cover construction

- S - SAE "automotive type" post
- T - Dual top terminals with SAE post and 3/8" POS., 5/16" NEG. stainless steel studs and wing nuts
- U - Offset SAE post w/ vertical 5/16" NEG., 3/8" POS. stainless steel studs and wing nuts
- V - Dual terminal universal design
- W - T882 "L" type terminal w/ 5/16" diameter hole
- X - 3/8" x 16 stainless steel stud posts
- Z - U1R terminals have round holes, U1L terminals have square holes
- 0 - Available dry - add "D" suffix to part number
- ⊕ - Available dry - add "Y" suffix to part number
- Ⓚ - White Cover / White Case
- Ⓛ - Black Cover / Grey Case
- Ⓜ - Olive Cover / Olive Case
- Ⓨ - Black Cover / Olive Case
- Ⓩ - Charcoal Grey Cover and Case
- Ⓩ - Green Cover/White Case

Ratings conform to B.C.I. specifications.

Dry = up to 10% reduced capacity.

All batteries manufactured in polypropylene cases except where noted.

Maintenance-free batteries have microporous, polyethylene envelope separators,

All batteries manufactured in black case / black cover except where noted.

MCA and CA ratings @ 32°F for comparison only.

COPY

LIMITED BATTERY WARRANTY FOR CONSUMERS

- A. *Free Adjustment Period:* Any battery which becomes unserviceable (not merely discharged) due to defects in material or workmanship within 90 days of installation will be repaired or replaced to the original purchaser at any authorized wholesaler or dealer place of business. There will be no charge except for transportation, recharging and rental service. Loss of time, inconvenience, loss of use of the vehicle or other consequential damages do not apply. Some states do not allow the exclusion of limitations of incidental or consequential damages, so the above limitations or exclusions may not apply to you.
- B. *Pro-Rata Period:* Any battery which becomes unserviceable (not merely discharged) after the 90 days of service, but before the expiration date of the pro-rata adjustment period, can be exchanged for a new battery on pro-rata adjustment basis. The pro-rata cost per month is determined by dividing the current suggested list price in effect by the service adjustment period. Charges to the original owner are based on the actual number of months of service delivered by the battery to be replaced.
- C. Free adjustment and pro-rata periods do not apply in the following cases: if the container, covers or terminals are broken; if battery has been opened, frozen or damaged due to neglect or abuse including fire, wreckage, or explosion; if electrolyte other than as recommended by the factory has been used; if a "dope" or additive is used; if the manufacturer's code markings have been destroyed or tampered with; if the battery used is of an electrical size smaller than the one specified by the vehicle manufacturer or used in applications for which it was not designed; or if it was installed or charged in reverse.

This warranty gives you specific legal rights, and you may also have other rights which vary from state to state. Normal deterioration in the electrical qualities of batteries is to be expected with age and is not covered by this warranty.

D How to Obtain Warranty Performance:

1. Return battery to any factory authorized wholesaler or dealer with sales receipt. If cannot be located, call company in city printed on label of battery. Cost of call will be reimbursed. Authorized factory wholesaler or dealer will make determination if battery has failed in normal service.
2. Certificate of warranty and proof-of-purchase must be presented with battery to have claim honored.
3. If battery is determined to be defective by authorized factory wholesaler or dealer, it will be adjusted as per paragraphs A and B as stated above.
4. Type number of battery will be indicated on the battery.
5. Date term of date of purchase from factory will be indicated on sales receipt or label on battery.
6. A portion of any one month is considered a whole month

All batteries, except maintenance-free types, are warranted for three months in motive power service and six months in snowmobile service unless specified otherwise. All maintenance-free type batteries are not warranted in motive power service.

DANGER: BATTERIES CAN EXPLODE!
 ALWAYS SHIELD EYES WHEN WORKING NEAR BATTERIES. KEEP SPARKS, FLAME, CIGARETTES AWAY. VENTILATE WHEN CHARGING OR USING IN ENCLOSED SPACE.

California Proposition 65 Warning
 Battery posts, terminals and related accessories contain lead and lead compounds, and other chemicals known to the state of California to cause cancer, birth defects or other reproductive harm.
 Wash hands after handling.

ADJUSTMENT "COST PER MONTH" TABLE

TYPE	Passenger Cars & Trucks Thru One Ton		On Highway Vehicles Over 1 Ton, Two-Way Radio Equipped Vehicles, Marine, Others		TYPE	Passenger Cars & Trucks Thru One Ton		On Highway Vehicles Over 1 Ton, Two-Way Radio Equipped Vehicles, Marine, Others		TYPE	Passenger Cars & Trucks Thru One Ton		On Highway Vehicles Over 1 Ton, Two-Way Radio Equipped Vehicles, Marine, Others	
	Months	Cost Per Month	Months	Cost Per Month		Months	Cost Per Month	Months	Cost Per Month		Months	Cost Per Month	Months	Cost Per Month
10U1R	—	—	12	4.33	6TL, 6TLD	24	9.33	12	18.66	8TU1 (see EVU1)	—	—	—	—
14DT	70	2.01	30	4.70	6TLMF	24	9.24	12	18.41	8T2NF (see EV2NF)	—	—	—	—
11MF, 1031PMF	—	—	30	4.17	600U	65	1.41	30	3.07	9U1L, 9U1LD	—	—	12	3.25
10HMF	—	—	12	5.25	622FMF, 622FMFD	65	1.32	30	2.87	9U1R, 9U1RD	—	—	12	4.25
11MF, 1131PMF	—	—	30	4.50	624MF, 624MFD	65	1.46	30	3.17	9C11, 9C11D	—	—	12	16.50
11MF, 1131PMF, 1131YPMF	—	—	30	4.53	624FMF, 624FMFD	65	1.46	30	3.17	9C12, 9C12D	—	—	12	26.58
11XMF, 1131XMFD, 1131XPMF	—	—	4	4.70	627MF	65	1.85	30	4.00	901, 901D	—	—	30	3.03
11MF, 1231PMF	—	—	30	5.10	634MF	65	1.49	30	3.23	902, 902D	—	—	30	2.73
11J	24	5.575	12	11.50	634RMF	65	1.49	30	3.23	903DY	—	—	30	3.40
11M	—	—	24	2.07	634178	65	1.60	30	3.47	904D, 904DY	—	—	30	5.43
114	—	—	24	3.25	636RMF	65	1.89	30	4.10	904W	—	—	30	14.40
115	—	—	24	3.52	641MF	65	1.92	30	4.17	904WMF	—	—	30	3.67
116	—	—	24	4.16	642/58R	65	1.43	30	3.10	905D, 905DY	—	—	30	4.70
117	—	—	24	5.41	642MF	65	1.45	30	3.13	907D, 907DY	—	—	30	5.50
118	—	—	12	12.00	648/91	65	2.08	30	5.07	908D, 908DY	—	—	30	8.37
11L, 319LD	—	—	20	5.95	649193	65	2.29	30	4.97	908DMF	—	—	30	9.27
11NF, 322NFD	—	—	12	6.83	650	65	1.34	30	2.90	916TF, 916TFD	—	—	30	10.70
1124R	40	1.65	20	3.30	658MF	65	1.38	30	3.00	917TF, 917TFD	—	—	30	7.30
1135D	—	—	20	7.65	658RMF	65	1.83	30	3.97	93EH, 93EHD	—	—	30	4.01
11MF	40	1.87	20	3.75	664MF	65	1.91	30	4.13	93ET, 93ETD	—	—	30	4.30
11D	24	7.92	12	15.83	665MF	65	1.43	30	3.10	928MF, 928MFD	—	—	30	4.63
11E, 402ED	50	1.46	30	2.43	674MF, 674MFD (discontinued)	65	1.49	30	3.23	930H, 930HD	—	—	30	3.77
11F (discontinued)	—	—	20	9.45	675DT	65	1.11	30	3.07	931MF, 931PMF	—	—	30	3.73
11MF (discontinued)	50	1.56	30	2.60	675MF	65	1.51	30	3.27	94DLT, 94DLTD	—	—	30	6.20
11MF, 424FMF	50	1.46	30	2.43	678MF	65	1.41	30	3.30	94EH, 94EHD	—	—	30	3.83
11S	—	—	12	6.08	7AG25MF	70	1.83	30	4.27	CTVE24 (discontinued)	—	—	6	20.33
11T	50	1.40	30	2.33	7AG34/78	70	1.41	30	3.30	CTVE27	—	—	6	24.17
11RA	50	1.40	30	2.33	7AG35MF	70	1.34	30	3.13	DC24	—	—	12	9.91
11MF, 427FMF (discontinued)	50	2.06	30	3.43	7AG38MF	70	1.87	30	4.23	DC27	—	—	12	11.75
11VF, 429NFD	—	—	30	5.61	7AG65MF	70	1.51	30	3.33	DC31DT	—	—	12	13.66
1158R	50	1.64	30	2.73	7AG75MF	70	1.61	30	3.77	DP31CS, DP31PCS	—	—	30	4.37
11AF	50	1.60	30	2.67	7AG75DT	70	1.71	30	4.00	DP24	—	—	12	8.91
11L	50	1.42	30	2.31	7AG78MF	70	1.41	30	3.66	DP27	—	—	12	10.00
11AF (discontinued)	50	1.48	30	2.47	7U1L, 7U1R	—	—	12	3.66	DP31DT	—	—	12	11.41
115U1R	—	—	12	3.58	7T31	—	—	30	5.07	EVU1 (8TU1)	—	—	12	5.83
114R	60	1.40	30	2.80	700U	70	1.51	30	3.53	EV22NF (8T2NF)	—	—	12	9.08
11A	60	1.42	30	2.83	701	—	—	20	3.80	EV24	—	—	12	9.91
11F, 524FMF	60	1.30	30	2.60	708D, 708DY	—	—	30	7.17	EV27	—	—	12	11.75
11F	60	1.37	30	2.73	726AT	70	1.84	30	4.30	EV31	—	—	12	15.16
11F	60	1.45	30	2.90	726RA (discontinued)	70	1.43	30	3.33	GC8V	—	—	12	14.16
11S	60	1.37	30	2.73	727MF (discontinued)	70	1.43	30	3.33	GC10, GC10G, GC10P	—	—	10	13.90
11S	60	1.85	30	3.70	734/78	70	1.80	30	4.20	GC15, GC15G, GC15GD, GC15P	—	—	12	12.58
11S	60	1.45	30	2.89	749193	70	1.74	30	4.07	GC25, GC25G	—	—	12	13.66
11S	60	1.43	30	2.89	756A	70	1.51	30	3.53	GC45	—	—	12	16.41
11S	60	1.95	30	3.90	775A	70	1.11	30	3.30	HH25, HH35	60	1.53	30	3.07
11S	60	2.12	30	4.23	775DT (discontinued)	70	1.41	30	3.30	HH34/78	60	1.85	30	3.70
11551RMF	60	1.47	30	2.93	775MF	70	1.41	30	3.30	HH58	60	1.48	30	2.97
11S	60	1.58	30	3.17	778MF	70	1.56	30	3.63	HH65	60	1.78	30	3.57
11S	60	1.57	30	3.13	8AMU1R	40	3.32	—	—	HH75	60	1.65	30	3.30
11S	60	1.73	30	3.47	8U1L, 8U1R	—	—	12	3.91					
11S (discontinued)	60	1.37	30	2.73	8C6V, 8C6VD	—	—	12	19.91					
11S	60	1.33	30	2.67	8C11, 8C11D	—	—	12	15.90					
11S	60	1.37	30	2.73	8C12, 8C12D	—	—	12	24.91					
11S	60	1.48	30	2.97	8KFS, 8KFSD	—	—	12	20.91					
11S	60	1.40	30	2.80	8L16, 8L16D	—	—	12	23.50					
11S	60	1.42	30	2.83	8V195, 8V195D	—	—	24	12.66					
					801, 801D	—	—	24	4.54					
					804D, 804DY	—	—	30	6.43					
					819, 819D	—	—	24	16.33					
					821, 821D	—	—	24	17.71					
					825, 825D	—	—	24	21.04					

COPY

* 12 months in Lawn & Garden service
† 12 months in deep cycle service



- Material Safety Data Sheet - BATTERY FLUID ACID

SECTION I

Manufacturer's Name: East, Penn Manufacturing Co. Inc. Deka Road, Lyon Station, PA 19536	Date Prepared: Revised December 1998 Revision #3 Replaces December 1996
Telephone Number for Information: (610) 682-6361	
Emergency Telephone Number: CHEMTREC: 1-800-424-9300, In Washington D.C. or outside continental U.S., call 1-202-483-7616	

SECTION II

HAZARDOUS INGREDIENTS/IDENTITY INFORMATION

Hazardous Components Specific Chemical Identity (Common Name(s))	OSHA PEL	ACGIH TLV	Other Limits Recommended	Percent
Sulfuric Acid, CAS #7664939	1.00 mg/m ³	1.00 mg/m ³	N/A	30 - 61

SECTION III

PHYSICAL/CHEMICAL CHARACTERISTICS

Appearance and Odor: clear, odorless, colorless Boiling Point: approximately 235°F Evaporation Rate (Butyl Acetate-1): less than 1.0 Melting Point: N/A	Solubility in Water: completely Specific Gravity (H ₂ O=1): 1.220-1.500 Vapor Density (AIR=1): N/A Vapor Pressure (mm Hg.): 13
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SECTION IV

FIRE AND EXPLOSION HAZARD DATA

Flash Point (Method Used): Not applicable	Flammable Limits: (hydrogen gas)
Extinguishing Media: CO ₂ , foam, dry chemical	LEL: 4 UEL: 74

Special Fire Fighting Procedure: Sulfuric acid will not burn but is capable of igniting finely combustible material on contact. Combustibles may be smothered by dry chemical extinguishing media. Wear acid resistant clothing. Fire may produce irritating or poisonous gases.

SECTION V

REACTIVITY DATA

Stability: Stable Condition to Avoid: Contact with metal may release explosive hydrogen gas.

Incompatibility (Materials to Avoid): Strong alkali materials, carbides, chlorates, nitrates, and peroxides, organic acid, acetates, anhydrides.

Hazardous Decomposition of By-Products: Thermal decomposition or combustion may produce a sulfur trioxide and/or sulfur dioxide.

Hazardous Polymerization: will not occur

SECTION VI
HEALTH HAZARD DATA (Sulfuric Acid)

Route(s) of Entry: Inhalation, skin contact, and ingestion

Carcinogenicity: The International Agency for Research on Cancer (IARC) has classified "strong inorganic acid mist containing sulfuric acid" as a category 1 carcinogen, a substance that is carcinogenic to humans. This classification does not apply to liquid forms of sulfuric acid contained within a battery. Inorganic acid mist (sulfuric acid mist) is not generated under normal use of this product. Misuse of the product such as overcharging, may result in the generation of sulfuric acid mist.

Signs and Symptoms of Exposure: Acid contact may cause irritation of eyes, nose and throat. Breathing of mist may produce respiratory difficulty. Contact with eyes and skin causes irritation and skin burns. Sulfuric acid is a CORROSIVE chemical.

Medical Conditions Generally Aggravated by Exposure: Pulmonary edema, bronchitis, emphysema, dental erosion, and traceobronchitis

Health Hazards (Acute and Chronic):

Short term exposure: Sulfuric acid may cause irritation of eyes, nose, and throat. Prolonged contact may cause severe burns.

Long term exposure: Repeated contact causes irritation and skin burns. Repeated exposure to mist may cause erosion of teeth, chronic eye irritation and/or chronic inflammation of the nose, throat, and bronchial tubes.

TARGET ORGAN: respiratory system, eyes, skin, & teeth

Emergency and First Aid Procedures:

- 1) Flush contacted area with large amounts of water for at least 15 minutes. Remove contaminated clothing and obtain medical attention.
- 2) If swallowed, give large volumes of water. **DO NOT** induce vomiting, obtain medical treatment.
- 3) Eyewash and shower stations should be made available.

SECTION VII
PRECAUTIONS FOR SAFE HANDLING AND USE

Steps to be Taken in Case Material is Released or Spilled: Dilute spill cautiously with five to six volumes of water and gradually neutralize with sodium bicarbonate, soda ash, or lime. When exposure level is not known, wear NIOSH approved positive pressure self-contained breathing apparatus. (Reference DOT Emergency Response Guide #157, UN2796) **Waste Disposal Method:** Neutralize and dispose in accordance with local, state, and federal regulations.

Precautions to be Taken in Handling and Storing: Store away from reactive material as defined in Section V, Reactivity Data.

Other Precautions: Sodium bicarbonate, soda ash, sand, or lime should be kept in same general area for emergency use.

SECTION VIII
CONTROL MEASURES

Respiratory Protection (Specific Type): Respirator required when PEL is exceeded or employee witnesses respiratory irritation. (See Section VI, Health Hazard Data).

Ventilation: When PEL is exceeded.

Technical (general):

Local exhaust: preferred

Special:

Other: Adequate ventilation to maintain exposure concentration below the PEL.

Protective Gloves: acid resistant

Eye Protection: Mandatory during handling and transfer of acid (recommend chemical goggles).

Other Protective Clothing or Equipment: acid resistant aprons, boots, protective clothing, and face shield

Work/Hygienic Practices: Good personal hygiene and work practices are mandatory.

SECTION IX
OTHER REGULATORY INFORMATION

NFPA Hazard Rating: Flammability(Red) = 0 Health(Blue) = 3 Reactivity(Yellow) = 2

US DOT:

Proper Shipping Name	Battery Fluid, Acid
Hazard Class/Division .	a
I.D. Number	UN2796
Packing Group	II
Label Requirement	Corrosive

RCRA: Spilled sulfuric acid is a characteristic hazardous waste.

CERCLA and EPCRA:

- a) Reportable Quantity (RQ) for spilled 100% sulfuric acid is 1000 lbs.
- b) Sulfuric acid is a listed "Extremely Hazardous Substance" with Threshold Planning Quantity of 1000 lbs.

For additional information concerning East Penn Manufacturing Co., Inc. products or questions concerning the content of this HSDS please contact your East Penn Representative.

COPY

INVITATION FOR BIDS

SIGN AND RETURN THIS PAGE

CONTRACT PROPOSAL NO. 2004-733RTCC

Date: January 06.2004

TITLE: Heavy Duty Coach and Automotive Batteries

AC TRANSIT DISTRICT
Purchasing Department
10626 International Blvd.
Oakland, CA 94603

BIDS WILL BE OPENED at 10626 International Blvd. by 2 P.M. February 13, 2004

Sign the bid, put it in an envelope, and write the Contract Bid number and Title on the outside. Sign and return this page. Retain Bidder's Duplicate copy for your files.

DO NOT INCLUDE SALES OR EXCISE TAXES in Bid prices.

ALL BIDDERS COMPLETE THIS SECTION:

_____ 2004

Upon execution of a Contract Acceptance form, the undersigned agrees to furnish, subject to provisions on the reverse of this form, all articles or services within the dates specified, in the manner and at the prices stated, in accordance with the advertisement, specifications, proposal, special conditions and general conditions, all of which are made part of the contract proposal, when authorized by Purchase Order, Contract Order, or Letter of Agreement issued by the District.

Name under which business is conducted: _____

Business street address: _____ Telephone: _____

_____ City State Zip Code

IF SOLE OWNER, sign here:

I sign as sole owner of the business named above:

Signed _____ Typed Name _____

IF PARTNERSHIP OR JOINT VENTURE, sign here:

The undersigned certify that we are partners in the business (joint venture) named above and that we sign this contract proposal with full authority to do so (one or more partners sign):

Signed _____ Typed Name _____

Signed _____ Typed Name _____

IF CORPORATION, sign here:

The undersigned certify that they sign this contract proposal with full authority to do so:

Corporate Name: _____

Signed _____ Typed Name _____ Title _____

Signed _____ Typed Name _____ Title _____

Incorporated under the laws of the State of _____

GENERAL CONDITIONS, INSTRUCTIONS AND INFORMATION FOR BIDDERS

1. EXPLANATIONS, CLARIFICATIONS AND CHANGES

Bidders shall request any explanation, clarification or changes to specifications in writing. Any reply and/or change to specifications will be made by written addendum which shall become a part of the bid documents.

2. BID SUBMISSION

To receive consideration, bids must be delivered prior to the date and time for bid opening. All bids shall be in a sealed envelope properly endorsed as to the bid number and opening date. Submission of a bid shall constitute a firm offer to the District for ninety (90) days from the last day for receipt of bids.

Unauthorized conditions, limitations or provisos attached to a bid will render it non-responsive and may cause its rejection. No telegraphic or facsimile bids or modifications will be considered unless otherwise stated.

A bidder may withdraw his bid prior to bid opening, without prejudice, by submitting a written request for its withdrawal to the Purchasing Manager. The bidder must be able to identify its Bid, show proper identification, and show proper authorization to withdraw the Bid.

At the hour specified in the notice, the District will open, examine and publicly declare all bids received. Bidders, their representatives, and others interested, are invited to be present at the opening of bids. Awards will be made or bids rejected by the District within a reasonable time after bids have been opened.

3. APPROVED EQUALS

When the name of a manufacturer, brand or make, with or without a model number, is used in describing any item in this document, bids for similar articles will be considered unless otherwise stated. The District shall be the sole judge whether such alternate articles are acceptable. Unless the bidder states to the contrary, articles offered are assumed to be the specific articles named in this document and that articles offered are in accordance with the specifications. If not offering the specific articles named, bidder should enclose with bid full information, specifications and descriptive data on items offered. The District reserves the right to permit deviations from the specifications if any article offered is substantially in accord with the specifications and is deemed by the District to be as good quality and as fully satisfactory for its intended use as an article fully meeting specifications.

4. CONDITION OF ARTICLES

Articles offered and furnished must be new and previously unused and of manufacturer's latest model unless otherwise specified herein.

5. TAXES

The supplies, materials or equipment called for under the specifications will be used by the District in the performance of a governmental function and are exempt from taxation by the United States Government.

Unless otherwise stated bidder shall exclude applicable California State and local sales or use taxes in the total price in his bid. Said tax, wherever applicable, will be paid by the District to the Contractor, if licensed to collect same, or otherwise directly to the State.

6. AWARD AND REJECTION OF BIDS

The District may reject any and all bids, may waive any minor irregularities or informalities in any bid or in the bidding procedure, and must reject a bid of any party who has been delinquent or unfaithful in any former contract with the District. If an award is made, it shall be made to the lowest responsible bidder.

7. DELIVERIES

FOB destination in Oakland, freight prepaid and allowed. Unless otherwise stated in the specification or bid forms, bidder shall include freight or delivery charges in the total price in its proposal.

8. SEPARATE ITEMS OR IN THE AGGREGATE

Any bidder may bid separately for any item unless otherwise provided. The District may make awards on separate items or in an aggregate of several or all items unless otherwise provided.

9. CASH DISCOUNTS

Cash discount (discount for prompt payment) will be taken into consideration in determining the low bid under the following conditions:

- a. Discount period must be at least 30 days.
- b. The discount period will start on the date of completion of delivery of all items on any Purchase Order or other authorization or upon date of properly prepared invoices covering such deliveries, whichever is later.

- c. Payment is deemed to be made, for the purpose of claiming the discount, on the date of mailing the District's warrant or check.

10. ACCEPTANCE, BILLING AND PAYMENT

Acceptance by the District of any equipment, supplies, or materials furnished under the contract to be awarded shall occur only subsequent to the final inspection by authorized employees of the District. Defective or nonconforming equipment, supplies or materials shall be rejected by the District and the contract price adjusted accordingly unless acceptable replacement is made.

Invoices shall be rendered in triplicate to AC Transit District, P.O. Box 28507, Oakland, California 94604. Invoices shall include all applicable state, city and special district sales taxes at time of delivery. Invoices shall identify the Contract and Purchase Order Numbers. Unless otherwise stated, the District will make payment within thirty (30) days of the date of completion of delivery of all items on any Purchase Order or other authorization or upon date of properly prepared invoices covering such deliveries, whichever is later.

11. WARRANTY OF TITLE

The Contractor warrants and agrees that title to all materials and equipment furnished under this contract and accepted by the District will pass to the District free and clear of all liens, claims, security interests or encumbrances.

12. PERFORMANCE WARRANTY

Contractor shall supply his standard warranty(ies) on defects in workmanship and material applicable to the materials, supplies or equipment furnished hereunder. The standard warranties should be no less than the minimum requirements stated in the Specifications. All warranties to commence after acceptance of delivery by the District unless otherwise stated. It is understood and agreed that the District does not waive any warranty either expressed or implied or any liability of the manufacturer or contractor as may be determined by a decision of any court of the State of California or the United States.

13. INDEMNIFICATION

Contractor shall indemnify, keep and save harmless the District, its Board of Directors, officers, officials, employees, agents and volunteers from and against any and all liability, loss, damage, expense, costs (including, without limitation, costs and fees of litigation) of every nature arising out of or in connection with Contractor's performance of work hereunder or its failure to comply with any of its obligations contained in the Agreement, except such loss or damage caused by the sole negligence or willful misconduct of the District.

14. TERMINATION AND TERMINATION FOR CONVENIENCE

In the event the Contractor fails to perform any of his obligations under this contract, this contract may be terminated effective after 10 days written notice and all of contractor's rights hereunder ended. No new work will be undertaken and no new deliveries will be made after the date of receipt of such notice.

The District may terminate this Agreement for the District's convenience and without cause at any time by giving Contractor written notice of termination. In the event of termination, Contractor will be paid for those services performed or deliveries made pursuant to this Agreement to the satisfaction of the District up to the date of termination. In no event will the District be liable for costs incurred by Contractor after receipt of notice of termination.

15. NON-DISCRIMINATION

In connection with the execution of any contract hereunder, the Contractor shall not discriminate against any applicant or employee on the grounds of race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, marital status, sex or age as defined in Section 12926 Government Code.

16. GOVERNING LAW

This contract shall be governed by the laws of the State of California.

17. PROHIBITED INTERESTS

By submitting a bid, the bidder represents and warrants that neither the General Manager nor any Director, officer or employee of the District is in any manner interested directly or indirectly in the bid or in the contract which may be awarded under it, or in any expected profits to arise therefrom (State of California Government Code section 1090 et Seq.). No member, officer or employee of the District, during his/her tenure or for one year thereafter, shall have an interest, direct or indirect, in this Contract or the proceeds thereof.

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SPECIAL CONDITIONS

The Alameda Contra-Costa Transit District, acting on behalf of the Regional Transit Coordinating Council Procurement Committee (RTCC), is soliciting bids for heavy-duty coach and automotive batteries. The Contract provides for purchase and delivery of heavy-duty brake drums to participating RTCC agencies, as specified in the Technical Specifications of this bid.

These terms and conditions supplement the District's General Conditions, and Instructions and information for Bidders. In the event of a conflict between these conditions and the preceding General Conditions, these conditions take precedence.

16. CONTRACT TYPE/TERM

This is a two (2) year, firm fixed price, indefinite quantity Contract.

The Contract with each RTCC Agency shall be for two (2) years. Bid prices shall be firm for the term of the Contract.

The contract commencement date shall be three (3) days after execution of the written Contract or Purchase Order with each RTCC Agency. Notification of award shall be made to the successful bidder in writing by the Alameda Contra-Costa Transit District.

The rights and obligations offered in the contract shall be offered equally to all RTCC Agencies. Except for those provisions relating to the initial award of contract by the District to the lowest responsive, responsible bidder, all references to the District shall mean each RTCC Agency. Each RTCC Agency shall issue individual Contracts or Purchase Orders that shall specify quantity and delivery requirements and shall make payments directly to the Contractor who agrees to look solely to such agency for compensation. Any termination or modification of contractual commitments, in whole or in part, with individual RTCC agencies, whether mutually agreed to or by remedy at law, shall in no way relieve the Contractor of any such contractual obligations to the remaining RTCC Agencies.

19. QUANTITIES

The quantities listed are the estimated annual requirements based on current usage. The RTCC does not guarantee, either expressed or implied, to purchase these quantities, but the right is reserved to purchase any greater or lesser quantities. The RTCC also reserves the right to buy these or other products from other Contractor. Contractor shall be bound to the prices on the Bid Form for the duration of the Contract term.

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

SPECIAL CONDITIONS

20. DELIVERY

Delivery of all items required within thirty (30) days of placement of orders.

21. DELIVERY LOCATIONS FOR PARTICIPATING RTCC AGENCIES

Time and place of Delivery:

AC Transit District
Receiving Dock, Central Maintenance Facility
10626 International Boulevard
Oakland, CA 94603
Monday – Friday, 7:00 a.m. to 2:00 p.m.

Bay Area Rapid Transit District (BART)
25 4th Street
Oakland, California 94607

San Mateo County Transit District (Sam Trans)
1960 Produce Avenue
San Mateo, California 94080

Central Contra Costa Transit District (CCCTA)
2477 Arnold Industrial Way
Concord, California 94520

Golden Gate Transit District (GGTA)
1011 Andersen Drive
San Rafael, California 94901

Monterey –Salinas Transit (MST)
One Ryan Ranch Road
Monterey, California 93940

Santa Cruz Metro (SCMTD)
111 Dubois Street
Santa Cruz, California 95060

Sonoma County Transit
355 West Robles Avenue
Santa Rosa, California 95407

Vallejo Transit
1850 Broadway
Vallejo, California 94590

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

SPECIAL CONDITIONS

22. **BILLING AND INVOICING FOR PARTICIPATING RTCC AGENCIES**

Contractor shall render invoices in triplicate to participating RTCC Agencies billing addresses listed below:

AC Transit District
P.O. BOX 28507
Oakland, CA 94603

Bay Area Rapid Transit District (BART)
800 Madison Street
Oakland, California 94604

San Mateo County Transit District (Sam Trans)
945 California drive
Burlingame, California 94010

Central Contra Costa Transit District (CCCTA)
2477 Arnold Industrial Way
Concord, California 94520

Golden Gate Transit District (GGTA)
P.O. BOX 9000, Presidio Station
San Francisco, California 94129

Monterey --~~Salinas~~ Transit (MST)
One Ryan Ranch Road
Monterey, California 93940

Santa Cruz Metro (SCMTD)
370 Encinal Street, Suite **100**
Santa Cruz, California 95060

Sonoma County Transit
355 West Robles **Avenue**
Santa Rosa, California 95407

Vallejo Transit
1850 Broadway
Vallejo, California 94590

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

SPECIAL CONDITIONS

23. COST AND PRICING DATA

In the event that there is only one (1) bid, cost and pricing data may be required to be submitted to the District by Contractor.

24. CONTRACT AWARD/EVALUATION

Award will be made to the lowest responsive and responsible bidder, and award may be made by individual item or in the aggregate, whichever is the most advantageous to the District.

25. MODIFICATION OF CONTRACT

This Contract may not be modified, nor may compliance with any of its terms be waived, except by written instrument executed and approved in the same manner as this agreement.

26. BRAND, MANUFACTURER OR PRODUCT NAMES

Whenever brand, manufacturer or product names are indicated in these specifications, they are included **ONLY** for the purpose of establishing identification and a general description of the item. Whenever such names appear, the term, "or Approved Equal" is considered to follow. Specifying a brand name, components and/or equipment in the specification shall not relieve the supplier from his/her responsibility to produce the product in accordance with the warranty and contractual requirements.

The Contractor is responsible for notifying the District of any inappropriate brand name, components and/or equipment that may be called for in the specification, and to propose a substitute for consideration.

27. PROTEST PROCEDURES

A. Protest Before Bid Opening

Protests based upon restrictive specifications or alleged improprieties in the bidding procedure shall be filed, in writing, with the Procurement and Materials Director, ten (10) days prior to the bid opening date. The protest must clearly specify the grounds on which the protest is based and include any supporting information.

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SPECIAL CONDITIONS

B. Protest of Award

A bidder (or other interested party as defined under the District's Protest Procedures) may file a protest with the District alleging a violation of applicable federal or state law and/or District policy or procedure relating to seeking, evaluating and/or awarding of a procurement contract. Such protest must be filed no later than ten (10) days after the date of notice of award or non-award of the contract by the District.

C. Copies of the District's Procurement Procedures should be obtained from the District's Procurement and Materials Director. The Procurement Protest Procedures will be provided immediately upon request. **FAILURE TO COMPLY WITH ANY OF THE REQUIREMENTS SET FORTH IN THE DISTRICT'S WRITTEN PROTEST PROCEDURES MAY RESULT IN REJECTION OF THE PROTEST.**

28. INSURANCE

Vendor must have General Liability Insurance, coverage to be equal to Insurance Services Office Commercial General Liability Occurrence Form CG 0001, including contractual liability, severability of interests and products/completed operations. Limits shall be no less than \$1,000,000 per occurrence. Vendor's insurance is primary as respects to any claims relating to this contract. The policy must be endorsed to add the District as additional insured. Coverage must be placed with an insurer having no less than a current A.M. Best rating of "A : VII". The District must be provided proof acceptable to the District of vendor's coverages prior to any work under this contract.

29. CORRESPONDENCE

All correspondence must show **Contract Bid Number 2004-733RTCC.**

30. VENDOR REGISTRATION

If you are not already an AC Transit registered vendor, an online Vendor Registration is required prior to contract award. Bidders should access www.actransit.org, select: purchasing, online purchasing, and register as an Online Purchasing User. To complete the process, include a W-9, Request for Taxpayer Identification Number and Certification – containing original signature – in proposals. If online access is not available, contact the Purchasing Department for instructions.

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

SPECIAL CONDITIONS

31. **FURTHER INFORMATION**

Perspective bidders may contact James A. Bonds, (510) 577-8842, between the hours of 7:00 a.m. and 3:30 p.m., Monday through Friday, holidays excepted, for further information.

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**HEAVY-DUTY COACH AND AUTOMOTIVE BATERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

1. NO OBLIGATION BY THE FEDERAL GOVERNMENT

- A. The District and Contractor acknowledge and agree that, notwithstanding any concurrence by the Federal Government in or approval of the solicitation or award of the underlying contract, absent the express written consent by the Federal Government, the Federal Government is not a party to this contract and shall not be subject to any obligations or liabilities to the District, Contractor or any other party (whether or not a party to that contract) pertaining to any matter resulting from the underlying contract.
- B. The Contractor agrees to include the above clause in each subcontract financed in whole or in part with Federal assistance provided by FTA. It is further agreed that the clause shall not be modified, except to identify the subcontractor who will be subject to its provisions.

2. PROGRAM FRAUD AND FALSE OR FRAUDULENT STATEMENTS AND RELATEDACTS

- A. The Contractor acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. § 3801 et seq. and U.S. DOT regulations, "Program Fraud Civil Remedies," 49 C.F.R. Part 31, apply to its actions pertaining to this Project. Upon execution of the underlying contract, the Contractor certifies or affirms the truthfulness and accuracy of any statement it has made, it makes, it may make, or causes to be made, pertaining to the underlying contract or the FTA assisted project for which this contract work is being performed. In addition to other penalties that may be applicable, the Contractor further acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification, the Federal Government reserves the right to impose the penalties of the Program Fraud Civil Remedies Act of 1986 on the Contractor to the extent the Federal Government deems appropriate.
- B. The Contractor also acknowledges that if it makes, or causes to be made, a false, fictitious, or fraudulent claim, statement, submission, or certification to the Federal Government under a contract connected with a project that is financed in whole or in part with Federal assistance originally awarded by FTA under the authority of 49 U.S.C. § 5307, the Government reserves the right to impose the penalties of 18 U.S.C. § 1001 and 49 U.S.C. § 5307(n)(l) on the Contractor, to the extent the Federal Government deems appropriate.
- C. The Contractor agrees to include the above two clauses in each subcontract financed in whole or in part with Federal assistance provided

**HEAVY-DUTY COACH AND AUTOMOTIVE BATERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECIPIENTS

by FTA. It is further agreed that the clauses shall not be modified, except to identify the subcontractor who will be subject to the provisions.

3. ACCESS TO RECORDS

Access to Records of Recipients and Sub recipients. Upon request, the Recipient agrees to permit and require its Subrecipients to permit the Secretary of Transportation, the Comptroller General of the United States, and, if appropriate, the State, or their authorized representatives, to inspect all Project work, materials, payrolls, and other data, and audit the books, records, and accounts of the Recipient and its Subrecipients pertaining to the project.

4. FEDERAL CHANGES

Contractor shall at all times comply with all applicable FTA regulations, policies, procedures and directives, including without limitation those listed directly or by reference in the Agreement between the District and FTA, as they may be amended or promulgated from time to time during the term of this contract. Contractor's failure to so comply shall constitute a material breach of this contract.

5. CIVIL RIGHTS REQUIREMENTS

In connection with the execution of this Contract, the Contractor shall not discriminate against any employee or applicant for employment because of race, color, creed, sex, disability, age or national origin. The Contractor shall take affirmative action to insure that applicants are employed, and the employees are treated during their employment, without regard to their race, color, creed, sex, disability, age or national origin. Such actions shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. Contractor shall comply with any implementing regulations FTA may issue.

6. TERMINATION

Supplementing Paragraph 14 of the General Conditions, Instructions and Information for Bidder, in the event that the Contractor breaches the terms or violates the conditions of the contract to be awarded, and does not within ten (10) days of written notice from the District cure such breach or violation, the District may immediately terminate the contract, and shall pay the Contractor only its allowable costs to date of termination.

**HEAVY-DUTY COACH AND AUTOMOTIVE BATERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

A. Termination for Convenience

The District may terminate this contract, in whole or in part, at any time by written notice to the Contractor when it is in the District's best interest. The Contractor shall be paid its costs, including contract close-out costs, and profit on work performed up to the time of termination. The Contractor shall promptly submit its termination claim to District to be paid the Contractor. If the Contractor has any property in its possession belonging to the District, the Contractor will account for the same, and dispose of it in the manner the District directs.

B. Termination for Default [Breach or Cause]

If the Contractor does not deliver supplies in accordance with the contract delivery schedule, or, if the contract is for services, the Contractor fails to perform in the manner called for in the contract, or if the Contractor fails to comply with any other provisions of the contract, the District may terminate this contract for default. Termination shall be effected by serving a notice of termination on the contractor setting forth the manner in which the Contractor is in default. The Contractor will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner of performance set forth in the contract.

If it is later determined by the District that the Contract had an excusable reason for not performing s, such as a strike, fire or flood, events which are not the fault of or are beyond the control of the Contractor, the District, after setting up a new delivery of performance schedule, may allow the Contractor to continue work, or treat the termination as a termination for convenience.

C. Opportunity to Cure

The District in its sole discretion may, in the case of termination for breach or default, allow the Contractor ten (10) days in which to cure the defect. In such case, the notice of termination will state the time period in which cure is permitted and other appropriate conditions.

If the Contractors fails to remedy to District's satisfaction the breach or default or any other terms, covenants, or conditions of this Contract within ten (10) days after receipt by Contractor or written notice from District setting forth the nature of said breach or default, District shall have the right to terminate the Contract without any further obligation to Contractor. Any such termination for default shall not in any way operate to preclude District from also pursuing all available remedies against the Contractor

**HEAVY-DUTY COACH AND AUTOMOTIVE BATERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

and its sureties for said breach or default.

D. Waiver of Remedies for any Breach

In the event that District elects to waive its remedies for any breach by Contractor of any covenant, term or condition of this Contract, such waiver by District shall not limit District's remedies for any succeeding breach of that or of any other term, covenant or condition of this Contract.

E. Termination for Default (Supplies and Service)

If the Contractor fails to deliver supplies or to perform the services within the time specified in this contract or any extension or if the Contractor fails to comply with any other provisions of this contract, the District may terminate this contract for default. The District shall terminate by delivering to the Contractor a Notice of Termination specifying the nature of the default. The Contractor will only be paid the contract price for supplies delivered and accepted, or services performed in accordance with the manner or performance set forth in this contract.

If, after termination for failure to fulfill contract obligations, it is determined that the Contractor's was not in default, the rights and obligations of the parties shall be the same as if the termination had been issued for the convenience of the District

7. DISADVANTAGED BUSINESS ENTERPRISES (DBE) POLICY

- A. It is the policy of the District to ensure nondiscrimination in the award and administration of all contracts and to create a level playing field on which DBEs can compete fairly for contracts and subcontracts relating to the District construction, procurement and professional services activities. To this end, the District has developed procedures to remove barriers to DBE participation in the bidding and award process, and to assist DBEs to develop and compete successfully outside the DBE program. In connection with this contract, the Contractor will cooperate with the District in meeting these commitments and objectives.
- B. The District, a recipient of federal financial assistance from the Federal Transit Administration (FTA), is committed to and has adopted a DBE program in accordance with federal regulations 49 CFR Part 26, issued by the US Department of Transportation.
- C. Pursuant to 49 CFR 26.13, the Contractor is required to make the following assurance in its agreement with the District and to include this

**HEAVY-DUTY COACH AND AUTOMOTIVE BATERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

assurance in any agreements it makes with Subcontractors in the performance of this contract.

- D. The Contractor or Subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The Contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of US DOT-assisted contracts. Failure by the Contractor or Subcontractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as the District deems appropriate.
- E. Additionally, all of the requirements described in the DBE Program shall be met. A contract that has a specific DBE participation goal will be described in the Special Conditions. Any bidder who would like to request additional information or ask questions regarding the DBE Program may contact the District's DBE Administrator at (510) 891-7176.
- F. **PROMPT PAYMENT TO SUBCONTRACTORS:** In accordance with the District's DBE Program, the Contractor shall pay all subcontractors approved by the District for work that has been satisfactorily performed no later than thirty (30) days from date of Contractor's receipt of progress payments made by the District. Within sixty (60) days of satisfactory completion of all work required of the subcontractor, Contractor shall release any retainage payments withheld to the subcontractor.

6. INCORPORATION OF FEDERAL TRANSIT ADMINISTRATION (FTA) TERMS

The following provisions include, in part, certain Standard Terms and Conditions required by DOT, whether or not expressly set forth in the preceding contract provisions. All Contractual provisions required by the DOT, as set forth in FTA Circular 4220.1 D, dated April 15, 1996, are hereby incorporated by reference. Anything to the contrary herein notwithstanding, all FTA mandated terms shall be deemed to control in the event of a conflict with other provisions contained in the **Agreement. The Contractor shall not perform ant act, fail to perform any act, or refuse to comply with any AC TRANSIT requests which would cause AC TRANSIT to be in violation of the FTA terms and conditions.**

9. ENVIRONMENTAL PROTECTION

The Recipient agrees to comply with all applicable requirements on the National Environmental Policy Act of 1969, as amended, 42 U.S.C. §§ 4321 et seq., Executive Order No. 11514, as amended, "Protection and Enhancement of Environmental Quality," 42 U.S.C. §§ 4321 note; FTA statutory requirements at 49 U.S.C. § 5324(b); Council on Environmental Quality regulations pertaining to

**HEAVY-DUTY COACH AND AUTOMOTIVE BATERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

compliance with the National Environmental Policy Act of 1969, as amended, 40 C.F.R. Part 1500 et seq.; the joint FHWA/FTA regulations, "Environmental Impact And Related Procedures," 23 C.F.R. Part 771 and 49 C.F.R. Part 622, and, when promulgated, FHWA/FTA joint regulations, "NEPA and Related Procedures for Transportation Decision-making, Protection of Public Parks, Wildlife and Waterfowl Refuges, and Historic Sites," 23 C.F.R. Part 1420 and 49 C.F.R. Part 623

10. ENERGY CONSERVATION

The Contractor shall recognize mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. Section 6321 et seq.).

11. CARGO PREFERENCE - USE OF UNITED STATES FLAG VESSELS

The contractor agrees: a. to use privately owned United States-Flag commercial vessels to ship at least 50 percent of the gross tonnage (computed separately for dry bulk carriers, dry cargo liners and tankers) involved, whenever shipping any equipment, material, or commodities pursuant to the underlying contract to the extent such vessels are available at fair and reasonable rates for United States-Flag commercial vessels; b. to furnish within 20 working days following the date of loading for shipments originating within the United States or within 30 working days following the date of leading for shipments originating outside the United States, a legible copy of a rated, "on-board" commercial ocean bill- of-lading in English for each shipment of cargo described in the preceding paragraph to the Division of National Cargo, Office of Market Development, Maritime Administration, Washington, DC 20590 and to the District (through the contractor in the case of a subcontractor's bill- of-lading.) c. to include these requirements in all subcontracts issued pursuant to this contract when the subcontract may involve the transport of equipment, material, or commodities by ocean vessel.

12. BUY AMERICA REQUIREMENTS

The Contractor agrees to comply with 49 U.S.C. 5323(j) and 49 CFR Part 661, which provide that Federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless a waiver has been granted by FTA or the product is subject to a general waiver. General waivers are listed in 49 CFR 661.7.

**HEAVY-DUTY COACH AND AUTOMOTIVE BATERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SUPPLEMENTAL FEDERAL REQUIREMENTS FOR FTA RECEIPIENTS

BUY AMERICA CERTIFICATE

Certification requirement for procurement of steel, iron, or manufactured products.

Certificate of Compliance with 49 U.S.C. 5323(j)(l)

The bidder or offeror hereby certifies that it will meet the requirements of 49 U.S.C. 5323(j)(l) and the applicable regulations in 49 CFR Part 661.

Date: _____

Signature: _____

Company Name: _____

Title: _____

Certificate of Non-Compliance with 49 U.S.C. 5323(j)(l)

The bidder or offeror hereby certifies that it cannot comply with the requirements of 49 U.S.C. 5323(j)(l), but it may qualify for an exception pursuant to 49 U.S.C. 5323(j)(2)(B) or (j)(2)(D) and the regulations in 49 CFR 661.7.

Date: _____

Signature: _____

Company Name: _____

Title: _____

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

TECHNICAL SPECIFICATIONS

1. **Introduction**

It is the intent of the District to purchase various new “**Deka**” heavy-duty coach and automotive batteries, or “Approved Equal” for the District’s fleets.

2. **Purpose**

This specification prescribes minimum acceptable requirements for heavy-duty coach and automotive batteries, which will provide maximum safety, reliability and service, with regular maintenance in normal transit service for a useful life of at least twenty-four (24) months for the District; while taking advantage of the latest advancements in the field, particularly with regard to reliability of operation. The absence of specifications regarding detail implies that the best general practice will prevail and that first quality material and workmanship are to be used.

The heavy-duty coach and automotive battery procurement will result in a contract, where product must be delivered from Contractor’s existing shelf stock within thirty (30) days after issuance of a Purchase Order.

3. **Requirement**

All heavy-duty coach and automotive batteries shall be delivered F.O.B. to the following addresses listed below, in accordance with this specification:

AC Transit District
Receiving Dock, Central Maintenance Facility
10626 International Boulevard
Oakland, CA 94603
Monday – Friday, 7:00 a.m. to 2:00 p.m.

Bay Area Rapid Transit District (BART)
25 4th Street
Oakland, California 94607

San Mateo County Transit District (Sam Trans)
1960 Produce Avenue
San Mateo, California 94080

Central Contra Costa Transit District (CCCTA)
2477 Arnold Industrial Way
Concord, California 94520

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

TECHNICAL SPECIFICATIONS

Golden Gate Transit District (GGTA)
1011 Andersen Drive
San Rafael, California 94901

Monterey –Salinas Transit (MST)
One Ryan Ranch Road
Monterey, California 93940

Santa Cruz Metro (SCMTD)
111 Dubois Street
Santa Cruz, California 95060

Sonoma County Transit
355 West Robles Avenue
Santa Rosa, California 95407

Vallejo Transit
1850 Broadway
Vallejo, California 94590

4. **Conformity**

All units or parts not specified shall be manufacturer's standard units. In all cases, material must be furnished as specified, but if the term "Approved Equal" is used, the General Manager of the District, or his designee, must approve any material or equipment substituted for specified material or equipment.

Each heavy-duty coach and automotive batteries shall be delivered as a complete functional unit ready for operation, including all accessory items as may be required for the type of service herein specified. No advantage shall be taken by the Contractor if there are omissions in this specification of components, parts or installations, which are essential to the proper, complete and safe operation of the equipment.

5. **Submission with Bid**

Contractor shall submit with their bid manufacturer's specifications or literature covering heavy-duty coach and automotive batteries and/or accessories or equipment offered to meet the requirements of this specification.

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

TECHNICAL SPECIFICATIONS

6. Responsibility

Heavy-duty coach and automotive battery manufacturer shall assume responsibility for all material used in the construction and fabrication of heavy-duty coach and automotive batteries, whether same is made by heavy-duty coach and automotive battery manufacturer or purchased ready-made from an outside source.

In the event that a participating RTCC agency experiences a high rate of battery failures, that particular RTCC agency shall exercise the right to bill the contractor for all labor charges directly related to the batteries replacement.

7. Approved Tested Heavy Duty Coach and Automotive Battery Manufacturers

- (a) Deka Batteries
- (b) AC Delco Batteries
- (c) Exide Batteries
- (d) Interstate Batteries
- (e) Trojan Batteries

CAUTION: IF ANY OF THE ABOVE CONDITIONS ARE NOT MET, THE HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES ARE TO BE REPLACED FREE OF CHARGE BY THE CONTRACTOR.

[REST OF PAGE INTENTIONALLY LEFT BLANK]

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

TECHNICAL SPECIFICATIONS

All Batteries shall meet or exceed the standards set by the Battery Council International and the Society of Automotive Engineers.

Coach Batteries – Group 1

1. **Type – 8D**

The heavy-duty 8-D coach batteries shall be a negative lead acid type, positive low antimony.

The 8-D batteries will be used in: **NABI**, Chance, Ikarus, Flexible, New Flyer, Gillig, MCI, Neoplan, Twin coach M.A.N. and **VanHool** manufactured coaches.

2. **Case and cover**

The 8-D battery case and cover shall be manufactured of polypropylene..

Each cell cover shall be provided with rubber or plastic, threaded screw or **push-in** type plugs.

The battery case, cover and plugs shall be constructed using “NEW” materials only. **Reclaimed materials are not acceptable**, except recycled lead and recycled polypropylene.

3. **Positive and Negative plates**

The **positive** plates shall be **Lead Acid, Low Antimony**. The **Negative** plates shall be **Lead Acid**.

Height, weight and thickness of plates shall be such that performance and test specifications as defined in these specifications shall be achieved.

4. **Separators**

The only plate separator that will be accepted in the batteries specified in this bid shall be Polyvinyl, Sub-micro, Envelope type separators.

5. **Post**

Battery post shall be “Standard Heavy Duty” automotive type. Contractor shall indicate extra charges, if any, on Bid Form for “Flag”, “Angle”, “Marine” or “Side Post” terminals.

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

TECHNICAL SPECIFICATIONS

6. **Handles**

All 8D batteries shall have a **Nylon** rope carrying handle, with **Polyethylene** tube, as the standard, at each end of the battery.

7. **Gravity**

All batteries shall be fully charged at a minimum of twelve-hundred and sixty (1260) specific gravity, at eighty degrees Fahrenheit (80° F)

8. **Coach Battery: Item A "8-D High Cranking Battery"**

Battery capacity: Minimum of 185 AMPS – per 20 hour rate system.

Exterior case dimensions: Approximately 20-1/2" length x 1-1/8" width x 9-3/4" height (to top post).

Cranking power: Minimum of 1550 CA (Cranking AMPS) @ thirty-two degrees Fahrenheit (32° F) or 1300 CCA (Cold Cranking Amps) @ zero degrees Fahrenheit (0° F).

Reserve capacity: Minimum of 430 minutes @ eighty degrees Fahrenheit (80°F).

Negative plates: Minimum of .068" thickness.

Positive plates: minimum of .078" thickness.

Number of plates per cell: Minimum of thirty (30) plates per cell.

Plate width and height: Minimum of 4-3/4" x 5-5/8".

9. **Coach Battery: Item B "8-D High Reserve Capacity Battery"**

Battery capacity: Minimum of 142 AMPS – per 20 hour rate system.

Exterior case dimensions: Approximately 20-1/2" length x 1-1/8" width x 9-3/4" height (to top post).

Cranking power: Minimum of 1225 CA (Cranking AMPS) @ thirty-two degrees Fahrenheit (32° F) or 1000 CCA (Cold Cranking Amps) @ zero degrees Fahrenheit (0° F).

Reserve capacity: Minimum of 345 minutes @ eighty degrees Fahrenheit (80°F).

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

TECHNICAL SPECIFICATIONS

Negative plates: Minimum of .068" thickness.

Positive plates: minimum of .078" thickness.

Number of plates per cell: Minimum of twenty-three (23) plates per cell.

Plate width and height: Minimum of 4-3/4" x 5-5/8".

Coach Batteries – Group 2

10. Type – 31-H

The Type 31-H coach batteries shall be maintenance free, totally sealed, calcium alloy (positive and negative plates), with a inspection eye. The Type 31-H batteries will be used in: NABI, Chance, Ikarus, Flexible, New Flyer, Gillig, MCI, Neoplan, Twin coach M.A.N. and VanHool manufactured coaches.

11. Coach Battery: Item 3 "Type 31-H Battery"

Batten/ capacity: Minimum of 180 AMPS – per 20 hour rate system.

Exterior case dimensions: Approximately 13" length x 6-13/16" width x 9-1/2" height (to top post).

Cranking power: Minimum of 800 CCA (Cranking AMPS) @ thirty-two degrees Fahrenheit (32° F) or 640 CA (Cranking Amps) @ zero degrees Fahrenheit (0° F).

Reserve capacity: Minimum of 180 minutes @ eighty degrees Fahrenheit (80°F).

Negative plates: Minimum of .052" thickness.

Positive plates: minimum of .072" thickness.

Number of plates per cell: Minimum of fourteen (14) plates per cell.

12. Case and Cover

The Type 31-H battery case and cover shall be manufactured of Polypropylene.

The battery shall be constructed using "NEW" materials only. **Reclaimed materials are not acceptable**, except recycled lead and recycled polypropylene.

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

TECHNICAL SPECIFICATIONS

13. **Positive and Negative plates**

The **positive** plates shall be **Calcium Alloy**. The **negative** plates shall be **Lead Calcium Alloy**.

Height, weight and thickness of plates shall be such that performance and test specifications as defined in these specifications shall be achieved.

14. **Separators**

The only plate separator that will be accepted in the batteries specified in this bid, shall be Polyvinyl, Sub-micro, Envelope type separators.

15. **Post**

Battery post shall be "Standard Heavy Duty" automotive type. Contractor shall indicate extra charges, if any, on Bid Form for "Flag", "Angle", "Marine" or "Side Post" terminals.

16. **Handles**

All Type 31-H batteries shall have a **Nylon** rope, carrying handle, with **Polyethylene** tube, as the standard, at each end of the battery.

17. **Gravity**

All batteries shall be fully charged at a minimum of twelve-hundred and sixty (1260) specific gravity, at eighty degrees Fahrenheit (80° F)

18. **Coach and Automotive battery Labeling, Marking and Coding**

Each battery shall have manufacturers product label attached on two (2) sides of battery.

Each battery shall be identified as to Purchase Agency, year and month of manufacture and serial number of battery, in at least one-quarter inch (**1/4"**) high letters stamped on the battery, near one (1) of the terminals.

Each battery shall have a label attached to the top of battery, identifying the RTCC Purchasing Agency, with a alpha letter abbreviation as follows:

AC Transit as "AC"

BART as "BA"

Sam Trans as "ST"

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

TECHNICAL SPECIFICATIONS

CCCTA as "CC"
ECCTA as "EC"
GGTA as "GGT"
MSTD as "MS"
SCMTD as "SCM"
Sonoma County as "SC"
Vallejo Transit as "VT"

Each battery shall have label attached on top of battery. Identifying the month, year and date that the battery was sold to each RTCC Purchasing Agency, as follows:

Year: Last two (2) digits in year of date sold, for example "04" for 2004

Month: Letters "A" to "M" inclusive (excluding the letter "I"), with the letter "A" for **January** and the letter "M" for December.

Each battery shall be numbered commencing with number "1" at the beginning of each month and continuing consecutively to last or highest number for each RTCC Purchasing Agency.

As an example, a battery marked "AC03F01" would identify a battery sold to AC Transit in the year 2003, month of June and the 1st battery sold that month to AC Transit.

19. **Battery Warranty**

All 8-D High Cranking batteries shall be covered by the Manufacturers, **twenty-four (24) month, one-hundred percent (100%) full replacement**, from date of sale to the RTCC Purchasing Agency.

All 8-D High Reserve Capacity batteries shall be covered by the Manufacturers, **twenty-four (24) month, one-hundred percent (100%) full replacement**, from date of sale to the RTCC Purchasing Agency.

All Type 31-H, totally sealed, maintenance free batteries shall be covered by the Manufacturers, **twenty-four (24) month, one-hundred percent (100%) full replacement**, from date of sale to the RTCC Purchasing Agency.

20. **Battery Cores**

Contractor shall indicate battery core charge or battery core credit value on Bid sheet.

Each participating RTCC Agency is responsible for keeping track of the number of cores picked up by Contractor.

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

TECHNICAL SPECIFICATIONS

Contractor shall pick up all battery cores and warranty replacement batteries at time of delivery at each participating RTCC Agency at **no charge**.

Contractor shall issue "**Core Credit**" at time of pick up for all used batteries.

Contractor shall use either a Bill of Lading or Manifest to record shipments of cores picked up from each of the participating RTCC Agencies. A copy of the record shall be given to each of the participating RTCC Agencies facility at the time of battery core pick up.

Contractor shall submit with their bid, their specification information that describes the handling/reprocessing and disposal practices of battery cores after they are picked up from a participating RTCC Agencies facility.

Automotive, Truck and Service vehicle Batteries: Group3

21. Pricing

Contractor shall submit manufacturers published price list for Automotive, Truck and Service Vehicle Batteries. Contractor shall indicate on Bid sheet, a **Specified Percentage Discount** off of the manufacturers published price list.

22. Warranty

All automotive, truck and service vehicle batteries shall be covered by the Manufactures sixty (60) month, one-hundred percent (100%) full replacement warranty, from date of sale to RTCC Purchasing Agency.

Each participating RTCC Agency shall notify the Contractor at the time of warranty claim, whether or not battery should be replaced, or cash value is to be issued in the form of a credit, for a defective or failed battery.

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HEAVEY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

BID FORM SHEET

Price Quotation

AC TRANSIT and participating RTCC agencies will purchase **new heavy-duty coach and automotive batteries**. Quantities are based on the Districts prior annual purchase history. Approximate quantities are listed below, the District and participating RTCC agencies do not guarantee any specific quantities.

Est. Yearly Quantity Each	Group 1 High Cranking	Manufacturer	Product Code	Cold Cranking Amps	Reserve Capacity	Price Per Battery
1500						

Warranty period: _____ /MONTHS
100% Full Replacement

Core Charge: \$ _____ /EACH

Special Terminal \$ _____ /EACH

Pavment Terms: _____ % Net _____ /Days

Discounts: _____ % Net _____ /Days

Est. Yearly Quantity Each	Group 1 High Reserve Capacity	Manufacturer	Product Code	Cold Cranking Amps	Reserve Capacity	Price Per Battery
600						

Warranty period: _____ /MONTHS
100% Full Replacement

Core Charge: \$ _____ /EACH

Special Terminal \$ _____ /EACH

Pavment Terms: _____ % Net _____ /Days

Discounts: _____ % Net _____ /Days

HEAVEY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006

BID FORM SHEET

Est. Yearly Quantity Each	Group 2 Type 31-H	Manufacturer	Product Code	Cold Cranking Amps	Reserve Capacity	Price Per Battery
275						

Warranty period: _____ /MONTHS
100% Full Replacement

Core Charge: \$ _____ /EACH

Special Terminal \$ _____ /EACH

Payment Terms: _____ % Net _____ /Days

Discounts: _____ % Net _____ /Days

Est. Yearly Quantity Each	Group 3 Automotive Truck Service Vehicles	Manufacturer	Percentage Discount off list Price
100			

Warranty period: _____ /MONTHS
100% Full Replacement

Core C harge: \$ _____ /EACH

Pavment Terms: _____ % Net _____ /Days

Discounts: _____ % Net _____ /Days

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SAMPLE CONTRACT

This CONTRACT is made and entered into this d a y o f _____ 2004, by and between the Alameda-Contra Costa Transit District (hereinafter referred to as "District"), a special transit district established pursuant to California Public Utilities Code, Section 24501 et seq., and _____ (hereinafter referred to as "CONTRACTOR").

1. **SCOPE OF WORK**

Contractor shall furnish the District all labor, equipment, supplies, material and services as specified in and in full accordance with the Contract Documents issued by the District entitled:

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
CONTRACT NO. 2004-733RTCC**

2. **COMPONENT PARTS OF THE CONTRACT**

This Contract shall consist of the following documents, each of which is on file with the District, and is incorporated into and made a part of the Contract by reference:

- A. This Contract
- B. Invitation for Bids No. 2003-733 and any Addenda thereto
- C. Bidder/Supplier's submitted Bid Forms

3. **TIME OF PERFORMANCE**

The Contractor shall furnish heavy-duty coach and automotive batteries as specified in the Contract Documents from the date of contract, commencing MM/DD/YYYY, and continue for a two (2) year period.

4. **CONTRACT PRICE**

The Contractor shall supply the required heavy-duty coach and automotive batteries at the rates set forth in the Bid Form submitted to the District. The contract shall have a not - to - exceed ceiling of \$ _____ per year, with a total not - to - exceed ceiling of \$ _____

5. **NOTICES**

Any notices which may be required under this Contract shall be in writing, shall be effective when received and shall be given by personal service, or by certified or registered mail, return receipt requested, to the addresses set forth below, or to such other addresses which may be specified in writing by the parties.

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SAMPLE CONTRACT

District: Alameda-Contra Costa Transit District
Purchasing and Materials Manager
10626 International Boulevard
Oakland, California 94603

and

Bidder/Supplier

6. **ATTORNEY'S FEES**

In the event that it becomes necessary for either party to bring a lawsuit to enforce any of the provisions of the Contract, the parties agree that the court having jurisdiction over such dispute shall have the authority to determine and fix reasonable attorney's fees to be paid to the prevailing party.

7. **SEVERABILITY**

If any provision of this Contract is declared void or unenforceable, such provisions shall be deemed severed from this agreement, which shall otherwise remain in full force and effect.

6. **BINDING EFFECT**

All of the terms, provisions, and conditions of the Contract hereunder, shall be binding upon and inure the parties hereto and their respective successors, assigns, and legal representatives.

9. **ENTIRE AGREEMENT**

This Contract represents the entire agreement of the parties with respect to the subject matter hereof, and all such agreements entered into prior hereto are revoked and superseded by this Contract, and no representations, warranties, inducements or oral agreements have been made by any of the parties except as expressly set forth herein, or in other contemporaneous written agreements.

This Contract may not be changed, modified or rescinded except in writing, signed by all parties hereto, and any attempt at oral modification of this agreement shall be void and of no effect.

**HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, 2004 THROUGH DECEMBER 31, 2006**

SAMPLE CONTRACT

IN WITNESS WHEREOF, the parties have executed this CONTRACTON on the dates set forth below.

ALAMEDA-CONTRA COSTA TRANSIT:

CONTRACTOR:

_____ Date _____
Rick Fernandez
General Manager

_____ Date _____
(Signature)

Approved as to form:

_____ (Print Name and Title)

_____ Date _____
Kenneth C. Scheidig
General Counsel

SAMPLE CONTRACT

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, THROUGH JANUARY 31, 2006

Addendum No. 1 dated January 10, 2004

The Alameda-Contra Costa Transit District herewith issues this Addendum No.1 to the above reference Bid Documents. Except as modified below, all other terms and conditions shall remain in effect. ~~Strikethrough~~ texts are words deleted from original IFB text and **bold/italicized/underlined text** are changes to original IFB text.

Amendments to Special Conditions

Delivery locations for participating RTCC Agencies

On page 3 of 29, the following is to be amended:

The Alameda Contra-Costa Transit District, acting on Behalf of the Regional Transit Coordinating Council Procurement Committee (RTCC), is soliciting bids for heavy-duty coach and automotive batteries. The Contract provides for the purchase and delivery of ~~heavy-duty brake drums,~~ **heavy-duty coach and automotive batteries** to participating RTCC agencies, as specified in the Technical Specifications of this bid.

On page 4 of 29, the following is amended:

Central Contra-Costa Transit ~~District,~~ **Authority** (CCCTA)
2477 Arnold Industrial Way
Concord, California 94901

On page 4 of 29, the following is to be added:

San Joaquin Regional Transit (SJRTD)
1533 E. Lindsay Street
Stockton, California 95205

On page 5 of 29, the following is amended:

Central Contra-Costa Transit ~~District,~~ **Authority** (CCCTA)
2477 Arnold Industrial Way
Concord, California 94901

On page 5 of 29, the following is to be added:

San Joaquin Regional Transit (SJRTD)
1533 E. Lindsay Street
Stockton, California 95205

HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES
FOR THE TERM FEBRUARY 21, THROUGH JANUARY 31, 2006

Addendum No. 1 dated January 10, 2004

Amendments to the Supplemental Federal Requirements for FTA Recipients

NONE

Amendments to the Technical Specifications

On page 16 of 29, the following is amended:

Central Contra-Costa Transit ~~District~~, Authority (CCCTA)
2477 Arnold Industrial Way
Concord, California 94901

On page 17 of 29, the following is to be added:

San Joaquin Regional Transit (SJRTD)
1533 E. Lindsay Street
Stockton, California 95205

Amendments to Bid Form Sheet

NONE

Amendments to Sample Contract

NONE

Amendments to the IFB Attachments

NONE

Attachments to this Addendum

NONE

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 3004

TO: Board of Directors

FROM: Robyn D. Slater, Interim Human Resources Manager

SUBJECT: CONSIDERATION OF RECOMMENDATION TO APPROVE THE ELIMINATION OF ONE TRANSIT SURVEYOR POSITION AND CONVERT THE REMAINING TRANSIT SURVEYOR POSITION TO FULL TIME

I. RECOMMENDED ACTION

It is recommended that the Board of Directors approve the elimination of one Transit Surveyor position and convert the remaining Transit Surveyor position to full time.

II. SUMMARY OF ISSUES

- Prior to September 2001, METRO utilized one SEA employee as a Transit Surveyor thirty (30) hours per week.
- In September 2001, a part time, twenty (20) hour per week Transit Surveyor was hired.
- At the end of February 2002, one of the Transit Surveyors took an extended leave ending in her retirement from METRO in February 2004.
- Since February 2002, the active Transit Surveyor, working forty (40) hours per week has been able to complete all the work required.
- SEIU Local 415 is aware of, and approves of METRO's intent to create one full time Transit Surveyor position in lieu of two (2) part time positions.

III. DISCUSSION

Since the hours worked by the two Transit Surveyors included weekends and evenings having two part time employees rather than one full time person increased METRO's flexibility in scheduling surveys. However, the current Transit Surveyor is able to complete all the work required within a forty (40) hour workweek.

Hiring another Transit Surveyor would cost METRO additional money for recruitment, benefits, and salary at a time when METRO is in financial difficulty. Since the incumbent is interested in working full time this solution would benefit everyone.

IV. FINANCIAL CONSIDERATIONS

Since benefits are being paid to the retired Transit Surveyor METRO will experience a small reduction in salary costs.

V. ATTACHMENTS

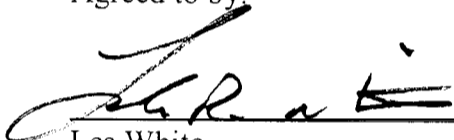
Attachment A: Agreement between Santa Cruz Metropolitan Transit District and Service Employees International Union Local 415, dated 4/9/04

AGREEMENT BETWEEN
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
AND
SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 415

1. In accordance with Article 7.1.1 of the existing -Memorandum of Understanding between the Santa Cruz Metropolitan Transit District (METRO) and Service Employees International Union Local 415 SEIU) METRO is interested in changing the working conditions of the Transit Surveyor position.
2. METRO and SEIU have met and conferred regarding a change to the position of Transit Surveyor. Based upon discussions between Mark Dorfman, Assistant General Manager and Robyn Slater, Human Resources Manager with Ian McFadden SEIU Local 415, SEA President both parties have jointly agreed to:
 - A) Eliminate one part time 30 hour per week Transit Surveyor position.
 - B) Convert the remaining Transit Surveyor position from a part time to a full time position (40 hours per week).

This agreement is subject to the approval of METRO's Board of Directors who have sole authority to change the allocation of positions.

Agreed to by:



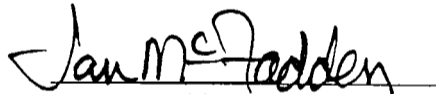
Les White
General Manager
SCMTD



Gary Klemz
Field Representative
SEIU, Local 415



Mark Dorfman
Assistant General Manager
SCMTD



Ian McFadden
SEA President
SEIU, Local 415



Robyn D. Slater
Human Resources Manager
SCMTD

4/9/04

Date

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Mark J. Dorfman, Assistant General Manager

**SUBJECT: RECOMMENDATION TO APPROVE ASSESSMENT FOR
COOPERATIVE RETAIL MANAGEMENT DISTRICT**

I. RECOMMENDED ACTION

The purpose of this communication is to request approval for the assessment on property owners for the support of the Cooperative Retail Management District in Downtown.

II. SUMMARY OF ISSUES

- The District owns property in the Downtown area that is subject to an assessment for the Downtown Host Program.
- The assessment needs to be renewed for the fiscal year.
- Total cost to the District for the assessment is \$2,547.75, no increase from last year.

III. DISCUSSION

The District recently received correspondence from the City of Santa Cruz regarding the Cooperative Retail Management Business Real Property Improvement District. Since the District owns property in the downtown area, there is an assessment that is being requested for the coming fiscal year. This assessment funds the Downtown Host Program.

It is recommended that the District support the continued assessment of the levy for this important Downtown project. Total funds for this assessment amount to \$2,547.75.

IV. FINANCIAL CONSIDERATIONS

There are two assessments for property owned by the District, one for \$1,797.75 and one for \$750.00, for a total of \$2,547.75.

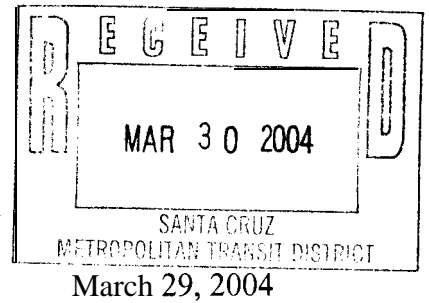
V. ATTACHMENTS

Attachment A: Letters from City of Santa Cruz



CITY CLERK'S DEPARTMENT
809 Center Street, Room 9, Santa Cruz, CA 95060 • 831 420-5030 • Fax: 831 420-5031 • www.ci.santa-cruz.ca.us

**CITY COUNCIL
CITY OF SANTA CRUZ
NOTICE OF PUBLIC MEETING AND HEARING**



Santa Cruz Metropolitan Transit District
370 Encinal Street, #100
Santa Cruz, CA 95060-2101

Dear Santa Cruz Property Owner:

RE: Assessor Parcel Number ("APN"): 05-152-05

NOTICE IS HEREBY GIVEN that the City Council of the City of Santa Cruz will hold a public meeting to consider: 1) the annual report for the 2004-2005 fiscal year prepared by the advisory board to the Cooperative Retail Management (CRM) Business Real Property Improvement District; and, 2) the adoption of a Resolution of Intention to levy an assessment for the period July 1, 2004 through June 30, 2005 for the District and a public hearing to consider the levy of an annual assessment for the District.

The amount of the proposed annual assessment on the entire district will be \$116,033.81. The rate of business promotion assessment shall be imposed on business property owners according to the formulas set forth below:

1. Properties located on Pacific Avenue between Laurel Street and Mission/Water Street shall be assessed \$15.00 per linear foot of property on Pacific Avenue.
2. Properties between Cedar and Front Streets and located on Locust, Cooper, Church, Walnut, Soquel, Lincoln, Cathcart, Elm and Maple Streets; Plaza, Locust, Commerce, Elm and Birch Lanes; Pearl Alley; Lincoln-Cathcart and Pacific-Front alleyways shall be assessed \$12.00 per linear foot of property on the above-mentioned side streets and alleyways.

The purpose of the assessment is to fund the Downtown Host Program created to enhance safety and security and improve public perceptions of the district. The assessment will also be used to review the need for, and establishment of, common hours for retail merchants and maintenance of private property within the district.

The amount of the proposed annual assessment for APN 05-152-05 is set forth below:

Pacific Avenue footage: 50.00 x \$15.00	\$750.00
Side street or alleyway footage: 0.00 feet x \$12.00/linear foot	\$0.00
TOTAL Assessment for Fiscal Year 2004-2005:	\$750.00

Properties with frontage on both Pacific Avenue and a side street or alley will only be assessed an additional fee for the side street or alley frontage where a separate business uses the side street or alley as its main entrance.

A public meeting regarding the consideration of the Annual Report and adoption of a Resolution of Intention to levy an annual assessment will be held on **Tuesday, April 27, 2004**, after the hour of 3:00 p.m. If the Resolution of Intention is adopted, a public hearing will be held on **Tuesday, May 25, 2004**, after the hour of 3:00 p.m., at which time the Council will decide the amount of the assessments to be levied. Both public meetings will be held in the Council Chambers, City Hall, 809 Center Street, Santa Cruz, California. Copies of the Annual Report and Work Program are available in the City Clerk's office at 809 Center Street, Room 9, Santa Cruz, California or at the Redevelopment Agency's office at 337 Locust Street, Santa Cruz, California.

If the Resolution of Intention is adopted, property owners in the proposed assessment district may file written protests in the City Clerk's office between April 27, 2004 and May 25, 2004 before the close of the public hearing. If protests are submitted by property owners representing 50% or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50%, no further proceedings to create the district shall be taken for at least one year. If the Resolution of Intention is not adopted, the May 25, 2004 public hearing will be cancelled. All interested persons are invited to present their oral or written statements at these hearings.

Further information is available from the City Redevelopment Department, 337 Locust Street, Santa Cruz, California, (83 1) 420-5 150.

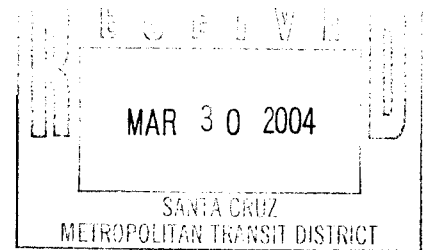


LESLIE COOK, City Clerk
City of Santa Cruz



CITY CLERK'S DEPARTMENT
809 Center Street, Room 9, Santa Cruz, CA 95060 • 831 4X-5030 • Fax: 831 420-5031 • www.ci.santa-cruz.ca.us

**CITY COUNCIL
CITY OF SANTA CRUZ
NOTICE OF PUBLIC MEETING AND HEARING**



March 29, 2004

Santa Cruz Metropolitan Transit District
370 Encinal Street, #100
Santa Cruz, CA 95060

Dear Santa Cruz Property Owner:

RE: Assessor Parcel Number ("APN"): 05-1 52-3 1

NOTICE IS HEREBY GIVEN that the City Council of the City of Santa Cruz will hold a public meeting to consider: 1) the annual report for the 2004-2005 fiscal year prepared by the advisory board to the Cooperative Retail Management (CRM) Business Real Property Improvement District; and, 2) the adoption of a Resolution of Intention to levy an assessment for the period July 1, 2004 through June 30, 2005 for the District and a public hearing to consider the levy of an annual assessment for the District.

The amount of the proposed annual assessment on the entire district will be \$116,033.81. The rate of business promotion assessment shall be imposed on business property owners according to the formulas set forth below:

1. Properties located on Pacific Avenue between Laurel Street and Mission/Water Street shall be assessed \$15.00 per linear foot of property on Pacific Avenue.
2. Properties between Cedar and Front Streets and located on Locust, Cooper, Church, Walnut, Soquel, Lincoln, Cathcart, Elm and Maple Streets; Plaza, Locust, Commerce, Elm and Birch Lanes; Pearl Alley; Lincoln-Cathcart and Pacific-Front alleyways shall be assessed \$12.00 per linear foot of property on the above-mentioned side streets and alleyways.

The purpose of the assessment is to fund the Downtown Host Program created to enhance safety and security and improve public perceptions of the district. The assessment will also be used to review the need for, and establishment of, common hours for retail merchants and maintenance of private property within the district.

The amount of the proposed annual assessment for APN 05-152-3 1 is set forth below:

Pacific Avenue footage: 119.85 x \$15.00	\$1,797.75
Side street or alleyway footage: 0.00 feet x \$12.00/linear foot	\$0.00
TOTAL Assessment for Fiscal Year 2004-2005:	\$1,797.75

Properties with frontage on both Pacific Avenue and a side street or alley will only be assessed an additional fee for the side street or alley frontage where a separate business uses the side street or alley as its main entrance.

A public meeting regarding the consideration of the Annual Report and adoption of a Resolution of Intention to levy an annual assessment will be held on **Tuesday, April 27, 2004**, after the hour of 3:00 p.m. If the Resolution of Intention is adopted, a public hearing will be held on **Tuesday, May 25, 2004**, after the hour of 3:00 p.m., at which time the Council will decide the amount of the assessments to be levied. Both public meetings will be held in the Council Chambers, City Hall, 809 Center Street, Santa Cruz, California. Copies of the Annual Report and Work Program are available in the City Clerk's office at 809 Center Street, Room 9, Santa Cruz, California or at the Redevelopment Agency's office at 337 Locust Street, Santa Cruz, California.

If the Resolution of Intention is adopted, property owners in the proposed assessment district may file written protests in the City Clerk's office between April 27, 2004 and May 25, 2004 before the close of the public hearing. If protests are submitted by property owners representing 50% or more of the assessments proposed to be levied and protests are not withdrawn so as to reduce the protests to less than 50%, no further proceedings to create the district shall be taken for at least one year. If the Resolution of Intention is not adopted, the May 25, 2004 public hearing will be cancelled. All interested persons are invited to present their oral or written statements at these hearings.

Further information is available from the City Redevelopment Department, 337 Locust Street, Santa Cruz, California, (83 1) 420-5 150.


LESLIE COOK, City Clerk
City of Santa Cruz

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

NOTICE OF ACTION TAKEN IN CLOSED SESSION MEMORANDUM

DATE: April 23, 2004

TO: Board of Directors

FROM: Margaret Gallagher, District Counsel

SUBJECT: Notification Of Actions Taken In Closed Session Regarding The Following Claims On The Dates Indicated:

1. Settlement with Anna Padilla (Gouveia)
2. Settlement with Ellen Adams
3. Settlement with Carrie Rose (Weech)

1. Settlement with Anna Padilla (Gouveia)

On October 19, 2001, the Board of Directors authorized a settlement in the amount of \$5,355, representing a 12% permanent disability rating by the state's Disability Evaluation Unit (DEU) from her treating medical provider's report. Settlement was authorized by way of stipulation with future medical expenses left open. The following directors authorized the settlement: Ainsworth, Almquist, Beautz, Fitzmaurice, Gabriel, Hinkle, Krohn and Reilly. Directors Keogh, Lopez and Norton were absent Pursuant to this direction; Ms. Padilla's file was settled by Stipulation for 12% permanent disability. All permanent disability was paid.

2. Settlement with Ellen Adams

On October 19, 2001, the Board of Directors authorized a settlement authority for the workers' compensation claim of Ms. Adams of \$75,000, \$61,243.00 of which represents a 62% permanent disability rating and an additional \$13,757 was approved to buy out future medical expenses. The following directors authorized the settlement: Ainsworth, Almquist, Beautz, Fitzmaurice, Gabriel, Hinkle, Krohn and Reilly. Directors Keogh, Lopez and Norton were absent. The previous settlement was unsuccessful. On June 27, 2003 the Board of Directors approved the settlement request of \$30,000.00 with a buy-out of medical expenses. Directors Ainsworth, Almquist, Beautz, Hinkle, Keogh, Rotkin and Spence authorized the settlement with Directors Norton, Phares, Reilly and Tavantzis being absent. Pursuant to these directions, Ms. Adams' claim was settled by way of Stipulation with Request for Award on 7/25/03 for \$61,242.50 paid for permanent disability rating. This file remains open to pay out the award and the applicant continues to use the future medical on this claim.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

NOTICE OF ACTION TAKEN IN CLOSED SESSION MEMORANDUM

3. Settlement with Carrie Rose (Weech)

On November 14, 2003, the Board of Directors authorized a settlement authority for the workers' compensation claim of Ms. Weech in the sum of \$38,000.00 for a full Compromise and Release, with the agreement that METRO would offer ½ of the \$17,472.00 EDD lien. The following directors authorized the settlement: Ainsworth, Beautz, Hinkle, Keogh, Reilly and Spence. Directors Norton, Phares, Rotkin and Tavantzis were absent. Pursuant to this direction, a Compromise and Release was signed and filed with the Worker's Compensation Appeals Board and the offer for ½ of the \$17,472.00 EDD lien was accepted.

DATE: April 23, 2004
TO: Board of Directors
FROM: Mark J. Dorfman, Assistant General Manager
SUBJECT: ACCEPT AND FILE DRAFT REPORT ON FY 2004 TRIENNIAL REVIEW

I. RECOMMENDED ACTION

The purpose of this communication is provide a copy of the Federal Transit Administration (FTA) FY 2004 Triennial Review Report to the Board of Directors.

II. SUMMARY OF ISSUES

- FTA performs Triennial Reviews of grantees every three years.
- SCMTD recently underwent this review in February of this year.
- As a result of the review the District was found to be full compliance on 21 of 23 Review areas.
- The two deficiencies were minor in nature and were corrected by the close of the Triennial Review.

III. DISCUSSION

The United States Code, Chapter 53 of Title 49 requires that the Federal Transit Administration perform reviews and evaluations of urbanized area formula grant activities at least every three years. The District provided volumes of information to the FTA consultant early this year, in advance of the Triennial Review. In late February, the Santa Cruz Metropolitan Transit District was visited by a representative from the DMP Group, Inc. to assess grantee management practices, program implementation and an evaluation of compliance with Federal requirements.

As part of the exit interview, the FTA provided district staff with the draft final report. There are 23 compliance areas that were examined as part of the review. The District was in full compliance in 21 areas. There were two areas where the District was found to be deficient. The first was in the Satisfactory Continuing Control Area, where FTA wants to approve all incidental use leases at our facilities. A letter requesting approval was filed during the Triennial Review and approval for all of our leases was given. The Final Report has closed this item.

The second deficiency was in the Lobbying Area. It is a requirement that Lobbying Certification Forms be included in Procurements exceeding \$100,000. Due to an administrative error, these forms were included in some procurements and not others. The templates used for all procurements were updated to include these forms prior to the Triennial Review being completed and the Final Report closed this item.

IV. FINANCIAL CONSIDERATIONS

There are no financial impacts from the Triennial Review.

V. ATTACHMENTS

Attachment A: FY 2004 Triennial Report



U.S. Department
of Transportation
**Federal Transit
Administration**

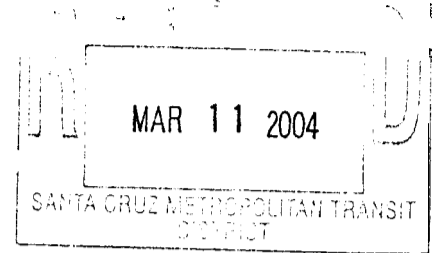
REGION IX
Arizona, California,
Hawaii, Nevada, Guam
American Samoa,
Northern Mariana Islands

Attachment A

201 Mission Street
Suite 2210
San Francisco, CA 94105-1 839
415-744-3133
415-744-2726 (fax)

MAR 09 2004

Mr. Leslie White
General Manager
Santa Cruz Metropolitan Transit District
370 Encinal Street, Suite 100
Santa Cruz, CA 95060



Re: FY 2004 Triennial Review Final Report

Dear Mr. White: ^{LES}

Enclosed are two copies of the Triennial Review Final Report conducted of the Santa Cruz Metropolitan Transit District (SCMTD), as required by the United States Code, Volume 49, Section 5307(i). This Final Report is the result of the review of Federal Transit Administration (FTA) Region IX files on June 26, 2003 and a visit by representatives of the DMP Group, Inc., subcontractor to Milligan & Company, LLC, to your offices on February 25-26, 2004. Triennial Reviews assess grantee management practices and program implementation and are important in establishing eligibility for Federal funds.

During this Triennial Review of SCMTD, no deficiencies were found in 23 Triennial Review areas. Advisory comments are given in the Safety and Security area. Currently, there is legislation pending to make this area law and thus an enforceable Federal requirement. Therefore, you should provide accurate and complete responses to this area.

We appreciate the cooperation and assistance provided during the Review. If you have questions, please contact the Triennial Review Coordinator, Mr. John Hunt, at (415) 744-2597.

Sincerely,


Leslie T. Rogers
Regional Administrator

Enclosure

FINAL REPORT

FY 2004 TRIENNIAL REVIEW

of the

**Santa Cruz Metropolitan Transit District
(METRO)
Santa Cruz, California**

**Desk Review: June 26, 2003
Site Visit: February 25-26, 2004**

March, 2004

**Prepared for the
Federal Transit Administration
Region IX
San Francisco, California**

**By
The DMP Group, Inc.
2423 Killdeer Street
New Orleans, LA 70122**

Subcontractor to:

**Milligan & Co., LLC
105 North 22nd Street, 2nd Floor
Philadelphia, PA 19103**

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I. TRIENNIAL REVIEW BACKGROUND

The United States Code, Chapter 53 of Title 49, requires the Federal Transit Administration (FTA) of the United States Department of Transportation (USDOT) to perform reviews and evaluations of Urbanized Area Formula Grant activities at least every three years. This requirement is contained in 49 U.S.C. 5307(i):

- (2) At least once every three years, the Secretary shall review and evaluate completely the performance of a recipient in carrying out the recipient's program, specifically referring to compliance with statutory and administrative requirements and the extent to which actual program activities are consistent with the activities proposed under subsection (d) of this section and the planning process required under sections 5303-5306 of this title.
- (3) The Secretary may take appropriate action consistent with the review, audit and evaluation under this subsection, including making an appropriate adjustment in the amount of a grant or withdrawing the grant.

The Triennial Review includes a review of the grantee's compliance in 23 different areas. The basic requirements for each of these areas are summarized below.

This report presents the findings from the Triennial Review of the transit system of the Santa Cruz Metropolitan Transit District (METRO) of Santa Cruz, California. This review was performed in accordance with FTA procedures (published in FTA Order 9010.1B, April 5, 1993) and included preliminary reviews of documents on file at the Region IX Office, San Francisco, California, and on-site discussions and review of the procedures, practices, and records of METRO, as deemed necessary. The review concentrated primarily on procedures and practices employed during the past three years, however, coverage was extended to earlier periods as needed to assess the policies in place and the management of grants. During the visit, administrative and statutory requirements were discussed, documents were reviewed, and facilities were toured. Specific documents examined during the Triennial Review are available in FTA's and METRO's files.

II. REVIEW PROCESS

The desk review was conducted in the Region IX Office on June 26, 2003. Following the desk review, an agenda package was sent to METRO advising it of the site visit and indicating additional information that would be needed and issues that would be discussed.

The site visit to METRO occurred on February 25-26, 2004. The individuals participating in the review are listed in Section VII of this report.

At the entrance conference, the purpose of the Triennial Review and the review process were discussed. During the site visit, urbanized area formula grant program administrative and

statutory requirements were discussed and documents were reviewed. METRO's fleet maintenance facility was toured to provide an overview of activities related to FTA-funded projects. A sample of METRO's vehicles was inspected during the site visit.

On completion of the review, an exit conference was held with METRO staff to discuss findings as well as corrective actions and schedules. This information is summarized in the table in Section V of this report. A draft copy of this report was provided to METRO at the exit conference.

III. DESCRIPTION OF THE GRANTEE

The Santa Cruz Metropolitan Transit District (METRO) provides public transit service in Santa Cruz County, California. METRO is a Transit District formed under the State of California Public Utilities Code, Section 98000. METRO operates its fixed route transit service in-house and contracts for the operation of its complementary ADA paratransit service. METRO serves all of the Cities of Capitola, Santa Cruz, Scotts Valley and Watsonville and unincorporated areas of Santa Cruz County. The population of its service area is approximately 255,600.

METRO directly operates a network of 42 fixed routes. Service is provided on weekdays, from 4:15 a.m. to midnight and on Saturdays and Sundays from 5:20 a.m. to midnight. METRO contracts with Community Bridges, Inc. to provide door-to-door complementary paratransit service, known as ParaCruz, within $\frac{3}{4}$ mile of fixed routes, except the Highway 17 commuter route. ParaCruz service is offered during the same hours as the fixed routes in that area.

On July 1, 2003, METRO implemented a system-wide fare increase. The basic adult fare for bus service is \$1.50. A reduced fare of 65¢ is offered on fixed route service to senior citizens and persons with disabilities all day. The fare for Highway 17 Express Service is \$3.00 and seniors and disabled riders are offered a fare of \$1.50 all day. The fare for ParaCruz service is \$3.00.

METRO operates a fleet of 112 buses for directly operated fixed route service. METRO's bus fleet consists of standard and low floor 40-foot transit coaches and some 35-foot transit coaches. METRO has recently purchased Compressed Natural Gas (CNG) buses with a long term goal of completely replacing the diesel fleet with CNG buses. METRO also has a fleet of 29 vans that are operated by its contractor for ADA paratransit service. METRO had 291 employees as of June 30, 2003.

METRO's administrative headquarters is in Santa Cruz and operates five other maintenance and parking facilities located in the Harvey West Industrial Park in Santa Cruz. METRO provides service to six transit centers and customer parking facilities located throughout its operating area. Two are located in Santa Cruz, two in Watsonville, and one each in Capitola and Scotts Valley.

METRO's National Transit Database Report for FY 2003 provided the following financial and operating statistics for its fixed route and paratransit service:

	Fixed Route Service	Paratransit Service Contractor Operated
Unlinked Passengers	6,136,350	105,989
Revenue Hours	240,788	55,783
Operating Expenses	\$31,086,000	\$3,289,306

Over the past three years, METRO completed the following noteworthy projects:

- 1) Purchased 49 replacement buses, including 9 CNG fueled, 40 Diesel/Convertible to CNG with 37 of total low-floor.
- 2) Purchased 22 Paratransit Vans.
- 3) Adopted MetroBase Environmental Impact Report.
- 4) Adopted Environmental Impact Report for acquisition of property adjacent to MetroCenter (Pacific Station).
- 5) Commenced Preliminary Engineering for Renovation of Metro Center (Pacific Station).
- 6) Constructed New CNG slow-fill fueling station (February, 2003).
- 7) Retrofitted Minor Maintenance Facility with safety systems necessary to work on CNG fueled vehicles.
- 8) Installed automated bus-stop annunciators on all buses.

METRO reports that the following important projects are currently in process of being completed:

- 1) Design Engineering for MetroBase, Phase I.
- 2) Complete Recertification assessments for ADA Paratransit Eligibility.

METRO has planned the following major projects for the next three to five years:

- 1) Add Phase II MetroBase to accommodate an additional 75 buses.
- 2) Reconstruct Santa Cruz Transit Center with potential mixed-use development.
- 3) METRO will continue to modernize and update its revenue fleet, including the conversion of diesel buses purchased in 2003 to CNG fuel at the time of their first overhaul.

IV. RESULTS OF THE REVIEW

The Triennial Review focused on METRO's compliance in 23 different areas. This section provides a discussion of the basic requirements and findings in each area. At the time of the site visit, no deficiencies were found with the FTA requirements in 21 of the 23 areas. Deficiencies were found in the following two areas: Satisfactory Continuing Control and Lobbying. Prior to the exit conference, METRO closed the deficiency in Satisfactory Continuing Control. Following the site visit, METRO closed the deficiency in Lobbying. Advisory comments were made in one area: Safety and Security. There are no outstanding deficiencies.

1. Legal

Basic Requirement: The grantee must be eligible and authorized under state and local law to request, receive, and dispense FTA funds and to execute and administer FTA funded projects. The authority to take all necessary action and responsibility on behalf of the grantee must be properly delegated and executed.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Legal.

2. Financial

Basic Requirement: The grantee must demonstrate the ability to match and manage FTA grant funds, to cover cost overruns, to cover operating deficits through long-term stable and reliable sources of revenue, to maintain and operate federally funded facilities and equipment, and to conduct an annual independent organization-wide audit in accordance with the provisions of OMB C A-133.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Financial.

3. Technical

Basic Requirement: The grantee must be able to implement the Urbanized Area Formula Grant Program of Projects in accordance with the grant application, Master Agreement, and all applicable laws and regulations, using sound management practices.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Technical.

4. Satisfactory Continuing Control

Basic Requirement: The grantee must maintain control over real property, facilities and equipment and ensure that they are used in transit service.

Findings: During this Triennial Review of METRO, deficiencies were found with the FTA requirements for Satisfactory Continuing Control. METRO has several FTA funded facilities, such as transfer centers, where it makes incidental use to raise additional revenues for the transit system. These facilities were designed and constructed with the intent of incidental use. Over the years, tenants have changed or leases have expired and new leases have been executed. METRO did not always obtain FTA approval of the new leases. The incidental uses do not appear to interfere with the primary transit use and METRO has maintained continuing control over the properties.

Prior to the exit conference, METRO prepared and submitted a formal request to FTA for approval of the incidental uses. This action closes the deficiency.

5. Maintenance

Basic Requirement: The grantee must keep federally funded equipment and facilities in good operating order.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Maintenance.

6. Procurement

Basic Requirement: FTA grantees will use their own procurement procedures that reflect applicable state and local laws and regulations, provided that the process ensures competitive procurement and that the procedures conform to applicable federal law including 49 CFR Part 18, specifically Section 18.36 and FTA C 4220.1D, “Third Party Contracting Requirements.” Grantees will maintain a contract administration system that ensures that contractors perform in accordance with terms, conditions, and specifications of their contracts or purchase orders.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Procurement.

7. Disadvantaged Business Enterprise (DBE)

Basic Requirement: The grantee must comply with the policy of USDOT that DBEs, as defined in 49 CFR Part 26, are ensured nondiscrimination in the award and administration of USDOT-assisted contracts. Grantees also must create a level playing field on which DBEs can compete fairly for USDOT-assisted contracts; ensure that only firms that fully meet eligibility standards are permitted to participate as DBEs; help remove barriers to the participation of DBEs; and assist the development of firms that can compete successfully in the marketplace outside the DBE program.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Disadvantaged Business Enterprise.

8. Buy America

Basic Requirement: Per Buy America law, federal funds may not be obligated unless steel, iron, and manufactured products used in FTA-funded projects are produced in the United States, unless a waiver has been granted by FTA, or the product is subject to a general waiver. Rolling stock must be manufactured in the United States and have a 60 percent domestic content.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Buy America.

9. Suspension/Debarment

Basic Requirement: To prevent fraud, waste, and abuse in federal transactions, persons or entities, which by defined events or behavior, potentially threaten the integrity of federally administered programs, are excluded from participating in FTA-assisted programs. FTA grantees are required to certify that they are not excluded from federally assisted transactions. Grantees also are required to ensure that none of the grantee's "principals" (as defined in the governing regulation 49 CFR Part 29), subrecipients, and third-party contractors and subcontractors is debarred, suspended, ineligible or voluntarily excluded from participation in federally assisted transactions.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Suspension/Debarment.

10. Lobbying

Basic Requirement: Recipients of federal grants and contracts exceeding \$100,000 must certify compliance with P.L. 101-121, Section 319, Restrictions on Lobbying, before they can receive funds. In addition, grantees are required to impose the lobbying restriction provisions on their contractors.

Findings: During this Triennial Review of METRO, deficiencies were found with the FTA requirements for Lobbying. METRO obtained signed lobbying certifications from bidders on FTA funded capital projects exceeding \$100,000, but did not obtain signed lobbying certifications from bidders on FTA funded operating procurements. Two operating contracts reviewed during the site visit (ADA Eligibility Screening for \$200,000 and Paratransit Services Operating Contract for \$2.9 million) did not contain signed lobbying certifications.

Following the site visit, METRO submitted revised procedures, forms and solicitation "boilerplate" for operating procurements to include the requirement to obtain signed lobbying certifications in all procurements exceeding \$100,000. This action closes the deficiency.

11. Planning/Program of Projects

Basic Requirement: The grantee must participate in the transportation planning process in accordance with FTA requirements. Each recipient of a grant shall have complied with the public participation requirements of Section 5307(c)(1) through (7). Each recipient is required to develop, publish, afford an opportunity for a public hearing on, and submit for approval a Program of Projects (POP).

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Planning/Program of Projects.

12. Title VI

Basic Requirement: The grantee must ensure that no person in the United States shall, on the ground of race, color, or national origin, be excluded from participating in, or denied the benefits of, or be subject to discrimination under any program or activity receiving federal financial assistance. The grantee must ensure that federally supported transit service and related benefits are distributed in an equitable manner.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Title VI.

13. Public Comment Process for Fare and Service Changes

Basic Requirement: The grantee must have a locally developed process to solicit and consider public comment before raising a fare or carrying out a major reduction of transit service.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Public Comment Process for Fare and Service Changes.

14. Half Fare

Basic Requirement: Grantees must ensure that elderly persons and persons with disabilities, or an individual presenting a Medicare card, will be charged during non-peak hours for transportation using or involving a facility or equipment of a project financed under Section 5307 not more than 50 percent of the peak hour fare.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Half Fare.

15. ADA

Basic Requirement: Titles II and III of the Americans with Disabilities Act of 1990 provide that no entity shall discriminate against an individual with a disability in connection with the provision of transportation service. The law sets forth specific requirements for vehicle and facility accessibility and the provision of complementary paratransit service.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for ADA.

16. Charter Bus

Basic Requirement: Grantees are prohibited from using federally funded equipment and facilities to provide charter service except on an incidental basis and when one or more of applicable exceptions for urban areas set forth in the charter service regulation at 49 CFR 604.9 (b) applies.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Charter Bus.

17. School Bus

Basic Requirement: Grantees are prohibited from providing exclusive school bus service unless the grantee qualifies under specified exceptions. In no case can federally funded equipment or facilities be used.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for School Bus.

18. National Transit Database (NTD)

Basic Requirement: The grantee must collect, record, and report financial and non-financial data in accordance with the Uniform System of Accounts (USOA) and updated with the *National Transit Database (NTD) Reporting Manual* as required by 49 USC 5335(a).

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for National Transit Database (NTD).

19. Safety and Security

Basic Requirement: Any recipient of Urbanized Area Formula Grant Program funds must annually certify that it is spending one percent of such funds for transit security projects or that such expenditures for security systems are not necessary.

Under the safety authority provisions in the federal transit laws, the Secretary has the authority to investigate the operations of the grantee for any conditions that appear to create a serious hazard of death or injury especially to patrons of the transit service. However, FTA has no specific requirements for transit safety. States are required to oversee the safety of rail fixed guideway systems through a designated oversight agency.

Findings: A summary of METRO's expenditures for transit security projects is provided in Section VI of this report. During this Triennial Review of METRO, the following observations and advisory comments were made. METRO does not have a formal system security plan for its transit operations, but it does have security procedures that address terrorist threats. METRO has trained operating and non-operating personnel on these procedures. METRO does have a written emergency response plan that covers all modes of operation. METRO has not conducted a threat and vulnerability assessment of its security risks. METRO has trained operating and non-operating personnel in recognizing and reporting suspicious or illegal activities.

METRO is encouraged to take the following actions:

- Develop a specific written system security program plan for its transit operations
- Develop a customer/rider program to encourage consumers to recognize and report suspicious or illegal activity

METRO will inform the FTA Region IX Office of its progress in developing and implementing system security plans.

20. Drug-Free Workplace

Basic Requirement: Grantees are required to maintain a drug-free workplace for all employees and to have an ongoing drug-free awareness program.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for Drug-Free Workplace.

21. Drug and Alcohol Program

Basic Requirement: Grantees receiving FTA funds under Capital Grant, Urbanized Area Formula Grant, or Non-Urbanized Area Formula Grant Programs must have a drug and alcohol-testing program in place for all safety-sensitive employees.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for the Drug and Alcohol Program.

22. Equal Employment Opportunity (EEO)

Basic Requirement: The grantee must ensure that no person in the United States shall, on the ground of race, color, creed, national origin, sex, age, or disability be excluded from participating in, denied the benefits of, or be subject to discrimination in employment under any project, program or activity receiving federal financial assistance from the federal transit laws.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for EEO.

23. ITS Architecture

Basic Requirement: Intelligent Transportation Systems (ITS) projects funded by the Highway Trust Fund and the Mass Transit Account must conform to the National ITS Architecture, as well as to U. S. Department of Transportation (DOT) adopted ITS standards.

Findings: During this Triennial Review of METRO, no deficiencies were found with the FTA requirements for ITS Architecture.

V. SUMMARY OF FINDINGS AND CORRECTIVE ACTIONS

Review Area	Finding	Deficiency	Corrective Action	Response Days/Date	Date Closed
1. Legal	ND				
2. Financial	ND				
3. Technical	ND				
4. Satisfactory Continuing Control	D	01: Violation of incidental use requirements	METRO must request FTA approval for incidental uses	90 Days	02/25/04
5. Maintenance	ND				
6. Procurement	ND				
7. DBE	ND				
8. Buy America	ND				
9. Suspension/Debarment	ND				
10. Lobbying	D	01: Certification not included in agreements/procurement solicitations	METRO must submit revised procedures for operating procurements to include the requirement to obtain signed lobbying certifications in all procurements exceeding \$100,000.	90 Days	2/25/04
11. Planning/POP	ND				
12. Title VI	ND				
13. Public Comment for Fare and Service Changes	ND				
14. Half Fare	ND				
15. ADA	ND				
16. Charter Bus	ND				
17. School Bus	ND				
18. NTD	ND				
19. Safety and Security	AC		<p>METRO is encouraged to take the following actions:</p> <ul style="list-style-type: none"> ▪ Develop a specific written system security program plan ▪ Develop a customer/rider program to encourage consumers to recognize and report suspicious or illegal activity <p>METRO will inform the FTA Region IX Office of its progress in developing and implementing system security plans.</p>		
20. Drug-Free Workplace	ND				
21. Drug and Alcohol Program	ND				
22. EEO	ND				
23. ITS Architecture	ND				

Findings: ND = No Deficiencies; D = Deficient; NA = Not Applicable; NR = Not Reviewed; AC = Advisory Comments

VI. TRANSIT SECURITY EXPENDITURES

Does METRO utilize the one percent expenditure of its Urbanized Area Formula Grant funds for transit security?

Yes ___ No X

If no, why does METRO consider such expenditure unnecessary (check all that apply):

X Existing security measures meet agency needs

X Level of incidents does not warrant further security expenditures

___ Potential security threats are minimal

___ Adequate local and federal (less than one percent) funds are spent on security projects.

Security Projects	Annual Expenditures (\$)					
	FY 2001		FY 2002		FY 2003	
	FTA	Local	FTA	Local	FTA	Local
<i>Infrastructure/Capital Improvements:</i>						
<i>Increased Lighting</i>						
<i>Increased Surveillance</i>						
<i>Emergency Comm.</i>						
Other Projects (list)						

<i>Subtotal</i>						
<i>Operating/Personnel Expenditures (1):</i>						
<i>In-house Security Personnel</i>						
<i>Contract Security Personnel</i>	12,020	247,197	10,538	261,899	18,955	264,379
<i>Other Projects (list)</i>						

<i>Subtotal</i>						
TOTAL	12,020	247,197	10,538	261,899	18,955	264,379
UAFG Funds Received	505,614		1,229,934		2,075,029	
Security Percentage	2.4%		0.86%		0.91%	

(1) Federal operating funds available to agencies in areas with populations under 200,000

VII. ATTENDEES

Name	Title/Organization	Phone/ FAX Number	E-mail address
Leslie R. White	General Manager, SCMTD	831-426-6080 831-426-6117	lwhite@scmtd.com
Mark Dorfman	Assistant GM, SCMTD	831-426-6080 831-426-6117	mdorfman@scmtd.com
Thomas Hiltner	Grants Analyst, SCMTD	831-426-6080 831-426-6117	thiltner@scmtd.com
Margaret Gallagher	District Counsel, SCMTD	831-426-6080 831-426-6117	peggy@scmtd.com
David Konno	Facilities Maintenance Manager, SCMTD	831-426-6080 831-426-6117	dkonno@scmtd.com
Frank Cheng	Project Manager, SCMTD	831-426-6080 831-426-6117	fcheng@scmtd.com
Robyn Slater	Human Resource Manager, SCMTD	831-423-5582 831-426-1027	rslater@scmtd.com
Marilyn Fenn	Assistant Finance Manager, SCMTD	831-426-6143	mfenn@scmtd.com
Tom Stickel	Manager, Fleet Maintenance, SCMTD	831-469-1954 831-469-1958	tstickel@scmtd.com
Bryant J. Baehr	Operations Manager, SCMTD	831-425-8951	bbaehr@scmtd.com
Lloyd Longnecker	District Buyer, SCMTD	831-426-0199 831-469-1958	llongnec@scmtd.com
Terry Gale	Information Technology Manager, SCMTD	831-426-4663 831-426-6117	tgale@scmtd.com
John Hunt (via teleconference)	Program Manager, FTA Region IX	415-744-2597	John.Hunt@fta.dot.gov
John F. Potts	Lead Reviewer, The DMP Group, Inc.	504-283-7661 504-283-0791	johnpotts@thedmpgroup.com

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Robyn Slater, Human Resources Manager
SUBJECT: PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors recognize the anniversaries of those District employees named on the attached list and that the Chairperson present them with awards.

II. SUMMARY OF ISSUES

- None.

III. DISCUSSION

Many employees have provided dedicated and valuable years to the Santa Cruz Metropolitan Transit District. In order to recognize these employees, anniversary awards are presented at five-year increments beginning with the tenth year. In an effort to accommodate those employees that are to be recognized, they will be invited to attend the Board meetings to receive their awards.

IV. FINANCIAL CONSIDERATIONS

None.

V. ATTACHMENTS

Attachment A: Employee Recognition List

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
EMPLOYEE RECOGNITION

TEN YEAR

None

FIFTEEN YEARS

Linda J. Clayton, Payroll Specialist

TWENTY YEARS

None

TWENTY-FIVE YEARS

William E. Anderson, Bus Operator

THIRTY YEARS

None

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Tom Stickel, Manager of Fleet Maintenance
SUBJECT: STATUS REPORT REGARDING ORION HIGHWAY 17 FLEET MODIFICATIONS

I. RECOMMENDED ACTION

This report is for information purposes only. No action is required.

II. SUMMARY OF ISSUES

- The first reading of a proposed fare ordinance, adjusting the Highway 17 fares, was presented at the February 27, 2004 Board meeting.
- The fare proposal generated a number of passenger responses, which included customer concerns regarding some of the amenities on the new Orion bus fleet.
- The comments included concerns about reading lights, seats, folding trays, and cup holders.
- District staff is working on solutions to the concerns with the bus manufacturer and vendors.

III. DISCUSSION

At the February 27, 2004 meeting, the Board approved a Memorandum of Understanding (MOU) to consolidate the Highway 17 Express service with the Santa Cruz-San Jose AMTRAK Connector Service. This consolidation requires a fare adjustment, for which the first reading was presented at the February 27, 2004 meeting.

The proposed fare ordinance generated passenger responses, which included comments regarding some of the features and amenities on the new Orion Highway 17 buses. District staff is working to address the following concerns.

A. Reading lights

The forward section of the reading lights placed the lamps in locations that illuminated the backs of the seats. District staff has modified the location of the lights to move them forward. This places the illumination closer to the seating area that would be appropriate for reading material. Passengers also expressed requests for reading lights above the front longitudinal seats, and

above the seats on the rear settee. District staff is working with the bus manufacturer and other vendors to develop reading lights that would work in these areas.

B. Seats

There were two concerns regarding seats. The seats were described as too narrow. The reclining seats on this fleet are the standard size for this application, and are very close to the size currently in use. The cushions are firm, but will soften somewhat with use. The other concern about the seating is the angle of the bottom seat cushions for the longitudinal seats in the forward section of the bus. District staff has made a slight modification to the bottom cushion foam on these seats, which results in a tilting of the bottom cushion towards the backrest.

C. Folding Trays

Passengers commented that the folding trays will not support weight, such as a laptop. These trays were not designed to support a laptop. District staff has requested that the vendor research the possibility of a more substantial tray, but due to Federal Motor Vehicle Safety Standards (FMVSS), it is not likely that a tray that would support a laptop computer is available, or advisable, for this application.

D. Cup Holders

Passengers also commented that the cup holders in the folding trays are too small. District staff has investigated the possibility of modifying the existing holders. Due to the design and construction to the trays, making the holes larger would destroy the integrity of the folding tray. Staff has contacted the vendor with a request that the availability of trays with larger cup holder holes be investigated. The vendor is currently researching this issue.

Modifications to the reading lights and seats have been completed on one bus, which will be circulated on the Highway 17 route. Once the District has had time to collect passenger response to these modifications, they will be adjusted, where possible, and applied to the rest of the Orion fleet.

Prior to making any modifications with significant financial implications staff will return this item to the Board of Directors for their approval.

IV. FINANCIAL CONSIDERATIONS

The modifications to the existing reading lights and seating can be accomplished by Staff on a scheduled campaign basis. The additional cost to install lighting above the longitudinal and rear seats, and the cost of different trays with larger cup holders is unknown, pending a response from the bus manufacturer and vendors. Initial estimates for different trays/cup holders place the cost in the \$20,000 range, for material.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

Revised

TO: Board of Directors

FROM: Elisabeth Ross, Finance Manager

SUBJECT: APPROVAL OF FY 04-05 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors adopt a preliminary line item budget for FY 04-05, for review and TDA/STA claims purposes.

II. SUMMARY OF ISSUES

- The proposed FY 04-05 preliminary line item operating budget totals \$33,177,000 (Attachment A). This is the same document presented to the Board at the meeting of March 26, 2004.
- The projected amount for the Transportation Development Act (TDA) allocation in the amount of \$5,497,856 reflects a 3% increase over the current year allocation from the Santa Cruz County Regional Transportation Commission (SCCRTC). This is higher than the FY 04-05 allocation approved by the SCCRTC in February in the amount of \$5,338,251. Staff will present the Commission's Budget, Administration/Personnel Committee recommendation verbally at the April 23rd Board meeting.
- To balance the budget, **\$1,312,920** in expense reductions and/or revenue increases is proposed. Any reduction in the TDA amount of \$5,497,856 will result in a corresponding increase in this number.
- During the budget process, staff will continue to refine revenue and expense projections as updated information becomes available. Staff will present a draft final budget to the Board in May, with specific information at that time regarding service reductions and any other budget balancing actions for FY 04-05.

III. DISCUSSION

As reported last month, a preliminary line item budget must be adopted by the Board of Directors each year in order to allow submittal of the District's Transportation Development Act (TDA) and State Transit Assistance (STA) claims to the Santa Cruz County Regional Transportation Commission (SCCRTC) by the Commission's deadline. Normally, the deadline is April 1st. However, this year the Budget, Administration/Personnel Committee of the Commission is reviewing the February allocation decision on April 22, 2004. Staff will present their recommendation on the TDA allocation amount verbally at the April 23rd Board meeting. Any reduction in the District's TDA amount in the preliminary budget (Attachment A) will

increase the required expense reductions. The preliminary budget is the same document presented to the Board at the meeting of March 26, 2004.

IV. FINANCIAL CONSIDERATIONS

The preliminary line item budget must be approved this month in order for the District to submit claims for TDA and STA funding for FY 04-05.

V. ATTACHMENTS

Attachment A:	FY 04-05 Preliminary Line Item Budget (<u>with replacement pages</u>)
<u>Attachment B:</u>	<u>Requested Travel with Staff Recommendations</u>
<u>Attachment C:</u>	<u>Requested Dues & Subscriptions</u>
<u>Attachment D:</u>	<u>Lobbyist Contract Expense</u>
<u>Attachment E:</u>	<u>Staffing Summary</u>
<u>Attachment F:</u>	<u>District Funded Capital Projects</u>
<u>Attachment G:</u>	<u>Bus Operator Overtime</u>
<u>Attachment H:</u>	<u>Reserve Balances at June 30, 2003</u>
<u>Attachment I:</u>	<u>Fare Increase Impact</u>

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

FY 04-05

PRELIMINARY LINE ITEM BUDGET

APRIL 23, 2004

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
PRELIMINARY BUDGET
FY 04-05**

REVENUE SOURCE	REVISED BUDGET FY 03-04	ESTIMATED ACTUAL FY 03-04	PRELIM FY 04-05	CHANGE FROM FY 03-04 ACTUAL
1 Passenger Fares	\$ 3,684,173	\$ 3,775,373	\$ 3,850,155	2.0%
2 Special Transit Fares	\$ 1,814,197	\$ 1,969,311	\$ 2,060,008	4.6%
3 Paratransit Fares	\$ 309,000	\$ 309,000	\$ 324,000	4.9%
4 Highway 17 Fares	\$ 375,972	\$ 312,788	\$ 312,788	0.0%
5 Highway 17 VTA Payment	\$ 306,245	\$ 350,912	\$ 350,912	0.0%
6 Commissions	\$ 9,200	\$ 9,200	\$ 9,200	0.0%
7 Net Advertising Income - District	\$ -	\$ -	\$ 45,000	100.0%
8 Rent Income - SC Metro Center	\$ 93,691	\$ 93,691	\$ 95,745	2.2%
9 Rent Income - Watsonville TC	\$ 40,359	\$ 40,359	\$ 47,877	18.6%
10 Rent Income - General	\$ 19,200	\$ 19,200	\$ 9,600	-50.0%
11 Interest Income	\$ 290,000	\$ 290,000	\$ 298,700	3.0%
12 Other Non-Transportation Revenue	\$ 2,100	\$ 2,100	\$ 2,100	0.0%
13 Sales Tax	\$ 15,409,000	\$ 14,930,000	\$ 15,377,900	3.0%
14 Transp Dev Act (TDA) Funds	\$ 5,337,724	\$ 5,337,724	\$ 5,497,856	3.0%
15 FTA Sec 5307 - Op Assistance	\$ 2,804,435	\$ 2,804,435	\$ 2,950,231	5.2%
16 FTA Sec 5307 - One Time Advance	\$ -	\$ -	\$ 350,000	100.0%
17 FTA Sec 5311 - Rural Op Assistance	\$ 65,704	\$ 65,704	\$ 92,928	41.4%
18 Carryover from Previous Year	\$ 950,000	\$ 950,000	\$ 950,000	0.0%
19 Transfer from Reserves	\$ 350,000	\$ 350,000	\$ 350,000	0.0%
20 Transfer from Insurance Reserves	\$ 100,000	\$ 100,000	\$ 100,000	0.0%
21 Transfer from Capital/Proj Mgr	\$ 94,000	\$ 40,000	\$ 102,000	155.0%
TOTAL OPERATING REVENUE	\$ 32,055,000	\$ 31,749,797	\$ 33,177,000	4.5%

Updated 3/18/04

**SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
DEPARTMENTAL EXPENSES**

DEPARTMENT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04	% OF TOTAL FY 04-05
		-		
1100 Administration	1,488,644	1,524,029	2.4%	4.6%
1200 Finance	1,465,756	1,642,214	12.0%	4.9%
1300 Customer Service	601,649	645,592	7.3%	1.9%
1400 Human Resources	394,188	419,503	6.4%	1.3%
1500 Information Technology	525,618	549,971	4.6%	1.7%
1700 District Counsel	371,262	404,008	8.8%	1.2%
1800 Risk Management	206,350	205,770	-0.3%	0.6%
2200 Facilities Maintenance	1,510,409	1,579,814	4.6%	4.8%
3100 Paratransit Program	3,408,625	2,984,382	-12.4%	9.0%
3200 Operations	2,491,353	2,532,970	1.7%	7.6%
3300 Bus Operators	11,835,593	13,328,174	12.6%	40.2%
4100 Fleet Maintenance	6,897,517	7,398,419	7.3%	22.3%
9001 Cobra Benefits	14,500	-	-100.0%	0.0%
9005 Retired Employee Benefits	842,280	924,917	9.8%	2.8%
Additional Operating Programs	1,257	157	-87.5%	0.0%
SUBTOTAL OPERATING EXPENSE	32,055,000	34,139,920	6.5%	102.9%
One-Time Paratransit Expenses	-	350,000	100.0%	1.1%
Expense Reductions/Revenue Increase	-	(1,312,920)	100.0%	-4.0%
TOTAL OPERATING EXPENSES	32,055,000	33,177,000	3.5%	100.0%

**SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
CONSOLIDATED EXPENSES**

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501011 Bus Operator Pay	6,142,355	7,082,283	15.3%
501013 Bus Operator OT	927,591	1,020,350	10.0%
501021 Other Salaries	6,193,922	6,492,164	4.8%
501023 Other OT	214,709	159,200	-25.9%
Totals	<u>13,478,577</u>	<u>14,753,997</u>	9.5%
FRINGE BENEFITS			
502011 Medicare/SS	148,453	166,860	12.4%
502021 Retirement	1,150,821	1,585,052	37.7%
502031 Medical Ins	2,735,218	2,914,264	6.5%
502041 Dental Ins	465,509	495,893	6.5%
502045 Vision Ins	123,307	128,520	4.2%
502051 Life Ins	60,473	62,835	3.9%
502060 State Disability	196,086	234,191	19.4%
502061 Disability Ins	221,053	248,783	12.5%
502071 State Unemployment	46,893	76,556	63.3%
502081 Worker's Comp	1,673,634	1,673,634	0.0%
502101 Holiday Pay	293,274	313,986	7.1%
502103 Floating Holiday	59,700	61,500	3.0%
502109 Sick Leave	680,481	715,591	5.2%
502111 Vacation	1,414,927	1,491,652	5.4%
502121 Other Paid Absence	148,394	161,807	9.0%
502251 Phys. Exam - Renewal	10,758	11,848	10.1%
502253 Driver Lic Renewal	2,481	3,431	38.3%
502999 Other Fringe Benefits	17,892	16,856	-5.8%
Totals	<u>9,449,354</u>	<u>10,363,259</u>	9.7%
SERVICES			
503011 Accting/Audit Fees	81,234	85,600	5.4%
503012 Admin/Bank Fees	210,250	231,450	10.1%
503031 Professional/Technical & Fees	352,500	290,630	-17.6%
503032 Legislative Services	73,180	73,180	0.0%
503033 Legal Services	58,000	56,570	-2.5%
503034 Employment Exams	17,045	13,781	-19.1%
503161 Custodial Services	89,000	87,000	-2.2%
503162 Uniforms/Laundry	40,281	40,500	0.5%
503171 Security Services	392,188	396,555	1.1%
503221 Classified/Legal Ads	16,800	14,978	-10.8%
503225 Graphics Services	15,000	15,000	0.0%
503351 Building Repair - Out	35,000	35,000	0.0%
503352 Equip Repair - Out	153,686	155,396	1.1%
503353 Rev Veh Repair - Out	206,000	218,222	5.9%
503354 Other Veh Repair - Out	65,570	56,341	-14.1%
503363 Haz Waste Disposal	46,000	46,000	0.0%
Totals	<u>1,857,734</u>	<u>1,816,203</u>	-2.2%

**SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
CONSOLIDATED EXPENSES**

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
PURCHASED TRANSPORTATION			
503405 Contract Transp	100	100	100.0%
503406 Contract/Paratransit	2,961,653	2,606,136	-12.0%
Totals	2,961,753	2,606,236	-12.0%
MOBILE MATERIALS & SUPPLIES			
504011 Fuels & Lubricants	91,477	90,780	-0.8%
504012 Fuels & Lubricants - Rev Veh	1,395,072	1,551,034	11.2%
504021 Tires & Tubes	121,000	166,000	37.2%
504161 Other Mobile Supplies	6,500	6,000	-7.7%
504191 Rev Vehicle Parts	444,400	444,000	-0.1%
Totals	2,058,449	2,257,814	9.7%
OTHER MATERIALS & SUPPLIES			
504205 Freight Out	2,800	4,574	63.4%
504211 Postage & Mailing	19,867	19,807	-0.3%
504214 Promotional Items	475	225	-52.6%
504215 Printing	72,980	72,710	-0.4%
504217 Photo Supp/Process	11,950	11,920	-0.3%
504311 Office Supplies	64,010	64,570	0.9%
504315 Safety Supplies	19,825	20,175	1.8%
504317 Cleaning Supplies	66,100	61,100	-7.6%
504409 Repair/Maint Supply	64,900	65,000	0.2%
504421 Non-Inventory Parts	48,500	42,000	-13.4%
504511 Small Tools	8,100	8,100	0.0%
504515 Employee Tools	1,500	1,500	0.0%
Totals	381,007	371,681	-2.4%
UTILITIES			
505011 Gas & Electric	183,081	182,600	-0.3%
505021 Water & Garbage	83,541	76,207	-8.8%
505031 Telecommunications	57,055	52,498	-8.0%
Totals	323,677	311,305	-3.8%
CASUALTY & LIABILITY COSTS			
506011 Insurance - Property	41,000	40,000	-2.4%
506015 Insurance - PL/PD	509,000	620,000	21.8%
506021 Insurance - Other	91,500	97,500	6.6%
506123 Settlement Costs	100,000	100,000	0.0%
506127 Repair - District Prop	-	-	0.0%
506999 Other Casualty Exp	-	-	0.0%
Totals	741,500	857,500	15.6%

**SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
CONSOLIDATED EXPENSES**

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
TAXES			
507051 Fuel Tax	10,933	10,544	-3.6%
507201 Licenses & Permits	12,515	12,850	2.7%
507999 Other Taxes	25,600	25,200	-1.6%
Totals	49,048	48,594	-0.9%
MISC EXPENSE			
509011 Dues/Subscriptions	52,265	55,426	6.0%
509081 Advertising-Promo	1,500	1,500	0.0%
509101 Incentive Program	10,600	13,740	29.6%
509121 Employee Training	26,775	23,225	-13.3%
509123 Travel	35,941	26,090	-27.4%
509125 Other Misc Expense	4,614	4,200	-9.0%
509127 Board Fees	13,200	13,200	0.0%
509150 Contributions	500	500	0.0%
Totals	145,395	137,881	-5.2%
LEASES & RENTALS			
512011 Facility Lease	583,009	593,210	1.7%
512061 Equipment Rental	25,497	22,240	-12.8%
Totals	608,506	615,450	1.1%
PERSONNEL TOTAL	22,927,931	25,117,256	9.5%
NON-PERSONNEL TOTAL	9,127,069	9,022,664	-1.1%
DEPARTMENT TOTALS	32,055,000	34,139,920	6.5%
One-Time Paratransit Expenses	-	350,000	100.0%
Expense Reductions/Revenue Increases	-	(1,312,920)	100.0%
TOTAL OPERATING EXPENSE	32,055,000	33,177,000	3.5%

ADMINISTRATION

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET

Administration - 1100

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	593,242	599,252	1.0%
501023 Other OT	500	500	0.0%
Totals	593,742	599,752	1.0%
FRINGE BENEFITS			
502011 Medicare/SS	9,097	9,861	8.4%
502021 Retirement	57,196	72,954	27.6%
502031 Medical Ins	63,482	66,204	4.3%
502041 Dental Ins	11,242	11,486	2.2%
502045 Vision Ins	3,332	3,240	-2.8%
502051 Life Ins	2,013	1,976	-1.8%
502060 State Disability (SDI)	6,147	6,649	8.2%
502061 Long Term Disability Ins	8,626	9,124	5.8%
502071 State Unemployment (SUI)	1,470	2,174	47.9%
502081 Worker's Comp	31,987	31,987	0.0%
502101 Holiday Pay	7,639	7,701	0.8%
502103 Floating Holiday	14,800	15,100	2.0%
502109 Sick Leave	30,555	30,803	0.8%
502111 Vacation	56,845	55,929	-1.6%
502121 Other Paid Absence	4,000	4,000	0.0%
502999 Other Fringe Benefits	936	475	-49.3%
Totals	309,367	329,662	6.6%
SERVICES			
503012 Admin/Bank Fees	1,100	1,100	0.0%
503031 Professional/Technical & Fees	26,580	34,080	28.2%
503032 Legislative Services	73,180	73,180	0.0%
503221 Classified/Legal Ads	7,300	7,478	2.4%
503352 Equip Repair - Out	7,800	7,500	-3.8%
Totals	115,960	123,338	6.4%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	8,960	9,100	1.6%
504215 Printing	9,300	6,580	-29.2%
504217 Photo Supp/Process	100	100	0.0%
504311 Office Supplies	8,750	8,960	2.4%
Totals	27,110	24,740	-8.7%
UTILITIES			
505011 Gas & Electric	40,000	43,000	7.5%
505021 Water & Garbage	4,645	4,645	0.0%
505031 Telecommunications	8,500	5,436	-36.0%
Totals	53,145	53,081	-0.1%

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Administration - 1100

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
MISC EXPENSE			
509011 Dues/Subscriptions	40,683	43,500	6.9%
509101 Incentive Program	2,061	4,820	133.9%
509123 Travel	31,606	22,490	-28.8%
509125 Other Misc Expense	2,814	3,100	10.2%
509127 Board Fees	13,200	13,200	0.0%
Totals	90,364	87,110	-3.6%
LEASES & RENTALS			
512011 Facility Lease	296,616	304,006	2.5%
512061 Equipment Rental	2,340	2,340	0.0%
Totals	298,956	306,346	2.5%
PERSONNEL TOTAL	903,109	929,414	2.9%
NON-PERSONNEL TOTAL	585,535	594,615	1.6%
DEPARTMENT TOTALS	1,488,644	1,524,029	2.4%

FINANCE

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET

Finance - 1200

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	351,864	363,777	3.4%
501023 Other OT	500	500	0.0%
Totals	<u>352,364</u>	<u>364,277</u>	3.4%
FRINGE BENEFITS			
502011 Medicare/SS	3,297	2,618	-20.6%
502021 Retirement	34,268	45,002	31.3%
502031 Medical Ins	34,997	42,550	21.6%
502041 Dental Ins	7,092	7,657	8.0%
502045 Vision Ins	1,999	2,160	8.1%
502051 Life Ins	1,235	1,317	6.6%
502060 State Disability (SDI)	3,688	4,433	20.2%
502061 Long Term Disability Ins	5,168	5,628	8.9%
502071 State Unemployment (SUI)	882	1,449	64.3%
502081 Worker's Comp	6,287	6,287	0.0%
502101 Holiday Pay	4,479	4,612	3.0%
502103 Floating Holiday	7,900	8,100	2.5%
502109 Sick Leave	17,917	18,449	3.0%
502111 Vacation	35,475	38,750	9.2%
502121 Other Paid Absence	6,000	6,000	0.0%
502999 Other Fringe Benefits	624	158	-74.7%
Totals	<u>171,308</u>	<u>195,170</u>	13.9%
SERVICES			
503011 Accting/Audit Fees	81,234	85,500	5.3%
503012 Admin/Bank Fees	209,100	230,300	10.1%
503031 Professional/Technical & Fees	150	100	-33.3%
503352 Equip Repair - Out	586	700	19.5%
Totals	<u>291,070</u>	<u>316,600</u>	8.8%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	200	200	0.0%
504215 Printing	1,500	750	-50.0%
504311 Office Supplies	4,156	4,200	1.1%
Totals	<u>5,856</u>	<u>5,150</u>	-12.1%
UTILITIES			
505031 Telecommunications	1,665	1,500	-9.9%
Totals	<u>1,665</u>	<u>1,500</u>	-9.9%

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET

Finance - 1200

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
CASUALTY & LIABILITY COSTS			
506011 Insurance - Property	41,000	40,000	-2.4%
506015 Insurance - PL/PD	509,000	620,000	21.8%
506021 Insurance - Other	91,500	97,500	6.6%
Totals	<u>641,500</u>	<u>757,500</u>	18.1%
TAXES			
507201 Licenses & Permits	-	200	0.0%
Totals	<u>-</u>	<u>200</u>	0.0%
MISC EXPENSE			
509011 Dues/Subscriptions	1,333	1,157	-13.2%
509101 Incentive Program	560	560	0.0%
509123 Travel	100	100	0.0%
Totals	<u>1,993</u>	<u>1,817</u>	-8.8%
PERSONNEL TOTAL	523,672	559,447	6.8%
NON-PERSONNEL TOTAL	942,084	1,082,767	14.9%
DEPARTMENT TOTALS	<u><u>1,465,756</u></u>	<u><u>1,642,214</u></u>	12.0%

CUSTOMER SERVICE

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Customer Service - 1300

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	273,347	285,681	4.5%
501023 Other OT	1,500	1,500	0.0%
Totals	274,847	287,181	4.5%
FRINGE BENEFITS			
502011 Medicare/SS	1,653	1,722	4.2%
502021 Retirement	26,836	35,439	32.1%
502031 Medical Ins	39,222	45,336	15.6%
502041 Dental Ins	9,259	9,996	8.0%
502045 Vision Ins	2,333	2,520	8.0%
502051 Life Ins	1,125	1,200	6.6%
502060 State Disability (SDI)	4,303	5,171	20.2%
502061 Long Term Disability Ins	4,120	4,432	7.6%
502071 State Unemployment (SUI)	1,029	1,691	64.3%
502081 Worker's Comp	91,927	91,927	0.0%
502101 Holiday Pay	3,487	3,556	2.0%
502109 Sick Leave	13,947	14,226	2.0%
502111 Vacation	36,982	38,786	4.9%
502121 Other Paid Absence	4,000	4,000	0.0%
Totals	240,222	260,001	8.2%
SERVICES			
503031 Professional/Technical & Fees	6,170	18,000	191.7%
503225 Graphics Services	15,000	15,000	0.0%
503352 Equip Repair - Out	2,500	2,500	0.0%
Totals	23,670	35,500	50.0%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	6,000	6,000	0.0%
504214 Promotional Items	200	200	0.0%
504215 Printing	30,000	30,000	0.0%
504217 Photo Supp/Process	4,150	4,150	0.0%
504311 Office Supplies	7,700	7,700	0.0%
Totals	48,050	48,050	0.0%
UTILITIES			
505031 Telecommunications	5,000	5,000	0.0%
Totals	5,000	5,000	0.0%
TAXES			
507201 Licenses & Permits	2,360	2,360	0.0%
Totals	2,360	2,360	0.0%

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Customer Service - 1300

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
MISC EXPENSE			
509011 Dues/Subscriptions	200	200	0.0%
509081 Advertising-Promo	1,500	1,500	0.0%
509101 Incentive Program	200	200	0.0%
509123 Travel	100	100	0.0%
509150 Contributions	500	500	0.0%
Totals	<u>2,500</u>	<u>2,500</u>	0.0%
LEASES & RENTALS			
512061 Equipment Rental	5,000	5,000	0.0%
Totals	<u>5,000</u>	<u>5,000</u>	0.0%
PERSONNEL TOTAL	515,069	547,182	6.2%
NON-PERSONNEL TOTAL	86,580	98,410	13.7%
DEPARTMENT TOTALS	<u><u>601,649</u></u>	<u><u>645,592</u></u>	7.3%

HRD

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Human Resources - 1400

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	188,810	203,536	7.8%
501023 Other OT	500	500	0.0%
Totals	189,310	204,036	7.8%
FRINGE BENEFITS			
502011 Medicare/SS	3,026	3,328	10.0%
502021 Retirement	17,762	24,243	36.5%
502031 Medical Ins	17,572	19,999	13.8%
502041 Dental Ins	4,932	5,324	8.0%
502045 Vision Ins	1,333	1,440	8.0%
502051 Life Ins	778	830	6.7%
502060 State Disability (SDI)	2,459	2,955	20.2%
502061 Long Term Disability Ins	2,679	2,890	7.9%
502071 State Unemployment (SUI)	588	966	64.3%
502081 Worker's Comp	50,842	50,842	0.0%
502101 Holiday Pay	2,439	2,648	8.6%
502103 Floating Holiday	3,600	4,000	11.1%
502109 Sick Leave	9,757	10,592	8.6%
502111 Vacation	13,977	15,083	7.9%
502121 Other Paid Absence	1,000	1,000	0.0%
502999 Other Fringe Benefits	12,812	14,000	9.3%
Totals	145,556	160,139	10.0%
SERVICES			
503031 Professional/Technical & Fees	10,700	15,400	43.9%
503034 Employment Exams	17,045	13,781	-19.1%
503221 Classified/Legal Ads	4,000	2,000	-50.0%
503352 Equip Repair - Out	200	200	0.0%
Totals	31,945	31,381	-1.8%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	300	300	0.0%
504215 Printing	400	3,200	700.0%
504217 Photo Supp/Process	200	100	-50.0%
504311 Office Supplies	2,100	1,350	-35.7%
Totals	3,000	4,950	65.0%
UTILITIES			
505031 Telecommunications	1,012	912	-9.9%
Totals	1,012	912	-9.9%

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Human Resources - 1400

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
MISC EXPENSE			
509011 Dues/Subscriptions	1,840	1,760	-4.3%
509121 Employee Training	20,675	15,625	-24.4%
509123 Travel	200	100	-50.0%
509125 Other Misc Expense	650	600	-7.7%
Totals	23,365	18,085	-22.6%
PERSONNEL TOTAL	334,866	364,175	8.8%
NON-PERSONNEL TOTAL	59,322	55,328	-6.7%
DEPARTMENT TOTALS	394,188	419,503	6.4%

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Information Technology - 1500

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	282,770	291,928	3.2%
501023 Other OT	1,700	1,500	-11.8%
Totals	284,470	293,428	3.1%
FRINGE BENEFITS			
502011 Medicare/SS	4,872	4,841	-0.6%
502021 Retirement	27,229	35,561	30.6%
502031 Medical Ins	39,143	31,719	-19.0%
502041 Dental Ins	4,626	4,995	8.0%
502045 Vision Ins	1,333	1,440	8.0%
502051 Life Ins	914	974	6.6%
502060 State Disability (SDI)	2,459	2,955	20.2%
502061 Long Term Disability Ins	4,107	4,447	8.3%
502071 State Unemployment (SUI)	588	966	64.3%
502081 Worker's Comp	3,739	3,739	0.0%
502101 Holiday Pay	3,648	3,767	3.3%
502103 Floating Holiday	7,600	8,000	5.3%
502109 Sick Leave	14,590	15,066	3.3%
502111 Vacation	26,007	26,680	2.6%
502121 Other Paid Absence	2,000	2,000	0.0%
502999 Other Fringe Benefits	624	158	-74.7%
Totals	143,478	147,308	2.7%
SERVICES			
503031 Professional/Technical & Fees	3,000	3,000	0.0%
503171 Security Services	-	4,000	0.0%
503352 Equip Repair - Out	62,000	65,100	5.0%
Totals	65,000	72,100	10.9%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	200	200	0.0%
504215 Printing	500	200	-60.0%
504311 Office Supplies	12,000	14,500	20.8%
Totals	12,700	14,900	17.3%
UTILITIES			
505031 Telecommunications	16,960	18,100	6.7%
Totals	16,960	18,100	6.7%
MISC EXPENSE			
509011 Dues/Subscriptions	85	85	0.0%
509121 Employee Training	2,500	4,000	60.0%
509123 Travel	425	50	-88.2%
Totals	3,010	4,135	37.4%
PERSONNEL TOTAL	427,948	440,736	3.0%
NON-PERSONNEL TOTAL	97,670	109,235	11.8%
DEPARTMENT TOTALS	525,618	549,971	4.6%

District Counsel

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
District Counsel - 1700

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	224,651	240,135	6.9%
501023 Other OT	500	500	0.0%
Totals	225,151	240,635	6.9%
FRINGE BENEFITS			
502011 Medicare/SS	3,744	3,950	5.5%
502021 Retirement	20,888	29,184	39.7%
502031 Medical Ins	35,691	41,677	16.8%
502041 Dental Ins	7,447	8,040	8.0%
502045 Vision Ins	1,333	1,440	8.0%
502051 Life Ins	778	830	6.7%
502060 State Disability (SDI)	2,459	2,955	20.2%
502061 Long Term Disability Ins	3,385	3,650	7.8%
502071 State Unemployment (SUI)	588	966	64.3%
502081 Worker's Comp	3,629	3,629	0.0%
502101 Holiday Pay	2,994	3,051	1.9%
502103 Floating Holiday	6,000	6,200	3.3%
502109 Sick Leave	11,976	12,206	1.9%
502111 Vacation	20,852	21,252	1.9%
502121 Other Paid Absence	2,300	2,300	0.0%
502999 Other Fringe Benefits	312	158	-49.4%
Totals	124,376	141,488	13.8%
SERVICES			
503031 Professional/Technical & Fees	900	900	0.0%
503033 Legal Services	5,000	4,500	-10.0%
503352 Equip Repair - Out	100	100	0.0%
Totals	6,000	5,500	-8.3%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	100	100	0.0%
504215 Printing	175	175	0.0%
504217 Photo Supp/Process	100	100	0.0%
504311 Office Supplies	1,800	1,800	0.0%
Totals	2,175	2,175	0.0%
UTILITIES			
505031 Telecommunications	550	550	0.0%
Totals	550	550	0.0%

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
District Counsel - 1700

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
TAXES			
507201 Licenses & Permits	-	150	0.0%
Totals	-	150	0.0%
MISC EXPENSE			
509011 Dues/Subscriptions	7,000	7,500	7.1%
509121 Employee Training	3,600	3,600	0.0%
509123 Travel	2,410	2,410	0.0%
Totals	13,010	13,510	3.8%
PERSONNEL TOTAL	349,527	382,123	9.3%
NON-PERSONNEL TOTAL	21,735	21,885	0.7%
DEPARTMENT TOTALS	<u>371,262</u>	<u>404,008</u>	<u>8.8%</u>

Risk Management

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET

Risk Management - 1800

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
SERVICES			
503031 Professional/Technical & Fees	52,000	52,000	0.0%
503033 Legal Services	53,000	52,070	-1.8%
Totals	105,000	104,070	-0.9%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	100	100	0.0%
504215 Printing	200	400	100.0%
504217 Photo Supp/Process	350	500	42.9%
504311 Office Supplies	500	460	-8.0%
Totals	1,150	1,460	27.0%
CASUALTY & LIABILITY COSTS			
506123 Settlement Costs	100,000	100,000	0.0%
506999 Other Casualty Expense	-	-	0.0%
Totals	100,000	100,000	0.0%
MISC EXPENSE			
509011 Dues/Subscriptions	100	200	100.0%
509123 Travel	100	40	-60.0%
Totals	200	240	20.0%
PERSONNEL TOTAL	-	-	0.0%
NON-PERSONNEL TOTAL	206,350	205,770	-0.3%
DEPARTMENT TOTALS	206,350	205,770	-0.3%

FACILITIES MAINTENANCE

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET Facilities Maintenance - 2200

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	612,394	639,082	4.4%
501023 Other OT	19,000	19,000	0.0%
Totals	631,394	658,082	4.2%
FRINGE BENEFITS			
502011 Medicare/SS	6,072	6,720	10.7%
502021 Retirement	59,382	78,698	32.5%
502031 Medical Ins	116,042	134,930	16.3%
502041 Dental Ins	23,371	25,232	8.0%
502045 Vision Ins	4,999	5,400	8.0%
502051 Life Ins	2,545	2,715	6.7%
502060 State Disability (SDI)	10,450	12,559	20.2%
502061 Long Term Disability Ins	8,956	9,842	9.9%
502071 State Unemployment (SUI)	2,499	4,106	64.3%
502081 Worker's Comp	45,838	45,838	0.0%
502101 Holiday Pay	7,727	8,058	4.3%
502103 Floating Holiday	3,700	3,800	2.7%
502109 Sick Leave	30,909	32,230	4.3%
502111 Vacation	71,373	76,743	7.5%
502121 Other Paid Absence	8,000	9,000	12.5%
502999 Other Fringe Benefits	312	312	0.0%
Totals	402,175	456,182	13.4%
SERVICES			
503031 Professional/Technical & Fees	22,000	16,000	-27.3%
503161 Custodial Services	89,000	87,000	-2.2%
503162 Uniforms/Laundry	9,000	9,000	0.0%
503171 Security Services	7,000	7,500	7.1%
503351 Building Repair - Out	35,000	35,000	0.0%
503352 Equip Repair - Out	17,000	17,500	2.9%
503363 Haz Waste Disposal	46,000	46,000	0.0%
Totals	225,000	218,000	-3.1%
OTHER MATERIALS & SUPPLIES			
504205 Freight Out	300	-	-100.0%
504215 Printing	1,000	1,500	50.0%
504217 Photo Supp/Process	200	120	-40.0%
504311 Office Supplies	2,800	1,500	-46.4%
504315 Safety Supplies	10,000	9,800	-2.0%
504317 Cleaning Supplies	40,000	40,000	0.0%
504409 Repair/Maint Supply	64,900	65,000	0.2%
504511 Small Tools	3,000	3,000	0.0%
Totals	122,200	120,920	-1.0%
UTILITIES			
505011 Gas & Electric	47,200	50,330	6.6%
505021 Water & Garbage	37,240	30,900	-17.0%

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Facilities Maintenance - 2200

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
505031 Telecommunications	2,000	2,000	0.0%
Totals	<u>86,440</u>	<u>83,230</u>	-3.7%
TAXES			
507201 Licenses & Permits	9,600	9,600	0.0%
507999 Other Taxes	25,000	25,200	0.8%
Totals	<u>34,600</u>	<u>34,800</u>	0.6%
MISC EXPENSE			
509101 Incentive Program	300	300	0.0%
509123 Travel	200	200	0.0%
Totals	<u>500</u>	<u>500</u>	0.0%
LEASES & RENTALS			
512061 Equipment Rental	8,100	8,100	0.0%
Totals	<u>8,100</u>	<u>8,100</u>	0.0%
PERSONNEL TOTAL	1,033,569	1,114,264	7.8%
NON-PERSONNEL TOTAL	476,840	465,550	-2.4%
DEPARTMENT TOTALS	<u><u>1,510,409</u></u>	<u><u>1,579,814</u></u>	<u>4.6%</u>

ADA

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Paratransit Program - 3100

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	158,367	159,326	0.6%
501023 Other OT	200	200	0.0%
Totals	158,567	159,526	0.6%
FRINGE BENEFITS			
502011 Medicare/SS	2,551	2,616	2.6%
502021 Retirement	15,154	19,534	28.9%
502031 Medical Ins	14,082	16,347	16.1%
502041 Dental Ins	2,289	2,471	7.9%
502045 Vision Ins	1,000	1,080	8.0%
502051 Life Ins	617	659	6.7%
502060 State Disability (SDI)	1,844	2,216	20.2%
502061 Long Term Disability Ins	2,286	2,443	6.9%
502071 State Unemployment (SUI)	441	725	64.3%
502081 Worker's Comp	1,806	1,806	0.0%
502101 Holiday Pay	2,057	2,067	0.5%
502103 Floating Holiday	3,400	3,200	-5.9%
502109 Sick Leave	8,226	8,268	0.5%
502111 Vacation	14,790	16,993	14.9%
502121 Other Paid Absence	500	1,000	100.0%
502999 Other Fringe Benefits	312	96	-69.2%
Totals	71,355	81,520	14.2%
SERVICES			
503031 Professional/Technical & Fees	202,000	122,150	-39.5%
Totals	202,000	122,150	-39.5%
PURCHASED TRANS.			
503406 Contract/Paratransit	2,961,653	2,606,136	-12.0%
Totals	2,961,653	2,606,136	-12.0%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	2,500	2,500	0.0%
504215 Printing	9,705	9,705	0.0%
504217 Photo Supp/Process	750	750	0.0%
504311 Office Supplies	1,600	1,600	0.0%
Totals	14,555	14,555	0.0%
MISC EXPENSE			
509011 Dues/Subscriptions	295	295	-100.0%
509123 Travel	200	200	-100.0%
Totals	495	495	-100.0%
PERSONNEL TOTAL	229,922	241,046	4.8%
NON-PERSONNEL TOTAL	3,178,703	2,743,336	-13.7%
DEPARTMENT TOTALS	3,408,625	2,984,382	-12.4%

OPERATIONS

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET

Operations - 3200

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	1,132,228	1,183,640	4.5%
501023 Other OT	100,309	45,000	-55.1%
Totals	1,232,537	1,228,640	-0.3%
FRINGE BENEFITS			
502011 Medicare/SS	4,341	4,565	5.2%
502021 Retirement	114,633	147,082	28.3%
502031 Medical Ins	160,055	174,672	9.1%
502041 Dental Ins	29,852	30,220	1.2%
502045 Vision Ins	6,998	7,200	2.9%
502051 Life Ins	3,645	3,717	2.0%
502060 State Disability (SDI)	12,908	14,776	14.5%
502061 Long Term Disability Ins	17,877	18,394	2.9%
502071 State Unemployment (SUI)	3,087	4,830	56.5%
502081 Worker's Comp	60,771	60,771	0.0%
502101 Holiday Pay	15,463	15,115	-2.3%
502103 Floating Holiday	8,200	8,500	3.7%
502109 Sick Leave	61,853	60,462	-2.2%
502111 Vacation	160,614	157,329	-2.0%
502121 Other Paid Absence	12,000	12,000	0.0%
502251 Phys. Exam - Renewal	792	396	-50.0%
502253 Driver Lic Renewal	256	216	-15.6%
502999 Other Fringe Benefits	936	475	-49.3%
Totals	674,282	720,720	6.9%
SERVICES			
503031 Professional/Technical & Fees	25,000	25,000	0.0%
503162 Uniforms/Laundry	500	500	0.0%
503171 Security Services	385,188	385,055	0.0%
503352 Equip Repair - Out	2,500	2,500	0.0%
Totals	413,188	413,055	0.0%
PURCHASED TRANS.			
503405 Contract Transp	100	100	0.0%
Totals	100	100	0.0%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	500	500	0.0%
504214 Promotional Items	25	25	0.0%
504215 Printing	15,000	15,000	0.0%
504217 Photo Supp/Process	6,000	6,000	0.0%
504311 Office Supplies	13,004	13,000	0.0%
504317 Cleaning Supplies	100	100	0.0%
504511 Small Tools	100	100	0.0%
Totals	34,729	34,725	0.0%
UTILITIES			

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET

Operations - 3200

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
505011 Gas & Electric	28,350	28,350	0.0%
505021 Water & Garbage	20,000	20,000	0.0%
505031 Telecommunications	11,000	11,000	0.0%
Totals	<u>59,350</u>	<u>59,350</u>	0.0%
TAXES			
507201 Licenses & Permits	15	-	0.0%
Totals	<u>15</u>	<u>-</u>	0.0%
MISC EXPENSE			
509101 Incentive Program	3,800	3,800	0.0%
509123 Travel	200	200	0.0%
509125 Other Misc Expense	500	500	0.0%
Totals	<u>4,500</u>	<u>4,500</u>	0.0%
LEASES & RENTALS			
512011 Facility Lease	66,652	65,880	-1.2%
512061 Equipment Rental	6,000	6,000	0.0%
Totals	<u>72,652</u>	<u>71,880</u>	-1.1%
PERSONNEL TOTAL	1,906,819	1,949,360	2.2%
NON-PERSONNEL TOTAL	584,534	583,610	-0.2%
DEPARTMENT TOTALS	<u><u>2,491,353</u></u>	<u><u>2,532,970</u></u>	1.7%

BUS OPERATORS

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Bus Operators - 3300

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501011 Bus Operator Pay	6,142,355	7,082,283	15.3%
501013 Bus Operator OT	927,591	1,020,350	10.0%
Totals	7,069,946	8,102,633	14.6%
FRINGE BENEFITS			
502011 Medicare/SS	86,483	96,831	12.0%
502021 Retirement	544,269	786,786	44.6%
502031 Medical Ins	1,081,358	1,080,184	-0.1%
502041 Dental Ins	218,066	235,436	8.0%
502045 Vision Ins	58,317	60,840	4.3%
502051 Life Ins	28,114	28,960	3.0%
502060 State Disability (SDI)	113,717	136,673	20.2%
502061 Long Term Disability Ins	127,449	149,093	17.0%
502071 State Unemployment (SUI)	27,195	44,678	64.3%
502081 Worker's Comp	1,148,150	1,148,150	0.0%
502101 Holiday Pay	213,180	231,581	8.6%
502109 Sick Leave	355,300	385,969	8.6%
502111 Vacation	679,394	741,273	9.1%
502121 Other Paid Absence	66,594	78,507	17.9%
502251 Phys. Exam - Renewal	8,580	10,000	16.6%
502253 Driver Lic Renewal	1,980	2,480	25.3%
502999 Other Fringe Benefits	100	100	0.0%
Totals	4,758,247	5,217,541	9.7%
SERVICES			
503162 Uniforms/Laundry	4,781	5,000	4.6%
Totals	4,781	5,000	4.6%
MISC EXPENSE			
509101 Incentive Program	2,619	3,000	14.5%
Totals	2,619	3,000	14.5%
PERSONNEL TOTAL	11,828,193	13,320,174	12.6%
NON-PERSONNEL TOTAL	7,400	8,000	8.1%
DEPARTMENT TOTALS	11,835,593	13,328,174	12.6%

FLEET MAINTENANCE

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET Fleet Maintenance - 4100

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
LABOR			
501021 Other Salaries	2,376,249	2,525,807	6.3%
501023 Other OT	90,000	90,000	0.0%
Totals	2,466,249	2,615,807	6.1%
FRINGE BENEFITS			
502011 Medicare/SS	23,317	29,808	27.8%
502021 Retirement	233,204	310,570	33.2%
502031 Medical Ins	380,921	441,896	16.0%
502041 Dental Ins	75,933	81,981	8.0%
502045 Vision Ins	17,662	19,080	8.0%
502051 Life Ins	8,650	9,227	6.7%
502060 State Disability (SDI)	35,652	42,849	20.2%
502061 Long Term Disability Ins	36,400	38,840	6.7%
502071 State Unemployment (SUI)	8,526	14,007	64.3%
502081 Worker's Comp	228,658	228,658	0.0%
502101 Holiday Pay	30,161	31,830	5.5%
502103 Floating Holiday	4,500	4,600	2.2%
502109 Sick Leave	125,451	127,320	1.5%
502111 Vacation	298,618	302,834	1.4%
502121 Other Paid Absence	42,000	42,000	0.0%
502251 Phys. Exam - Renewal	1,386	1,452	4.8%
502253 Driver Lic Renewal	245	735	200.0%
502999 Other Fringe Benefits	924	924	0.0%
Totals	1,552,209	1,728,611	11.4%
SERVICES			
503031 Professional/Technical & Fees	4,000	4,000	0.0%
503041 Temp Help	6,000	-	-100.0%
503162 Uniforms/Laundry	26,000	26,000	0.0%
503221 Classified/Legal Ads	5,500	5,500	0.0%
503352 Equip Repair - Out	61,000	59,296	-2.8%
503353 Rev Veh Repair - Out	206,000	218,222	5.9%
503354 Other Veh Repair - Out	65,570	56,341	-14.1%
Totals	374,070	369,359	-1.3%
MOBILE MATERIALS & SUPPLIES			
504011 Fuels & Lubricants	91,477	90,780	-0.8%
504012 Fuels & Lubricants - Rev Veh	1,395,072	1,551,034	11.2%
504021 Tires & Tubes	121,000	166,000	37.2%
504161 Other Mobile Supplies	6,500	6,000	-7.7%
504191 Rev Vehicle Parts	444,400	444,000	-0.1%
Totals	2,058,449	2,257,814	9.7%

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET

Fleet Maintenance - 4100

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
OTHER MATERIALS & SUPPLIES			
504205 Freight Out	2,500	4,574	83.0%
504211 Postage & Mailing	1,000	800	-20.0%
504215 Printing	5,200	5,200	0.0%
504217 Photo Supp/Process	100	100	0.0%
504311 Office Supplies	9,500	9,500	0.0%
504315 Safety Supplies	9,825	10,375	5.6%
504317 Cleaning Supplies	26,000	21,000	-19.2%
504421 Non-Inventory Parts	48,500	42,000	-13.4%
504511 Small Tools	5,000	5,000	0.0%
504515 Employee Tools	1,500	1,500	0.0%
Totals	109,125	100,049	-8.3%
UTILITIES			
505011 Gas & Electric	67,531	60,920	-9.8%
505021 Water & Garbage	21,656	20,662	-4.6%
505031 Telecommunications	10,368	8,000	-22.8%
Totals	99,555	89,582	-10.0%
507051 Fuel Tax	10,933	10,544	-3.6%
507201 Licenses & Permits	540	540	0.0%
507999 Other Taxes	600	-	-100.0%
Totals	12,073	11,084	-8.2%
MISC EXPENSE			
509011 Dues/Subscriptions	729	729	0.0%
509101 Incentive Program	1,060	1,060	0.0%
509123 Travel	200	200	0.0%
Totals	1,989	1,989	0.0%
LEASES & RENTALS			
512011 Facility Lease	219,741	223,324	1.6%
512061 Equipment Rental	4,057	800	-80.3%
Totals	223,798	224,124	0.1%
PERSONNEL TOTAL	4,018,458	4,344,418	8.1%
NON-PERSONNEL TOTAL	2,879,059	3,054,001	6.1%
DEPARTMENT TOTALS	<u>6,897,517</u>	<u>7,398,419</u>	<u>7.3%</u>

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
COBRA Benefits - 9001

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
FRINGE BENEFITS			
502031 Medical Ins	10,000	-	-100.0%
502041 Dental Ins	3,000	-	-100.0%
502045 Vision Ins	1,500	-	-100.0%
Totals	<u>14,500</u>	-	100.0%
PERSONNEL TOTAL	14,500	-	-100.0%
NON-PERSONNEL TOTAL	-	-	0.0%
DEPARTMENT TOTALS	<u><u>14,500</u></u>	-	<u><u>-100.0%</u></u>

Retirees

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
Retired Employee Benefits - 9005

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
FRINGE BENEFITS			
502031 Medical Ins	742,653	818,751	10.2%
502041 Dental Ins	68,400	73,055	6.8%
502045 Vision Ins	21,168	22,680	7.1%
502051 Life Ins	10,059	10,431	3.7%
Totals	<u>842,280</u>	<u>924,917</u>	9.8%
PERSONNEL TOTAL	842,280	924,917	9.8%
NON-PERSONNEL TOTAL	-	-	0.0%
DEPARTMENT TOTALS	<u><u>842,280</u></u>	<u><u>924,917</u></u>	9.8%

SCCIC

SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
SCCIC/COPS - 700

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
SERVICES			
503011 Accting/Audit Fees	-	100	0.0%
503012 Admin/Bank Fees	50	50	0.0%
Totals	50	150	200.0%
OTHER MATERIALS & SUPPLIES			
504211 Postage & Mailing	7	7	0.0%
Totals	7	7	0.0%
MISC EXPENSE			
509123 Travel	200	-	100.0%
Totals	200	-	-100.0%
PERSONNEL TOTAL	-	-	0.0%
NON-PERSONNEL TOTAL	257	157	-38.9%
DEPARTMENT TOTALS	257	157	-38.9%

MASTF

**SANTA CRUZ METRO FY 04-05 OPERATING BUDGET
MASTF - 9021**

ACCOUNT	FY 03-04 REVISED	FY 04-05 PRELIM	% CHANGE FROM FY 03-04
<hr/>			
OTHER MATERIALS & SUPPLIES			
504214 Promotional Items	250	-	-100.0%
504311 Office Supplies	100	-	-100.0%
Totals	<u>350</u>	-	-100.0%
MISC EXPENSE			
509125 Other Misc Expense	650	-	-100.0%
Totals	<u>650</u>	-	-100.0%
PERSONNEL TOTAL	-	-	0.0%
NON-PERSONNEL TOTAL	1,000	-	-100.0%
DEPARTMENT TOTALS	<u><u>1,000</u></u>	-	-100.0%

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 FY 04-05 PRELIMINARY BUDGET
 CAPITAL IMPROVEMENT PROGRAM**

PROJECT	FEDERAL	STATE/ LOCAL	DISTRICT	TOTAL
<u>Grant-Funded Projects</u>				
MetroBase	\$ 6,725,238	\$ -	\$ 1,681,310	\$ 8,406,548
Urban Bus Replacement	\$ 786,000	\$ -	\$ 196,500	\$ 982,500
Pacific Station Renovation Project	\$ -	\$ 108,891	\$ -	\$ 108,891
Spare Parts for New Buses (carryover)	\$ 78,040	\$ -	\$ 19,510	\$ 97,550
Subtotal				\$ 9,595,489
<u>District-Funded Projects</u>				
Bus Stop Improvements			\$ 50,000	\$ 50,000
IT Projects			\$ 48,700	\$ 48,700
Diagnostic Scanner for Fleet Maintenance			\$ 3,000	\$ 3,000
Facilities Repair & Improvements			\$ 26,500	\$ 26,500
Non-Revenue Vehicle Replacement			\$ 108,000	\$ 108,000
Office Equipment			\$ 13,500	\$ 13,500
Transfer to Operating Budget			\$ 350,000	\$ 350,000
Subtotal				\$ 599,700
TOTAL CAPITAL PROJECTS	\$ 7,589,278	\$ 108,891	\$ 2,497,020	\$ 10,195,189

CAPITAL PROGRAM FUNDING

Federal Grants	\$ 7,589,278
State/Local Grants	\$ 108,891
STA Funding	\$ 860,994
District Reserves	\$ 1,636,026
TOTAL CAPITAL FUNDING	\$ 10,195,189

TRAVEL REQUESTED FOR FY 04-05

Dept.	Description	Amount	Staff Recommended
1100	Admin	GM/Board Agenda/Issue Review	\$ 1,200 \$ 1,200
		APTA Annual Meeting (2 people)	\$ 4,350 \$ -
		APTA Legislative Meeting (3 people)	\$ 10,335 \$ 10,335
		Annual CTA Meeting (2 people)	\$ 1,840 \$ -
		Annual CTA Legislative Meeting	\$ 665 \$ -
		CTA Lobby Day	\$ 335 \$ -
		FTA - Various	\$ 5,000 \$ 2,000
		Sacramento - Various	\$ 2,500 \$ 500
		DC Lobby Trips	\$ 4,160 \$ 4,160
		Liebert, Cassidy 2 day HR training	\$ 1,000 \$ 1,000
		Eng/Transmission Diagnosis & overhaul	\$ 1,150 \$ 1,150
		NTI Transit Trainer seminars	\$ 1,010 \$ 1,010
		APTA Maint & Purchasing Conference	\$ 2,135 \$ -
		Supervisor/Lead Training	\$ 40 \$ 40
		NTI Contract seminar	\$ 1,455 \$ -
		CNG Tank & Systems	\$ 1,095 \$ 1,095
			<u>\$ 38,270 \$ 22,490</u>
1200	Finance	Mileage, parking, etc.	\$ 100 \$ 100
			<u>\$ 100 \$ 100</u>
1300	Customer Service	Mileage, parking, etc.	\$ 100 \$ 100
			<u>\$ 100 \$ 100</u>
1400	Human Resources	Interview Panel lunches	\$ 100 \$ -
		Mileage, parking, etc.	\$ 100 \$ 100
			<u>\$ 200 \$ 100</u>
1500	IT	Mileage, parking, etc.	\$ 50 \$ 50
			<u>\$ 50 \$ 50</u>
1700	District Counsel	Miscellaneous travel	\$ 2,410 \$ 2,410
			<u>\$ 2,410 \$ 2,410</u>
1800	Risk Management	Mileage, parking, etc.	\$ 40 \$ 40
			<u>\$ 40 \$ 40</u>
2200	Facilities Maint.	Mileage, parking, etc.	\$ 200 \$ 200
			<u>\$ 200 \$ 200</u>
3100	Paratransit	Mileage, parking, etc.	\$ 200 \$ 200
			<u>\$ 200 \$ 200</u>
3200	Operations	Mileage, parking, etc.	\$ 200 \$ 200
			<u>\$ 200 \$ 200</u>
4100	Fleet Maint.	Mileage, parking, etc.	\$ 200 \$ 200
			<u>\$ 200 \$ 200</u>
700	SCCIC	Annual luncheon meeting	\$ 200 \$ -
			<u>\$ 200 \$ -</u>
	TOTAL	\$ 42,170 \$ 26,090	

DUES AND SUBSCRIPTIONS REQUESTED FOR FY 04-05

Dept.	Description	Amount
1100 Admin	APTA/PT2 (combined)	\$ 30,073
	APTA Passenger Transport (2 subscriptions)	\$ 140
	CTA (assumed 7% increase)	\$ 10,052
	SC Sentinel	\$ 210
	Costco	\$ 95
	Santa Cruz TMA Membership (assumed 5% increase)	\$ 1,220
	Washington Letter of Transportation	\$ 1,200
	Leadership Directories Subscription (Congressional Yellow Book)	\$ 360
	Capitol Enquiry (pocket directories x1 for Palm Pilot)	\$ 150
	\$ 43,500	
1200 Finance	GFOA Membership	\$ 240
	Kiplinger CA Letter	\$ 73
	Public Investor	\$ 55
	Payroll Managers Letter	\$ 238
	Kiplinger Letters - Washington DC	\$ 84
	FLSA Handbook	\$ 329
	Payroll Legal Alert	\$ 138
	\$ 1,157	
1300 Customer Service	Misc. Publications	\$ 200
		\$ 200
1400 Human Resources	CALPELRA (1 membership)	\$ 300
	NCHRA (2 memberships)	\$ 300
	SHRM	\$ 160
	APTA Annual Job Listings Subscription	\$ 200
	M. Lee Smith Publishers - CA Employment Law Letter	\$ 450
	LexisNexis	\$ 100
	CA Chamber of Commerce Labor Subscription	\$ 250
	\$ 1,760	
1500 IT	PC Magazine	\$ 35
	System Admin Magazine	\$ 50
		\$ 85
1700 District Counsel	James Publishing Group	\$ 600
	Thompson Publishing	\$ 1,000
	LexisNexis Matthew Bender	\$ 1,000
	CEB Updates	\$ 600
	State Bar Fees	\$ 590
	Law Library, Cardkey Fee	\$ 150
	Castle Publication, CA Emp Alert	\$ 250
	League of CA Cities, Updates	\$ 100
	TD Safety Report	\$ 300
	PACE Publications, Transit Access Report	\$ 295
	West Group Payment Center -Westlaw & Updates	\$ 2,100
	Unlisted renewals/unknown new items	\$ 515
	\$ 7,500	

DUES AND SUBSCRIPTIONS REQUESTED FOR FY 04-05

1800	Risk Management	Pacific Bell Reverse Directory	\$	50
		Debt Collection Practice in California	\$	150
			\$	200
2200	Facilities Maint.	None	\$	-
			\$	-
3100	Paratransit	Pace Publications	\$	295
			\$	295
3200	Operations	None	\$	-
			\$	-
4100	Fleet Maint.	APTA Passenger Transport	\$	65
		Fleet Management Book	\$	100
		Pacific Bus Museum	\$	25
		Barclays Title 13	\$	300
		Bus Tech	\$	24
		Compliance Guide	\$	200
		CHP 82.6 Manual	\$	15
			\$	729
700	SCCIC	None	\$	-
			\$	-
		TOTAL REQUESTED	\$	55,426

FY 04-05
LOBBYIST CONTRACT EXPENSE

Federal -	Carolyn C. Chaney & Associates, Inc. \$3,750 x 12 plus expenses of \$4,000	\$	49,000
State -	Shaw/Yoder, Inc. \$2,000 x 12	\$	24,000

FY 04-05 PRELIMINARY BUDGET
Authorized Personnel
Summary

Department	Authorized FY 01-02	Authorized FY 02-03	Authorized FY 03-04	Authorized FY 04-05
Administration	6.00	6.00	9.25	9.00
Finance	7.50	7.00	6.00	6.00
Customer Service	13.55	10.00	6.75	6.75
Human Resources	6.00	4.00	4.00	4.00
Information Technology	4.00	4.00	4.00	4.00
District Counsel	3.50	3.50	3.50	3.50
Facilities Maintenance	17.00	15.00	15.00	15.00
Paratransit	2.00	3.00	3.00	3.00
Operations	207.00	195.00	190.00	189.00
Fleet Maintenance	56.00	53.00	53.00	53.00
Total Full-Time Equivalents	322.55	300.50	294.50	293.25

LOCAL CAPITAL BUDGET REQUESTS

FY 04-05

R/N	DEPT PRIORITY	ITEM	COST	PRIORITY 2 - UNFUNDED	PRIORITY 1 - PRELIM BUDGET	PRIORITY 1 - DRAFT FINAL BUDGET
ADMINISTRATION						
R	1	4 Drawer Fireproof File Cabinets (3)	\$ 3,300	\$ -	\$ 3,300	\$ -
		Subtotal Administration:	\$ 3,300	\$ -	\$ 3,300	\$ -
FINANCE						
R	1	Fireproof Lateral File Cabinets (4)	\$ 8,160	\$ -	\$ 8,160	\$ -
		Subtotal Finance:	\$ 8,160	\$ -	\$ 8,160	\$ -
CUSTOMER SERVICE						
		See Operations.	\$ -	\$ -	\$ -	\$ -
		Subtotal Customer Service:	\$ -	\$ -	\$ -	\$ -
HUMAN RESOURCES						
R	1	Fireproof Small Lateral File Cabinets (1)	\$ 2,040	\$ -	\$ 2,040	\$ -
		Subtotal Human Resources:	\$ 2,040	\$ -	\$ 2,040	\$ -
INFORMATION TECHNOLOGY						
	2	Upgrade Windows 2000 servers to 2003 OS	\$ 10,000	\$ -	\$ 10,000	\$ -
	3	Replace Tektronix Workstations w/Neoware (60)	\$ 33,000	\$ -	\$ 33,000	\$ -
	4	Eudora Upgrade	\$ 3,200	\$ -	\$ 3,200	\$ -
	5	Sonicwall Firewall	\$ 2,500	\$ -	\$ 2,500	\$ -
		Subtotal IT:	\$ 48,700	\$ -	\$ 48,700	\$ -
COUNSEL						
		None.	\$ -	\$ -	\$ -	\$ -
		Subtotal Counsel:	\$ -	\$ -	\$ -	\$ -
FACILITIES MAINTENANCE						
R	3	Slurry Coat Parking Lots (Soquel P&R, Greyhound)	\$ 10,000	\$ -	\$ 10,000	\$ -
R	5	Replace Sunshade (Pacific Station)	\$ 2,500	\$ -	\$ 2,500	\$ -
R	8	Repair Sidewalks and Bus Lanes (Pacific Station)	\$ 10,000	\$ -	\$ 10,000	\$ -
R	9	Replace Clocks (Pacific Station)	\$ 4,000	\$ -	\$ 4,000	\$ -
		Subtotal Facilities Maint- General:	\$ 26,500	\$ -	\$ 26,500	\$ -
PARATRANSIT						
		See Operations.	\$ -	\$ -	\$ -	\$ -
		Subtotal Paratransit:	\$ -	\$ -	\$ -	\$ -
OPERATIONS						
		None.	\$ -	\$ -	\$ -	\$ -
		Subtotal Operations:	\$ -	\$ -	\$ -	\$ -
FLEET MAINT						
R	1	Staff Car #8015, Pacific Station	\$ 25,000	\$ -	\$ 25,000	\$ -
R	2	Pick-up #903, Facilities	\$ 25,000	\$ -	\$ 25,000	\$ -
R	3	Service Body #8029, Facilities	\$ 29,000	\$ -	\$ 29,000	\$ -
R	2	Replace #8025 Pick-up, Facilities	\$ 29,000	\$ -	\$ 29,000	\$ -
N	5	Diagnostic Scanner	\$ 3,000	\$ -	\$ 3,000	\$ -
		Subtotal Fleet Maint.:	\$ 111,000	\$ -	\$ 111,000	\$ -
		GRAND TOTAL:	\$ 199,700	\$ -	\$ 199,700	\$ -

BUS OPERATOR OVERTIME

Overtime usage in Department 3300 (Bus Operators)

Numbers provided are 1st payroll in 2003 through February 25, 2004.

- Total Bus Operators Budgeted for FY 03-04 – 169
- Total Bus Operators on Seniority List for FY 03-04 – 167 (prior to new class of nine (9) bus operators hired in January 2004. Training completed as of March 15, 2004.)
- Total Active Bus Operators for FY 03-04 – 164 (three (3) employees on seniority list that are no longer employed by the Transit District – contractual requirement)
- Total Authorized bus operator positions - 169
- Bus Operators on payroll – 164
- Bus operators on long-term illness – 8
- Active Bus Operators – 156 (includes bus operators on short-term workers compensation)

Weekday scheduled shifts – 110

Weekend scheduled shifts – 56

Bus Operator paid time / non-paid time (not driving bus) from 1st payroll period in July 2003 through February 25, 2004.

- Paid vacation hours – 23,636.80
- Paid sick leave usage – 10,970.65
- Non-paid sick leave usage – 1,855.39
- UTU Bill back hours - 1,085.17
- VTT (Verification of Transit Training) as required by State of California hours paid – 966.51
- Bereavement hours paid – 672.00
- District paid meetings – 358.97
- Jury Duty hours paid – 352.36
- Drug testing hours paid – 192.46

Total hours of paid time (non-paid time) not driving bus 40,090.31

Number of Pay periods – 18

Paid time (non-paid) time per pay period not driving bus– 2,227.24 hours

Hours per pay period (80) divided into paid (non paid) time not driving bus = 27.84 positions

Overtime for FY 03-04 is running ahead of budget projections due to a delaying hiring (due to budget constraints) and an increase in bus operator absences.

RESERVE BALANCES AT JUNE 30, 2003

Cash Flow Reserve	\$	2,600,000
Workers' Compensation Reserve	\$	1,320,000
Insurance Reserve	\$	770,000
Alternative Fuel Conversion Reserve	\$	462,000
Bus Stop Improvement Reserve	\$	400,000
Capital Funding Reserve	\$	10,135,117

IMPACT OF 2003 FARE INCREASE

As a part of the analysis for the various options for a fare increase in 2003, staff estimated an increase in fare revenue in FY 03-04 of \$885,955 to \$974,188, based on a 10 to 12% drop in ridership. The lower the drop in ridership, the higher the fare revenue.

For the first seven months of FY 03-04, fare revenue has increased by \$499,365, as follows:

	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>INCREASE</u>
Farebox and tickets	\$1,780,266	\$2,238,574	\$458,308
Paratransit fares	109,864	145,856	35,992
Employer pass programs	34,821	39,886	5,065
Total	<u>\$1,924,951</u>	<u>\$2,424,316</u>	<u>\$499,365</u>

USCS and Cabrillo contract revenue is not included above because Cabrillo contract revenue has not varied from one year ago, and UCSC contract revenue is up only because a new contract was negotiated. The previous contract with UCSC would not have resulted in any fare increase for one year for UCSC pass holders.

If the revenue trends for the first seven months continue at the same rate for the balance of the fiscal year, the total revenue increase will approximate \$856,000, indicating that ridership has dropped a little over 12%.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

AMENDED

STAFF REPORT

DATE: April 23, 2004

TO: Board of Directors

FROM: Margaret Gallagher, District Counsel

SUBJECT: CONSIDERATION OF MODIFICATIONS TO THE METRO BOARD'S BYLAWS INCLUDING HOW THE SANTA CRUZ METRO REPRESENTATIVES AND ALTERNATES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION (SCCRTC) ARE SELECTED, HOW DIRECTORS ARE APPOINTED TO THE SANTA CRUZ METRO BOARD, INCLUDING WHETHER UC SANTA CRUZ CAN APPOINT A DIRECTOR WHO HAS VOTING RIGHTS, AND ADDING RULES OF PROCEDURE FOR BOARD MEETINGS AND OTHER CHANGES

I. RECOMMENDED ACTION

Determine how Santa Cruz METRO's representatives and alternates to the SCCRTC are nominated, discuss the appointment process for METRO Directors, including whether UC Santa Cruz can appoint a director with voting rights, and approve the attached Resolution of the Santa Cruz METRO's Bylaws with proposed modifications

II. SUMMARY OF ISSUES

- Generally, on an annual basis, the Board of Directors of Santa Cruz METRO reviews its Bylaws to determine if modifications are warranted.
- Santa Cruz METRO's enabling statute provides that the Board of Directors shall make its own rules of procedure and determine the place and time of its meetings (Public Utilities Code § 98105).
- In March 2004, the Board of Directors reviewed the Bylaws and suggested various modifications to its Bylaws.
- At the April 9, 2004 meeting, the Board of Directors discussed what process should be used to nominate Santa Cruz METRO's representatives and alternates to the SCCRTC. Attached to this Staff Report are three different methods the Board could use to make these selections.

III. DISCUSSION

Generally, on an annual basis, the Board of Directors of Santa Cruz METRO reviews its Bylaws to determine if modifications are warranted. Santa Cruz METRO's enabling

statute provides that the Board of Directors shall make its own rules of procedure and determine the place and time of its meetings (Public Utilities Code § 98105). Additionally, Public Utilities Code § 98132 provides that the Board shall establish rules for its proceedings.

During the March 26, 2004 and April 9, 2004, Board of Directors' regular meetings, the Board of Directors reviewed the Bylaws and individual Board Members suggested that certain modifications be made including the following:

1. Divide § 3.01 into sub-parts for easier reading;
2. Modify § 14.01 with regard to the terms "advise" and "provides advice" and coordinate the language describing the purpose of the METRO Advisory Committee in the Board's Bylaws and the MAC Bylaws;
3. Modify § 14.02 to establish how nominations to the SCCRTC are made.

These modifications as well as changes to the special meeting and emergency meeting sections have been incorporated into the attached Bylaws and are set forth in bold and strikeouts as appropriate. Additionally, Director Spence suggested that a copy of the Bylaws be included into each Director's Board packet for the meetings. Language providing this directive is included in § 7.04. Additionally, Director Spence stated that the Bylaws should be formatted so replacement pages can be inserted easily. The proposed amended Bylaws can be found as Attachment A.

At the March 26, 2004 Board meeting, Director Rotkin informed the Board of Directors that sometime during the 1980s, the Board of Directors adopted specific Rules of Procedure. Director Rotkin provided these rules and they are incorporated as Attachment B.

At the April 9, 2004 meeting, the Board of Directors discussed the method of selection for METRO's representatives to the SCCRTC. METRO staff was asked to prepare various alternative methods to make selections, which are attached to this staff report as Attachment C. The methods allow for nominations of slates for the representatives and the alternates to initially be made by the Chair, a Chair appointed committee or individual directors at a Board meeting. Thereafter, if a slate does not receive six affirmative votes, individual Directors can nominate a slate as long as the slate receives a second.

At the April 9, 2004 Board meeting, ex-officio Director Wes Scott asked whether the METRO enabling statute would allow the appointment of the UCSC representative to the Board of Directors to have voting rights. In 1990, the Board of Directors wished to encourage active participation of the UCSC community in the transit development of METRO and, therefore, it authorized a UCSC appointed representative to serve one-year terms on the Board of Directors as an ex-officio Director. Wes Scott, UCSC's Director of Transportation and Parking Services, is currently UCSC's representative to the METRO Board.

Santa Cruz METRO's enabling statute can be found at Public Utilities Code §§98000, et seq. Public Utilities Code §§ 98100 limits the appointing authorities to the following entities:

1. Board of Supervisors of the County of Santa Cruz;
2. City Council of Scotts Valley;
3. City Council of Santa Cruz;
4. City Council of Capitola; and
5. City Council of Watsonville.

Each of the appointing authorities has a minimum of one Director appointment. Thereafter, the number of appointments from each entity is based on the population of the area governed by the appointing authority. The stated purpose of this requirement is to insure adequate representation to all of the areas in the County of Santa Cruz served by the METRO.

New legislation would have to be enacted authorizing a Director appointment from UCSC to represent the campus, in order for the UC Santa Cruz to have the ability to appoint a director with voting rights.

IV. FINANCIAL CONSIDERATIONS

None

V. ATTACHMENTS

- Attachment A:** Santa Cruz METRO's Bylaws with proposed amendments
- Attachment B:** Previously adopted SCMTD Rules of Procedure (Director Rotkin)
- Attachment C:** Various Alternative Methods for selection of METRO's SCCRTC representatives

RESOLUTION NO. 69-2-1
Amended 1-21-83, 6-16-89, 8-21-92,
4-15-94, 4-21-95, 4-27-97, 9-18-98,
4-16-99, 11-19-99, 6-16-00, 6-08-01,
6-15-01, 9-21-01, 02-15-02, 06-21-02,
09-27-02, 10-10-03, 12-19-03, 04-23-04
On the Motion of Director:
Duly Seconded by Director:
Is Hereby Amended:

**A RESOLUTION OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT BOARD OF DIRECTORS
ESTABLISHING RULES, REGULATIONS, AND PROCEDURES FOR,
AND THE TIME AND PLACE OF MEETINGS OF THE BOARD; AND
CREATION OF OTHER OFFICES**

I. REGULAR MEETINGS

1.01 Regular Meetings; Time

- (a) Regular meetings of the Board of Directors shall be held on the second Friday of each month from 9:00 a.m. to not later than 11:00 a.m. and on the fourth Friday of each month from 9:00 a.m. to not later than noon. The Board of Directors may extend the meeting times as necessary through Board action. Notwithstanding the foregoing, if a regular meeting falls within 5 working days of a recognized District holiday, i.e., Thanksgiving, Christmas or New Year's Day, the Board of Directors shall reschedule the meeting to a more convenient date. The regular meeting schedule shall be published for the upcoming year and approved by the Board of Directors during October of each year.
- (b) The regular meeting on the second Friday of the month shall primarily be in a workshop format to review matters that may be agendized for the Regular Board Meeting scheduled for the fourth Friday of the month. However, the Board of Directors may take action at either regular Board meeting pursuant to the agenda prepared in accordance with California law and these Bylaws.

1.02 Regular Meetings; Place

- (a) The Regular meeting of the Board of Directors on the second Friday of the month shall be convened in the Encinal Conference Room at Santa

Cruz Metropolitan Transit District, 370 Encinal Street, Suite 100, Santa Cruz, CA 95060. The Regular meetings of the Board of Directors on the fourth Friday of the month shall be convened in the Santa Cruz City Council Chambers, City Hall, 809 Center Street, Santa Cruz, California, except that in the following months the meetings will be held at the specified locations: May: Capitola City Council Chambers located at 420 Capitola Avenue, Capitola, California; November: Watsonville City Council Chambers located at 250 Union Street, Watsonville, California.

- (b) If, by reason of fire, flood, earthquake or other emergency, it shall be unsafe to meet in the place designated above, the meeting shall be held for the duration of the emergency or unsafe condition at the place designated by the Chair of the Board of Directors in a notice to the local media that have requested notice in writing, by the most rapid means of communication available at the time. A notification advising the public of the changed meeting location during the emergency or unsafe condition shall be posted on the door of the regular meeting room by the Secretary/General Manager, unless circumstances prevent her/him from doing so.
- (c) The Board of Directors shall not conduct any meeting in any facility that prohibits the admittance of any person, or persons, on the basis of race, religious creed, color, national origin, ancestry, sex, age, marital status, sexual orientation, veteran status, or which is inaccessible to disabled persons, or where members of the public may not be present without making a payment or purchase.

1.03 Regular Meetings; Open to the Public

- (a) Meetings of the Board of Directors shall be open and public and all persons shall be permitted to attend except as otherwise allowed by law or when a closed session is authorized pursuant to applicable state law and properly noticed in accordance therewith.
- (b) A Spanish-bilingual interpreter shall be present and available for translations at the Regular Board Meeting held on the fourth Friday of the month.

1.04 Closed Sessions: State Reasons and Legal Authority; Scope of Coverage; Notice; Reporting Out

- (a) Prior to holding any closed session, the Board of Directors shall disclose, in an open meeting, the item or items to be discussed in the closed session. The disclosures may take the form of a reference to the item or items as they are listed by number or letter on the agenda. In the closed session, the Board of Directors may consider only those matters covered in its statement. Nothing in this section shall require or authorize a disclosure of information prohibited by state or federal law.
- (b) After any closed session, the Board of Directors shall convene into open session prior to adjournment and shall make any disclosures required by state law of action taken in the closed session.

II. AGENDA

2.01 Agenda; Notification and Posting

- (a) In order to facilitate the orderly conduct of the business of the Board of Directors, all reports, communications, resolutions, or other matters to be submitted to the Board of Directors shall be submitted to the Secretary/General Manager not later than 12:00 noon on the Friday two weeks prior to the date of the regular Board of Director's meeting scheduled for the second Friday of the month.
- (b) The Chair, in consultation with the Secretary/General Manager, shall arrange the agenda and shall furnish a copy of it to each member of the Board, to the District Counsel, to the County Administrative Officer, and to the City Manager of Santa Cruz, Capitola, Watsonville and Scotts Valley not later than the Tuesday in the week of a Regular Board meeting; the agenda shall be posted on the Official Bulletin Board for the public at the Administrative Office of the Santa Cruz Metropolitan Transit District at least 72 hours preceding each regular Board meeting.
- (c) The agenda shall contain a brief description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session. The agenda shall specify the time and location of the regular meeting and shall be posted in a location that is freely accessible to members of the public.

2.02 Agenda; Public Input

Every agenda for regular open meetings shall provide an opportunity for members of the public to directly address the Board of Directors on items of interest to the public, before or during the Board's consideration of the item, that is within the subject matter jurisdiction of Santa Cruz Metropolitan Transit District, provided that no action shall be taken on any item not appearing on the agenda unless the Board complies with Section 2.03 below.

2.03 Agenda; Action Taken Not on Agenda

- (a) No action or discussion shall be taken on any item not appearing on the posted agenda except that members of the Board of Directors present at the meeting or District staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights. In addition, on their own initiative, or in response to questions posed by the public, Directors or District staff may ask a question for clarification, make a brief announcement, or make a brief report on his or her own activities. Furthermore, a Director or the Board itself may, subject to the District's rules and regulations, provide a reference to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any matter, or, take action to direct staff to place a matter of business on a future agenda.
- (b) Notwithstanding subdivision (a) above, the Board of Directors may take action on items of business not appearing on the posted agenda under any of the conditions stated below. Prior to discussing any item pursuant to this section, the Chair of the Board of Directors shall publicly identify the item.
 - (i) Upon a determination by a majority vote of the Board of Directors that an emergency situation exists, as defined in Section 4.01(b) herein;
 - (ii) Upon a determination by a two-thirds vote of the Directors present at the meeting, or, if less than two-thirds of the members present at the meeting, a unanimous vote of those member present, that there is a need to take immediate action and that the need for action came to the attention of the District subsequent to the agenda being posted; or

- (iii) The item was posted pursuant to a prior meeting of the Board of Directors occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

2.04 Agenda; Other Distributed Writings

- (a) Agendas and any other writings when distributed to all or a majority of all, the members of the Board of Directors by any person in connection with a matter subject to discussion or consideration at a public meeting are public records and shall be made available without delay unless the writing is exempt from disclosure pursuant to the Public Records Act.
- (b) Writings which are public records as set forth above and which are distributed during a public meeting shall be made available for public inspection at the meeting if prepared by the District or a Director or after the meeting if prepared by some other person.

III. SPECIAL MEETINGS

3.01 Special Meetings; Notice and Purpose

- (a) A special meeting may be called at any time by the Chair or by a majority of the members of the Board of Directors, by delivering personally or by any other means, at least 24 hours in advance, written notice to each member of the Board of Directors, and to each local newspaper of general circulation, radio or television station requesting notice in writing. The call and written notice shall specify the time and place of the special meeting and the business to be transacted **and discussed**.
- (b) No other business shall be considered at the special meeting. The call and notice shall be posted at least 24 hours prior to the special meeting in a location that is freely accessible to members of the public.
- (c) Every notice for a special meeting at which action is proposed to be taken on an item shall provide an opportunity for members of the public to directly address the Board of Directors concerning that item prior to action on that item.
- (d) The written notice may be dispensed with by any member of the Board

of Directors, who at or prior to the time of the meeting convenes, files with the Secretary/General Manager a written waiver of notice. The waiver may be given by telegram. Written notice may also be dispensed with as to any member who is actually present at the meeting at the time it convenes. Notice shall be required pursuant to this section regardless of whether any action is taken at the special meeting.

IV. EMERGENCY MEETINGS

4.01 Emergency Meetings; Notice and Purpose

- (a) In the case of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency open meeting without complying with either the 24-hour notice requirement or the 24-hour posting requirement of Section 3.01 herein.
- (b) For purposes of this section, "emergency situation" means any of the following:
 - (i) **An Emergency means a ~~W~~work stoppage, crippling disaster** or other activity which severely impairs public health, safety, or both, as determined by a majority of the members of the Board of Directors.
 - (ii) **A dire emergency means a ~~C~~rippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board of Directors to provide one-hour notice before holding an emergency meeting may endanger** ~~which severely impairs~~ the public health, safety, or both, as determined by a majority of the members of the Board of Directors.
- (c) Although no notice to the public is required, each local newspaper of general circulation and radio or television station which has requested notice of special meetings shall be notified by the presiding Chair of the Board of Directors, or designee thereof, one hour prior to the emergency meeting by telephone **or in the case of a dire emergency, at or near the time that the Chair or designee notifies the directors of the emergency meeting.** ~~and~~ ~~a~~All telephone numbers provided in the most recent request of such newspaper or station for notification of special meetings

shall be exhausted. In the event that telephone services are not functioning, the notice requirements of this section shall be deemed waived, and the Chairperson of the Board of Directors, or designee thereof, shall notify those newspapers, radio stations, or television stations of the fact of the holding of the emergency meeting, the purpose of the meeting and any action taken at the meeting as soon after the meeting as possible.

4.02 Emergency Meetings; Open to the Public

Emergency meetings are always open meetings regardless of the subject matter **except that if agreed to by a two-third vote of the Directors present or if less than two-thirds of the Directors are present, by a unanimous vote of those present, the Board of Directors may hold a closed session with the Attorney General, District Attorney, District Counsel or Chief of Police or their respective deputies, or a security consultant or a security operation manager on matters posing a threat to the security of public buildings, a threat to the security of essential public services, or a threat to the public's right of access to public service or public facilities.**

4.03 Emergency Meetings; Requirements

All special meetings requirements, as prescribed in Section 3.01 herein, shall be applicable to a meeting called pursuant to this section, with the exception of the 24-hour notice requirement.

4.04 Emergency Meetings; Minutes

The minutes of a meeting called pursuant to this section, a list of persons who the presiding chair of the Board of Directors, or its designee notified or attempted to notify, a copy of the roll call vote and any actions taken at the meeting shall be posted for a minimum of 10 days in a public place as soon after the meeting as possible.

V. DIRECTORS

5.01 The Board of Directors

The District shall be governed by a Board of Directors of eleven members because such membership is necessary to insure adequate representation to all of the areas in the County of Santa Cruz.

5.02 Appointment

The membership of the Board of Directors shall be composed of one member appointed by each City Council of Santa Cruz, Capitola, Scotts Valley, Watsonville and any other incorporated area of the District to represent the incorporated area and one member appointed by the Board of Supervisors of the County of Santa Cruz to represent the unincorporated area. Other appointments shall be made in accordance with the proportionate population within the District. The apportionment shall be based upon the population distribution within the District and the Board shall reapportion its membership whenever any part of the District is excluded or new territory is added or unincorporated territory within the District incorporates and as a result of the exclusion, annexation, or incorporation, representation on the Board no longer reflects the population distribution within the District. The Board shall also reapportion whenever the County Clerk advises the Board that the latest official census indicates a need for reapportionment.

5.03 Term of Office

- (a) The term of office for each Director shall be four years.
- (b) If the appointee of any legislative body is one of its own members the appointee may serve only as long as the appointee is a member of the legislative body.
- (c) An appointment to fill a vacancy on the Board or an appointment made after the expiration of the preceding term shall be for the unexpired portion of the term.
- (d) The failure of a Board member to attend three consecutive meetings of the Board without good cause shall create a vacancy in the office of the Board member.

5.04 Directors' Code of Ethics

A Directors' Code of Ethics is attached as Exhibit A to these Bylaws and shall serve as a guideline for the Directors in the work that they perform on behalf of the District.

5.05 Director Compensation

Each Director shall receive \$50 for attendance at a meeting of the Board of Directors, attendance as a committee member at a committee meeting of the Board of Directors, attendance as a Board member at an Advisory Committee, attendance at an American Public Transit Association meeting, attendance at a California Transit Association meeting or when performing District business in lieu of attendance at any of the above-stated meetings, up to a maximum of \$100 per month.

5.06 District Travel And Personal Expenditures

A District Director shall obtain Board authorization to perform or participate in District business prior to actual attendance if such involves the expenditure of District funds. A Director shall receive reimbursement for meals, transportation and other expenses incurred on behalf of the District in accordance with the District's expense list which is attached hereto as Exhibit B. Invoices shall be submitted to the Chair of the Board of Directors for approval. After approval is obtained from the Chair the reimbursement request shall be forwarded to the Finance Department for reimbursement. Reimbursement shall not be necessary when a District staff member pays directly for a Director's expenses. Advances based on internal revenue service rates will be made upon a director's request, however, receipts of expenditures must be provided to the Chair of the Board of Directors for approval. All advanced funds shall be returned to the Administrative Services Coordinator if the trip is cancelled or the funds are not used. A complete report of all expenses incurred by the Director while engaging in District business shall be submitted by the Director to the Board of Directors for review. Such report may be prepared by District staff upon request. District Directors shall not include any expenditure for spouses, friends, or others as a District expense. The District's Administrative Services Coordinator shall schedule all conferences, hotel accommodations and transportation for a Director.

VI. PRESIDING OFFICERS

6.01 Election

- (a) The Directors shall in December nominate members of the Board of Directors to serve as Chair and as Vice-Chair of the Board of Directors. The Board of Directors shall, at their first regular meeting in January of each year, choose one of its members to serve as Chair and one of its

members to serve as Vice-Chair to serve for the balance of the calendar year or until the selection of their successors.

- (b) Should the office of Chair or Vice-Chair become vacant during the calendar year, the Board of Directors shall choose a successor to fill the vacancy for the balance of that calendar year, or until the selection of a successor.
- (b) In the event of a vacancy of both the Chair and Vice-Chair positions, the Directors shall meet in order to nominate members of the Board of Directors for the vacant positions.

6.02 Chair to Preside

The Chair shall preside at all meetings of the Board of Directors. The Chair shall have authority to preserve order at all meetings and to remove or cause the removal of any person from any meeting of the Board of Directors for disorderly conduct, to enforce the rules of the Board of Directors and to determine the order of business under the rules of the Board of Directors.

6.03 Absence of Chair

If the Chair is absent or unable to act, the Vice-Chair shall serve until the Chair returns or is able to act. The Vice-Chair has all of the powers and duties of the Chair while acting as Chair. In the absence of both the Chair and the Vice-Chair, the Directors shall nominate and elect a director to serve as chair pro tempore during such absences.

VII. CONDUCT OF MEETING

7.01 Call to Order

The Chair shall at the hour appointed for the meeting, immediately call the Board of Directors to order when a quorum is present. The Chair shall preserve strict decorum at all meetings. She/he shall state every question coming before the Board of Directors, call for the vote, announce the decisions of the Board of Directors, and decide all questions of order, subject, however, to an appeal to the Board of Directors, in which a majority vote of the Board of Directors shall govern and conclusively determine such question of order.

7.02 Rights of Chair

The Chair, or such other member of the Board as may be presiding, may second and debate, subject only to such limitation of debates as are by these rules imposed on all members; the Chair shall not be deprived of any of the rights and privileges of a Director by reason of holding the position of Chair.

7.03 Rules of Debate

- (a) Every Director desiring to speak shall address the Chair, and upon recognition by the presiding officer, shall be confined to the question under debate, avoiding all references to personalities and indecorous language.
- (b) A Director, once recognized, shall not be interrupted when speaking unless it is to call her/him to order. If a Director, while speaking, is called to order, she/he shall cease speaking until a question of order is determined and, if in order, she/he shall be permitted to proceed.
- (c) A Director may request, through the presiding officer, the privilege of having an abstract of her/his statement on any subject under consideration by the Board of Directors entered into the minutes. If the Board of Directors consents thereto, such statement shall be entered; provided, however, that any Director, without the Board's consent, shall have the right to have the reasons for her/his dissent from, or protest against, any action of the Board of Directors entered into the minutes.
- (d) The Secretary/General Manager may be directed by the Chair, with the consent of the Board, to enter in the minutes a synopsis of the discussion of any question coming properly before the Board of Directors.

7.04 Rules of Procedure

Rules of Procedure, which are attached hereto as Exhibit C and incorporated herein by reference shall be followed by the Board of Directors. A complete copy of the Bylaws shall be included in each Director's Board packet and made available for members of the public at Board of Directors' meetings.

7.05 Disruption of Meeting; Clearing Room

In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the Board of Directors conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. In order to readmit individuals who were not disruptive, the following procedure shall be used:

- (a) When a meeting is disrupted to the point that it cannot be continued, the Chair shall order those persons causing the disruption to leave the meeting.
- (b) If those causing the disruption fail or refuse to leave the meeting, the Chair shall recess the meeting, order the meeting room cleared and summon law enforcement.
- (c) Upon the arrival of law enforcement, the Chair shall reconvene the meeting.
- (d) District Staff shall be directed to readmit those members of the public who did not engage in the disorderly conduct on an individual and intermittent basis.
- (e) If the meeting is again disrupted, the Chair shall cause the meeting room to be cleared and the meeting will continue with only the press in attendance if they have not engaged in any disruption.

VIII. QUORUM

8.01 Transaction of Business; Quorum

A six member majority of the regular members of the Board of Directors shall constitute a quorum for the transaction of business.

IX. ADJOURNMENT/CONTINUANCES

9.01 Adjournment of Meeting

- (a) The Board of Directors may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment.
- (b) Less than a quorum may adjourn any meeting.
- (c) In the absence of all Directors from any meeting, the Secretary/General Manager may declare the meeting adjourned to a stated day and hour. If she/he does, she/he shall then cause written notice of the adjournment to be given in the same manner as provided for Special Meetings set forth herein.
- (d) A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regularly adjourned regular, special, or adjourned special meeting was held within 24 hours after the time of adjournment.
- (e) When a regular or adjourned regular meeting is adjourned as provided herein, the resulting adjourned meeting is a regular meeting for all purposes.
- (f) When an order of adjournment of any meeting fails to state the hour that the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings of the Board of Directors.
- (g) Any hearing being held, or noticed or ordered to be held, by the Board of Directors at any meeting may by order or notice of continuance be continued or recontinued to any subsequent meeting of the Board of Directors in the same manner and to the same extent set forth above for the adjournment of meetings; provided that, if the hearing is continued to a time less than 24 hours after the time specified in the order or notice of hearing, a copy of the order or notice of continuance of hearing shall be posted immediately following the meeting at which the order or declaration of continuance was adopted or made.

X. MINUTES

10.01 Minute Book Record of Open Sessions

- (a) The Secretary/General Manager, or her/his designee, shall attend all open meetings of the Board of Directors and record and maintain a full and true record of all of the proceedings of the Board of Directors in books that shall bear appropriate titles and be devoted to such purpose. Such books shall have a general index sufficiently comprehensive to enable a person readily to ascertain matters contained therein.
- (b) Unless reading of the minutes of a Board of Directors meeting is requested by the Board of Directors by a majority vote, such minutes may be approved without reading if the Secretary/General Manager has previously furnished each member with a synopsis thereof.

10.02 Minute Book Record of Closed Sessions

The Secretary/General Manager shall attend each closed session of the Board of Directors unless otherwise directed by the Board of Directors and shall keep and enter in a minute book a record of topics discussed and decisions made at the meeting. The closed session minute book is not a public record and shall be kept confidential. This minute book shall be available only to members of the Board of Directors of Santa Cruz Metropolitan Transit District or, if a violation of the Ralph M. Brown Act is alleged to have occurred at a closed session, to a court of general jurisdiction.

10.03 Protests and Dissents by Directors Entered in Minutes

Any Director shall have the right to have the reasons for the Director's dissent from, or protest against any action of the Board entered in the minutes.

XI. PUBLIC'S ROLE IN MEETINGS/PUBLIC HEARINGS

11.01 Public Addressing the Board

Each person addressing the Board may but is not required to give his/her name and shall speak in an audible tone of voice for the record, and unless further time is granted by the Board, shall limit his/her address to five minutes; if more than five people wish to address the Board of Directors on any one issues, each individual shall be limited to three minutes. All remarks shall be addressed to

the Board of Directors as a body and not to any member thereof. No person, other than the Chair and the person having the floor, shall be permitted to enter into any discussion, either directly or through a member of the Board, without permission of the Chair. No question shall be asked of a Board member except through the Chair. Additionally, any person may submit written materials to the Board of Directors for its consideration.

11.02 Public Hearings

- a) Requests for public hearings shall be in writing and shall be submitted to the Administrative Services Coordinator no later than five (5) days before the last day permitted for announcing the public hearing. All public hearings shall be noticed in local newspaper(s) of general circulation by the Administrative Services Coordinator at the direction of the Secretary/General Manager.
- b) The department manager requesting the public hearing shall investigate all applicable requirements for posting of public hearing notices and shall communicate such requests to the Administrative Services Coordinator to ensure that all public hearings are noticed sufficiently in advance of the date of consideration by the Board of Directors.
- c) A public hearing will be held before the Board of Directors when required by federal, state, or local laws or regulations or when it is asked to take action on any of the following projects:
 - (i) A change in 25% or more to the service mileage of any route.
 - (ii) A change in District fares.
 - (iii) Adoption of a Resolution authorizing application for federal funds, state or local funds when required by the funding source.
 - (iv) Adoption of any action taken relating to the adoption of any plan, environmental document, property acquisition, resolution, condemnation resolution or other action relating to a project or property where such public hearing is required by state, federal or local law.
 - (v) Adoption of the Annual Budget.
 - (vi) Adoption of the Short Range Transit Plan.
 - (vii) Adoption of an Ordinance.

XII. RESOLUTIONS, ORDINANCES AND MOTIONS

12.01 Acts of Board

The acts of the Board of Directors shall be expressed by Motion, Resolution or Ordinance. No Ordinance, Resolution or Motion shall have any validity or effect unless passed by the affirmative votes of six directors. The Board of Directors shall not take action by secret ballot, whether preliminary or final in an open or closed session.

12.02 Resolution

No resolution shall be adopted by the Board unless it is presented before the Board in writing or read aloud. Where copies of the resolution have been presented to each Director, the reading of the resolution is automatically waived unless a Director specifically requests that it be read. Resolutions must be adopted by a roll call vote; however, routine resolutions may be placed on the consent agenda. In the event that a Director wishes to dissent or abstain, the resolution will be removed from the consent agenda and be placed on the Regular Agenda. Resolutions may also be passed by unanimous voice vote.

12.03 Ordinance

- (a) No ordinance shall be passed until a public hearing has been held on it, which hearing shall be advertised in a newspaper of general circulation or posted in at least three public places at least 15 days prior to the hearing. No ordinance shall be adopted by the Board of Directors on the day of introduction. Ordinances must be adopted by a roll call vote.
- (b) All ordinances shall be printed after passage, and maintained in the District Administrative Offices.
- (c) The enacting clause of all ordinances shall be as follows:

"Be it enacted by the Board of Directors of the Santa Cruz Metropolitan Transit District:..."
- (d) All ordinances shall be signed by the Chair of the Board or Vice-Chair and attested by the Secretary/General Manager.

XIII. METHOD OF VOTING

13.01 Voice Vote

Unless a roll call vote is specifically requested by a Director, all matters, except the voting on Resolutions and Ordinances, shall be decided by voice vote. All actions of the Board of Directors shall be approved by affirmative vote of a minimum of six voting members of the Board of Directors unless otherwise specifically required.

13.02 Silence Recorded as Affirmative Vote

A member's silence shall be recorded as an affirmative vote.

13.03 Duty to Vote

Each Director has a duty to vote when present at a meeting on matters coming before the Board of Directors or a Board Committee unless he/she has notified the Board of Directors of a legal conflict of interest in accordance with California state law and has made a full public disclosure regarding such conflict of interest. If a conflict of interest is disclosed, the Director shall abstain from voting, unless otherwise required by law to vote.

13.04 Unanimous Voice Votes in Lieu of Roll Call for Resolutions

A Director can move the passage of a Resolution by a unanimous voice vote in lieu of a roll call. If a dissent is registered then a roll call vote shall be taken.

XIV. COMMITTEES AND APPOINTMENTS

14.01 Creation of Committees

The Board of Directors may establish committees for a stated purpose. All committees and their members shall comply with the Ralph M. Brown Open Meeting Act and these Rules and Regulations. The Secretary/General Manager shall provide adequate staffing to assist the committees in doing their work. Directors who are not committee members may attend committee meetings as long as they attend only as observers when a majority of the Board of Directors is in attendance at the committee meeting. The committees shall include the following:

- (a) Working committees or subcommittees of the Board of Directors analyze,

review, and make recommendations to the Board of Directors on items to be presented to the full Board. The Chair of the Board shall appoint members of the Board to such committees or subcommittees and shall also appoint a Board member to chair the committees or subcommittees. If a vacancy occurs, the Board Chair shall appoint a Director to fill the vacancy.

- (b) Minutes shall be taken at each committee and shall be prepared and distributed to the Directors at least two days prior to the regular Board meeting.
- (c) The Board of Directors may from time to time create advisory committees who shall be charged with giving advice to the Board of Directors regarding an issue relevant to the Transit District's business. Appointments to advisory committees may be made by the Chair, or the Board of Directors. Directors, employees or members of the public may sit on an advisory committee. The following are permanent advisory committees of the Board of Directors:

- (i) Metro Advisory Committee (MAC)

- (a) The Metro Advisory Committee (MAC) is the official advisory committee of the Santa Cruz Metropolitan Transit District: Its purpose is to ~~provide advise to~~ the Board of Directors on matters of METRO policy and operations referred to the committee by the Board or the Secretary/General Manager and to perform such additional duties as assigned. **The committee may also address issues which committee members or the public raise with respect to the quantity and quality of services provided by METRO.**

- (b) MAC shall be composed of 11 members appointed by the Board of Directors. Each director shall nominate one individual to serve as members of the MAC.

- (c) The Board of Directors shall approve bylaws to be followed by MAC.

- (ii) Metro Accessible Services Transit Forum (MASTF)

- (a) The Metro Accessible Services Transit Forum (MASTF) is an independent volunteer organization that **provides advice** ~~advises to~~

the Santa Cruz Metropolitan Transit District Board of Directors and District management and staff regarding the best methods and resources for providing accessible transportation services to the public. MASTF reviews Metro programs for compliance with §504 of the Vocational Rehabilitation Act of 1973, Americans with Disabilities Act of 1990 and all other appropriate local, state and federal laws and regulations.

- (b) The District shall regularly send one staff member to the MASTF meetings and this person shall share information from the District and gather concerns from MASTF. The District shall help in the preparation and distribution of meeting notices and agendas. Information on MASTF will remain in the Headways publication.

14.02 Appointment to Santa Cruz County Regional Transportation Commission

- a) The Board of Directors shall annually in January appoint three of its members to represent the Transit District on the Santa Cruz County Regional Transportation Commission (SCCRTC) for a one-year term commencing in February. ~~These Directors shall be nominated by the Board Chair.~~ Three alternates to this commission ~~designated~~ **nominated** in priority order shall also be selected by the Board of Directors. **The Chair of the Board shall nominate the Board representatives and alternates to SCCRTC. However, the Board of Directors has final authority on the appointments of representatives and alternates to SCCRTC.**
- b) The Board of Directors may provide its transportation Commission representatives with guidance on issues coming before the Commission to assist the director/commissioner in serving the best interests of the Transit District.

XV. OFFICIAL BULLETIN BOARD

15.01 Posting of Notices

For purposes of posting official notices of the Board of Directors, notices of public hearings, and any other official papers of the Santa Cruz Metropolitan Transit District where posting is required by the law, the Official Bulletin Board of the Santa Cruz Metropolitan Transit District shall be the bulletin board at the entrance of the District Administrative Office. Should the Board of Directors hold a public hearing at any location other than its regular place of meeting,

then, in addition to the posting of the notice on the Official Bulletin Board above listed, posting shall also be made upon or near the door of the place of meeting.

- 15.02 All advisory committees created by the Board of Directors are required to post any and all official notices including those notices required by law at the official bulletin board so designated for that purpose at the Santa Cruz Metro Center, 920 Pacific Avenue, Santa Cruz, CA 95060.

XVI. OTHER OFFICES

16.01 General Manager; Powers and Duties

In addition to the powers, duties and obligations of the General Manager, as set forth above, and the applicable Public Utilities Code pertaining to the Santa Cruz Metropolitan Transit District, the powers and duties of the General Manager shall include the following:

- (a) To have charge, subject to the direction and control of the Board of Directors, of the acquisition, construction, maintenance, and operation of the facilities of the District.
- (b) To have charge, subject to the direction and control of the Board of Directors, of the administration of the business affairs of the District.
- (c) To insure that all ordinances of the District are enforced.
- (d) To administer the personnel system and collective bargaining agreements adopted by the Board of Directors and, except for officers appointed by the Board, to appoint, discipline or remove all officers and employees subject to the rules and regulations adopted by the Board, and the applicable provisions of any adopted collective bargaining agreement.
- (e) To prepare and submit or cause to be prepared and submitted to the Board of Directors within 90 days after the end of each fiscal year a complete report of the finances and the administrative activities of the District for the preceding year, and the financial status of the District on the last day thereof.
- (f) To keep the Board of Directors advised as to the needs of the District.

- (g) To formulate and present to the Board of Directors all plans and specifications for the construction of the works of the District and the means to finance them.
- (h) To have no business interest which interferes with his/her duties and responsibilities to the District.
- (i) To cause to be installed and maintained a system of auditing and accounting which shall completely and at all times show the financial condition of the District.
- (j) Attend meetings of the Board of Directors as directed by the Board, and act as Secretary to the Board.
- (k) To perform such other and additional duties as the Board may require.

16.02 General Manager; Qualifications and Experience

The General Manager shall be chosen on the basis of his/her qualifications with special reference to his/her actual experience in or knowledge of accepted practices and respect to the duties of his/her office as herein above set forth.

16.03 General Manager; Pro Tempore Appointments

The Board of Directors may appoint a General Manager pro tempore during any absence or disability of the General Manager.

16.04 General Manager; Resident Requirement

The General Manager need not be a resident of this State at the time of his/her appointment, however /he/she shall establish a California residency within 30 days of the commencement of his or her duties with the Transit District.

16.05 District Counsel; Appointment, Powers and Duties

The District Counsel shall be admitted to the practice of law in all courts of this State. The District Counsel shall have the power and be required to:

- (a) Represent and advise, if authorized and directed by the Board of Directors, the Board of Directors and all District officers, committees or departments in all matters pertaining to their office.

- (b) Represent and appear, if authorized and directed by the Board of Directors, for the District and any officer or employee, in any and all actions and proceedings in which the District or any officer or employee, in or by reason of their official capacity, is concerned or is a party; however, the Board of Directors shall have control of all legal business and proceedings and may employ other attorneys to take charge of any litigation or matter, or to assist the District Counsel therein.
- (c) Attend all meetings of the Board of Directors as directed by the Board of Directors and give legal advice or opinions in writing whenever requested to do so by the Board of Directors, or by any of the committees or officers of the District.
- (d) Review all contracts to be made by the District and provide the Board of Directors, its officers and staff with legal advice regarding same.
- (e) Prepare any and all proposed ordinances or resolutions for the District and amendments thereto.
- (f) Perform such other acts relating to the office as the Board of Directors shall require; and
- (g) On vacating the office, surrender all books, papers, files, and documents pertaining to the District's affairs.

PASSED AND ADOPTED this 23rd day of April 2004, by the following vote:

AYES: Directors -

NOES: Directors -

ABSTAIN: Directors -

ABSENT: Directors -

APPROVED _____

EMILY REILLY
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER, District Counsel

Regulation Number: 1004

Computer Title: Director's Code of Ethics

Effective Date: April 16, 1999

Pages: 4

TITLE: Santa Cruz Metropolitan Transit District Director's Code of Ethics

REVISION DATE	SUMMARY OF REVISION	APPROVED
April 16, 1999	Policy Implemented	

I. POLICY

1.01 District Directors are public servants and, as such, are expected to be impartial and responsible in fulfilling the public trust placed in them. The public expects the highest standard of ethical conduct from all those in public service. District Directors are expected to demonstrate personal integrity, honesty, and truthfulness in all their public activities in order to inspire public confidence and trust in the District.

II. APPLICABILITY

2.01 This policy is applicable to all District Directors.

2.02 Notwithstanding any provision of this Code every District Director shall comply with applicable Federal, State and local laws.

III. RESPONSIBILITIES OF PUBLIC SERVICE

3.01 District Directors are bound to discharge faithfully the duties of their offices, recognizing that the lives, safety, health, and welfare of the general public must be their primary concern. Their conduct in their official and private affairs should be above reproach to assure that their public office is not used for personal gain.

IV. CONFLICT OF INTEREST

4.01 District Directors are prohibited from making, participating in, or in any way attempting to use their District offices to influence a District decision in which they know or have reason to know they have a financial interest.

4.02 District Directors shall not engage in outside employment, activities, or enterprises for compensation that are inconsistent with, incompatible to, or in conflict with their duties as District Directors. The outside employment, activities or enterprises inconsistent with, incompatible to, or in conflict with an Director's District duties include those which:

- (1) involve the use for private gain or advantage of (a) a Director's District work, District facilities, District equipment and District supplies; or (b) the influence or prestige of his or her position with the District; or
- (2) involve receipt or acceptance by a District Director of any money or other consideration from anyone other than the District for the performance of an act which the Director would be required or expected to render in the regular course of his or her District obligations as a Director; or
- (3) involve the performance of an act in other than his or her capacity as a District Director which act may later be subject directly or indirectly to control, inspection, review, audit, or enforcement by the District.

4.03 No District Director shall solicit or accept gratuities, favors or anything of monetary value including personal loans, from contractors, subcontractors, consultants, potential contractors, potential consultants, or potential subcontractors, except an unsolicited gift of nominal intrinsic value. "Nominal intrinsic value" for purposes of this section shall mean a value of less than \$250, within a twelve-month period from a single source.

4.04 No current or former District Director shall disclose, permit disclosure or otherwise use confidential information acquired by virtue of his or her position with the District for his or her or another person's private gain or for any purpose except in the performance of his/her official duties and responsibilities for the District or as may be required by law. No District Director shall reveal information received in a lawful closed session of the District's Board of Directors unless such information is required by law to

be disclosed. No District Director shall take any action or provide any information for or on behalf of any prospective contractor or vendor that interferes with free and open competition for District contracts.

- 4.05** No District Director shall engage in or permit the unauthorized use of District-owned property, including but not limited to facilities, vehicles, materials, equipment, licensed software and information. Use of District property for purposes other than District business shall be considered an unauthorized use unless a Director has received prior approval for such use by the Board of Directors. Use of District property for non-District business will only be authorized when the Board of Directors determines it is in the best interest of the District to do so.

- 4.06** District Directors shall immediately report to the Board of Directors the existence of a conflict of interest, including a financial interest in making or participating in making of any governmental decision, so that appropriate action be taken.

V. POLITICAL ACTIVITY

- 5.01** Except as herein otherwise provided, or as necessary to meet requirements of federal or state law, no restriction shall be placed on the political activities of any District Director.

- 5.02** No District Director who holds, or who is seeking election or appointment to, any office or employment in a state or local agency shall, directly or indirectly, use, promise, threaten or attempt to use any office, authority, or influence, whether then possessed or merely anticipated, to confer upon or secure for any person, or to aid, obstruct, or to prevent any person from securing, any position, nomination, confirmation, promotion, or change in compensation or position within the District.

- 5.03** No District Director shall directly or indirectly solicit a political contribution from a District employee, except if such solicitation is part of a solicitation made to a significant segment of the public, which may include District employees.

- 5.04** No District Director who holds, or is seeking election or appointment to, any office shall offer or arrange for any increase in compensation or salary for a District employee in exchange for, or promise of, a contribution or loan for the person who holds, or who is seeking election or appointment to

such office.

- 5.05** No District Director shall engage in political activity while acting in his/her capacity as a Director for the District.

VI. NONDISCRIMINATION

- 6.01** District Directors shall not, in the performance of their District responsibilities, engage in unlawful discrimination of any sort under any applicable federal, state, county or municipal law or ordinance, including without limitation discrimination against any person on the basis of race, sex, color, national origin, religion, disability, age, marital status, sexual orientation, or veteran status, and they shall make good faith efforts to support and comply with the District's equal opportunity and affirmative action goals and objectives.

VII. STATEMENTS OF ECONOMIC INTEREST

- 7.01** Directors shall file assuming office statements, annual statements and leaving office statements of economic interests with the District as required by state law. Assuming office statements for Directors shall include disclosure of investments and interests in real property and business but also income, gifts and loans income received during the 12 months prior to the date of assuming office. Upon receipt of these statements the District shall make and retain a copy and forward the original of these statements to the appropriate public agency.

VIII. REPORTING OF IMPROPER GOVERNMENT ACTIVITIES

- 8.01** District Directors are encouraged to serve the public interest by disclosing to the Board of Directors to the extent not in conflict with the attorney-client privilege or the physician-patient privilege, information concerning District activities where the Director has reasonable cause to believe that the information discloses a violation of state or federal statute, or violation or noncompliance with state or federal regulation. No Director of the District shall use or attempt to use his or her authority to interfere with such disclosure made by another Director or a District employee or to retaliate against a Director or District employee for such disclosure.

Santa Cruz Metropolitan Transit District Expense List

Authorized
Transportation:
Airporter (i.a. shuttle)
Bridge tolls
Cab (to/from hotel)
Cab (to/from meetings & meals)
Parking at airport
Parking at hotel, conference center
Personal vehicle mileage to/from airport
Public transportation (e.g. bus, subway)
Rental Car with prior approval by General Manager
Transportation tickets (e.a. airline, train)
Meals:
Coffee break expenses
Meal beverages (non-alcoholic)
Reasonable cost meals for self
Tips for meals (15% maximum)
(Personal Sundries:
Daily newspaper
Personal telephone calls (reasonable and customary, one per day)
Required seminar materials
Telephone calls (SCMTD business)
Traveler's check fee on travel advance
Lodging:
Self
Not Authorized
Transportation:
Baggage Claims
Cab (personal)
Tips to cabs
Tips for luggage handling
Meals:
Bar expenses
Meals for others (e.g. spouses, personal guests)
Meals upon return to Santa Cruz County
Snacks
Meals prior to departure
Personal Sundries:
Housekeeping tips
Clothes cleaning
Clothing
Entertainment (e.g. in room pay per view, movies, video rentals)
Hair care
Personal items (e.g. toothpaste)
Shoeshine
Souvenirs/Gifts
Trip Insurance
Lodging:
Other than self (e.g. spouse, personal guests)

AMENDED

traveler's

10.a27

METRO's Rules of Procedure for Meetings

A. Motions

1. A motion is the means used by a Director to present a substantive proposal to the Board of Directors for consideration and action. It is the basic means for the transaction of business. Only one subject can be considered by the Board of Directors at one time, therefore, a motion can be proposed only when no other motion is before the Board. A motion must be introduced by the words, "I move.. ."
2. A motion should be concise and clear. If a motion is confusing, unnecessarily long or involved, the Chair should ask the proposer to rephrase the motion and, if necessary, should assist the Director in doing so. The Chair can rephrase the motion only in wording that is approved by its proposer. The Chair can require that any motion be submitted in writing.
3. A motion requires a second, which means that another director indicates a desire to have the proposal considered. The Director who seconds the motion does not have to be in support of the motion.
4. When a motion has been moved and seconded, the Chair opens the matter for debate. When any Director wishes to speak in debate, he/she shall so indicate to the chair.
5. The motion may be decided by a vote approving or defeating it or it may be disposed of by some other motion such as referral to a committee. No motion may simply be ignored; definite action must be taken on it. A motion passes if at least six affirmative votes are recorded.

B. Motion to Amend

1. The purpose of a motion to amend is to modify a motion that is being considered by the Board of Directors so that it will express more satisfactorily the will of the directors. There is no limit to the number of amendments that can be considered to modify a motion.
2. A Motion to Amend requires a second, is debatable, cannot be amended, and takes precedence over the main motion. However, if an amendment is offered as a "friendly amendment" and is accepted by the proposer of the main motion then a second is not required to incorporate the amendment into the main motion.

AMENDED

3. Amendments are voted on in the reverse order of their proposal. The vote then shall be taken on the amendment to the motion and, finally on the motion.

C. Debate

1. The purpose of a legislative body is to secure the collective judgment of the group on proposals submitted to it for decision. This purpose is best served by the free interchange of thought through discussion and debate. The right of every director to participate in the discussion of any matter of business that comes before the Board of Directors is one of the fundamental principles of parliamentary law. Therefore, every director is guaranteed a reasonable and equal opportunity to be heard.
2. Usually the first director who indicates to the chair a desire to speak will be recognized for that purpose. When more than one director indicates a desire to speak, the following rules will apply:
 - a.) The proposer of the Motion or the author of a Report will be recognized first;
 - b.) A director who has not had the opportunity to speak will be recognized over one who has already spoken on the issue. Similarly one who seldom speaks should be recognized over one who speaks more frequently;
 - c.) The Chair should alternate between the supporters and opponents of an issue.
3. When it appears to the Chair that all the directors who wish to speak have been recognized, he/she may call for a vote.
4. A Motion to Close Debate (Calling the Question) will prevent or stop debate on the motion (or motions) to which it is applied and bring it (them) to an immediate vote. The Motion to Close Debate may be proposed at any time after the motion to which it applies has been stated to the Board of Directors. Once a Motion to Close Debate is offered, the Chair shall decide whether or not Debate should be closed considering whether there are other Directors who wish to debate the issue and whether the debate will be productive. The Board of Directors with a minimum of six affirmative votes may overrule the decision of the Chair.
5. A Motion to Postpone Temporarily (To Lay on the Table, or to Table) is a motion to set aside temporarily a pending motion in such a way that, if the Board of Directors wishes, the postponed motion can be taken up again for consideration at any time during the current meeting by a motion to resume its consideration. A Motion to Postpone Temporarily requires a second, is not debatable and cannot be amended and requires at least six

AMENDED

affirmative votes for passage or two-thirds when used to suppress a motion without further debate.

D. Motion To Reconsider

1. A Motion to Reconsider is to enable the Board of Directors to set aside a vote on a motion taken at the same meeting and to consider the motion again as though no vote had been taken on it because of a misunderstanding or because action was taken without adequate information or because later events cause the Board of Directors to change its mind.
2. A Motion to Reconsider is a restorative motion and can be offered at any time during a meeting. It is unusual in that, unlike an ordinary motion, it may be proposed even if other business is under consideration, and if necessary, it may interrupt a speaker. When a Motion to Reconsider is proposed and seconded while other business is pending, the Chair directs the secretary to record its proposal; but the Motion to Reconsider is not considered until the pending business has been handled. It is then considered and decided immediately.
3. Any Director may offer the Motion to Reconsider when it appears justified, as when new facts have come to light or when an error needs to be corrected, or when a hasty decision appears to have been made. If the Chair considers the motion dilatory, it can be ruled out of order. If there is disagreement about whether the Motion is dilatory, the decision of the Chair can be appealed, in which case the ultimate decision is made by the Board of Directors.
4. A Motion for Reconsideration requires a second, debate is restricted to the reasons for reconsideration, it cannot be amended and requires at least six affirmative votes.

E. Points of Order

1. A Point of Order calls the attention of the Board of Directors and of the Chair to a violation of the rules, an omission, a mistake or an error in procedure and to secure a ruling from the Chair on the question raised.
2. A Point of Order must be raised immediately after the mistake, error, or omission occurs. It cannot be brought up later unless the error involves a violation of law, or of the bylaws, or the accuracy of the minutes.
3. As soon as the Director has stated a point of order, the Chair must rule on it, declaring that the point is “well taken” or “not well taken”. The Chair may state the reasons for the decision, if desired. If the Chair is in doubt

AMENDED

as to the correct decision, the ruling may be delayed briefly. Meanwhile, action on the matter affected by the point of order is deferred. When the Chair refers a point of order to the Board of Directors for decision, discussion is not in order unless the Chair invites it. No appeal may be taken from a decision by the Board of Directors on a point of order. A Director wishing to challenge a decision of the Chair on a point of order must appeal to the Board of Directors. A minimum of six affirmative votes by the Board of Directors is required to overrule the Chair.

4. The highest Point of Order is the request for Personal Privilege, which takes precedence over all other matters. This request enables a Director to secure an immediate decision and action by the Chair on a request that concerns the comfort, convenience, rights or privileges of the Board or of the Director himself/herself. It may be used when a Director believes that he/she has been insulted and wants to respond. It should be used sparingly and may never be used to raise a substantive point.

F. Procedures Not Addressed

If there are any procedural matters that arise during a meeting of the Board of Directors that are not covered in these Rules of Procedure or in the Santa Cruz METRO Bylaws, the Chair shall decide how to proceed. The Board of Directors with at least six affirmative votes, however, may overrule the Chair.

AMENDED

SCMTD Board Rules of Order

First, please note that these suggested rules are a modification of Robert's Rules of Order. A strict following of Robert's Rules of Order is incredibly cumbersome and inefficient for a small group. The Board needs to use common sense in the application of these rules and may adopt additional modifications as problems become apparent. Nothing in formal rules can substitute for the need to have people stick to the subject at hand, not talk longer than necessary and try to cooperate in moving an agenda forward rather than deliberately use procedural rules to gum things up. That said, here are the basic rules:

1. Each meeting shall have an agenda which shall be made available, along with supporting materials, to the Board members and interested members of the public at least 72 hours before each meeting. The first item of business on each agenda shall be an opportunity to accept or change an agenda. The order of items may be changed and items may be deleted for lack of sufficient information to act on them. Items may not be added to an agenda without a 2/3 vote and a finding that there is either a serious emergency or that the item is urgent and only came to the attention of the body after the agenda deadline (which requires public posting a minimum of 72 hours before the meeting) had passed. The Chair, with the support of the SCMTD staff, shall establish the order for agenda items and the order should not be changed capriciously. The agenda should distinguish between items which are purely informational and items which will require action by the Board.
2. When the Board moves to an item for discussion, the Chair or the appropriate staff person usually introduces it, or some other member if that is more appropriate. Whenever possible, items will be introduced with a written recommendation for action. At any time any member other than the Chair may, after being recognized by the Chair, make a motion for action on the item. In many cases, some discussion should take place before a motion is made so that the motion adequately addresses the concerns of everyone present, or at least a majority of the Board.
3. It is not helpful to make motions which clearly have little support from the majority of the Board, since they are likely to be defeated and discussion of them is really a diversion. (Note that sometimes, individuals may have a political reason for introducing a motion that they know will fail just to get everyone's vote on the matter on the record, but this should be used sparingly and only on matters of importance, since it is inefficient and does not move the Board toward resolution.) Motions must be seconded for discussion. The lack of a second kills a motion and returns the Board to general discussion or a new motion. The Chair may not make motions but may second them.
4. One of the major responsibilities of the Chair is to move the Board to complete action on an agenda item. If the discussion seems to be going in circles, people are repeating themselves, etc., the Chair may suggest that it is, perhaps, time for a motion to resolve a discussion. Although the Chair may not make motions, he or she may suggest the content of a motion which other members may act on or not as they see fit.

The Chair really runs the meetings. He or she should generally defer to other members, saving comments (other than a brief introduction of an item) for last. Good chairs do manage to get input into a discussion, but their major responsibility is making the meeting run efficiently, calling on people in an even-handed fashion, encouraging people to make their comments brief and to the point, cutting people off when they are really going on too long. All of this must be done politely but firmly when necessary. Good chairing requires having a good sense of what the majority of the Board seems to want in terms of knowing when to cut off debate, encourage more debate, or ask a person to clarify a comment or a motion. The Board should respect its Chair and generally follow his or her advice. When it is clear that a ruling of the Chair does not reflect the majority of the Board's feelings, a motion may be made to overturn a Chair's ruling. This should be done infrequently. If it starts to happen frequently, it is time to think about electing a new Chair.

6. Once a motion is made and seconded, it is usually discussed (unless it is so obviously wonderful that everyone is just prepared to vote on it). Motions may be debated and they may be amended. An amendment must be an attempt to improve a motion. The chair may rule an amendment out of order if it completely undoes the intent of the main motion. (For example, a motion to add the word "not" in front of some proposed action is not acceptable.) The Board may only discuss one amendment at a time. If people don't like the amendment, they may speak against it and vote it down, but they may not amend an amendment. The following are procedures on amendments and motions:

a) The Chair may allow "friendly amendments" in which, if both the maker and seconder of the main motion like an amendment, they may just accept it into the main motion without a separate vote or further discussion. Friendly amendments should not be used as a means of cutting off debate when one or more members strongly oppose an amendment. When in doubt, or if the proposed amendment is highly controversial, the Chair should not allow an amendment to be accepted as "friendly," but should allow the members a chance to vote it up or down.

b) If in discussion of an amendment or a motion it becomes clear that everyone, including the maker and the seconder of the amendment or motion, change their minds and no longer think their amendment or motion makes much sense or believe that a different amendment or motion would be better, they may withdraw the original amendment or motion. Then, any member except the Chair may be recognized and make a different amendment or motion. A huge amount of time can be saved by having the maker and seconder of an amendment or motion recognize that someone else has a better idea, agree to withdraw their amendment or motion, and move the alternative that has been suggested and seems to have general member support.

c) A main motion may be amended as many times as the Board likes but once an amendment is made and seconded, that amendment must be discussed and either passed, rejected, or dropped by the maker and second before moving on to additional amendments or back to discussion on the main motion.

d) After the Board is finished amending a motion, the Board returns to the main motion for any brief final comments and then acts on the main motion. As a courtesy, a main

motion may be "divided" into parts if Board members want to indicate their rejection of parts of the motion. But the Chair must be sure that "dividing the question" does not result in an absurdity; for example, allowing Board members to vote in support of the spending half of a motion without also voting for the part of the action that pays for the spending (e.g.. a member votes that they support adding a bus route, but vote against appropriating the funds for the route).

e) After everyone who wants to speak to an amendment or motion has had his or her turn, any member who has been recognized may "call the question" which is a call for a vote on the amendment or motion on the floor. Unlike the formal Robert's Rules of Order, the Chair should either call the question or explain that they will allow a few more comments. As suggested above, the Board should respect the Chair in this matter. Board members should avoid calling the question simply out of impatience, and members should seek to avoid being redundant in their comments. As in all procedures, the Board has the right to overturn the Chair on the matter of calling the question, either insisting on more discussion or cutting debate off, but this should be used sparingly. A motion to overturn the Chair on any matter should either be taken without discussion or after only a brief comment from the Chair and the maker of the motion to overturn as to their reasons. Long debates about overturning rulings of the Chair are not productive and should be avoided at all costs. A Chair whose rulings are regularly overturned should seriously consider stepping down.

f) As with amendments, main motions may only be discussed one at a time. If members think they have a better motion than the one on the floor, they may say so, argue to defeat the motion on the floor and then if they succeed, offer their alternative. But action on the motion on the floor must be completed before moving on to another motion. (Unlike Robert's Rules of Order, "substitute motions" should not be accepted until the motion on the floor is defeated.)

g) An amendment, a motion, or even a whole discussion item may be "**tabled**." To table a motion is to cut off debate. Reasons for doing this might include becoming aware that there is insufficient information for action, that no position seems capable of getting a majority of support, or that the discussion is just bogging down and appears not capable of being rescued at the current meeting. An item may be tabled to a specific time (in which case the time to which is being tabled is debatable, e.g. an argument that a different date would serve the Board better) or an item may be tabled indefinitely. The latter is not debatable. As soon as it is made and seconded it must be voted up or down. An item that is tabled may be re-aggendized for a later meeting, but may not be brought up again during the meeting at which it is tabled. Tabling motions should be used sparingly. Confusing and unproductive discussion may be tabled. Bad ideas should generally not be tabled but voted down after a reasonable period of debate.

7. In discussion of an item, a motion, or an amendment there is a hierarchy or priority for recognition of speakers by the Chair. Generally, attempts to be fair, inclusive, and efficient are guiding principles. The Chair may decide on which order to call upon speakers. The following may be helpful hints:

a) Call first on people who have not spoken yet or spoken as much as others (rather than simply who shot their hand in the air first).

b) Generally, the Chair calls upon her or himself last.

c) The highest priority for recognition is called "**a point of personal privilege.**" If a member has been personally insulted or attacked, they should have an immediate opportunity to respond. This should be used very sparingly, and never abused as a cover to make some substantive point, since a person that abuses this right may lose it. If members of the Board are regularly insulting each other, the Chair should try and resolve the issue either immediately or outside of the meeting.

d) The next highest priority for recognition is a process comment or "**point of order.**" Again, this should never be used to slip in a substantive argument, but to clarify a confusing process. For example, if someone starts to make a second amendment to a motion when a prior one is still on the floor, a process comment would be to interrupt the substantive discussion to point out the problem to the Chair. Or an observation that the meeting is running way over time and a solution needs to be found before continuing with substantive discussion of issues would take priority over someone wanting to make another point in the debate.

e) Generally, it's a good idea to start discussion of an item by asking if there are questions before entering into debates, making motions, etc. So a Chair might begin an item by asking if there are any questions and then taking comments and accepting motions. Again, members should refrain from using the question period to slip in substantive comments. Do note, however, that sometimes starting a discussion with a suggested motion clarifies things even better than questions. Members of the Board making motions early in a discussion have a real responsibility to not lead the group down unproductive paths by making motions that have no hope of passing.

8. The Chair must decide when to accept public input on an item and to what extent they need to limit either the total time for comments or the time allowed each member of the public for comment. Sometimes it is best to take public comments right after the agenda item is described. Other times it makes more sense to wait until the issue is clear, at least after some initial debate among members. Sometimes, it even makes sense to wait until there is a motion on the floor, so the public really understands what they are commenting upon. The Chair may, again, be overruled about public input, but this should be done sparingly and only for very good reason.

Finally, please remember that no formal rules can substitute for Board members coming prepared to meetings, having a clear agenda with sufficient information for good decision making, and having members who make their best effort to be cooperative with the Chair and each other, listen to each others' points, who are willing to be flexible about positions, and who attempt to make decisions efficiently, even when they disagree with the outcome. Good participation and full input from members and the public is very important in good decision making, but getting through agendas --getting real things accomplished, making difficult decisions and then moving on -- is equally important.

Democracy suffers when groups are overly closed or dictatorial, but it also suffers when people get the perception that the SCMTD is so inefficient that it just doesn't get things done. The Board and its Chair should strive for a balance that respects full input from all participants, but also moves to action in a reasonably efficient manner.

Attachment C
Various Alternative Methods for the Selection of METRO's SCCRTC
Representatives

14.02 Board Chair Appoints Committee to Nominate Slates of Representatives and Alternates

The Board of Directors shall each year in January appoint its representatives (3) and alternates (3-in order of priority) to the Santa Cruz County Regional Transportation Commission (SCCRTC). The Board Chair shall appoint a 3-member committee who shall nominate a slate of representatives and a slate of alternates to be submitted to the Board of Directors at its first meeting in January. Thereafter, at the second meeting in January, the Board of Directors shall vote on each slate as presented. If any of the slates do not receive at least 6 affirmative votes, the appointments shall not be made. If a slate is not approved for appointment, nominations for a slate will be accepted from any Director whose proposed slate receives a second. Thereafter, the Board of Directors shall vote on the slate(s), which shall require six affirmative votes for appointment. This process will continue until the Board of Directors appoints a slate(s).

14.02 Board Chair Nominate Slates of Representatives and Alternates

The Board of Directors shall each year in January appoint its representatives (3) and alternates (3-in order of priority) to the Santa Cruz County Regional Transportation Commission (SCCRTC). The Board Chair shall nominate a slate of representatives and a slate of alternates to be submitted to the Board of Directors at its first meeting in January. Thereafter, at the second meeting in January, the Board of Directors shall vote on each slate as presented. If any of the slates do not receive at least 6 affirmative votes, the appointments shall not be made. If a slate is not approved for appointment, nominations for a slate will be accepted from any Director whose proposed slate receives a second. Thereafter, the Board of Directors shall vote on the slate(s), which shall require six affirmative votes for appointment. This process will continue until the Board of Directors approves a slate(s).

14.02 Individual Directors Nominate Slates of Representatives and Alternates

The Board of Directors shall each year in January appoint its representatives (3) and alternates (3-in order of priority) to the Santa Cruz County Regional Transportation Commission (SCCRTC). At the first meeting in January, the Board Chair will accept nominations from any Director whose slate of representatives and/or slate of alternates receives a second. Thereafter, at the second meeting in January, the Board of Directors shall vote on the slates as presented. If a slate is not approved for appointment, nominations for a slate will be accepted from any Director whose slate receives a second. Thereafter, the Board of Directors shall vote on the slate(s), which shall require six affirmative votes for appointment. This process will continue until the Board of Directors approves the slate(s).

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Elisabeth Ross, Finance Manager
SUBJECT: CONSIDERATION OF ISSUING A DECLARATION OF FISCAL EMERGENCY

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors issue a declaration of fiscal emergency.

II. SUMMARY OF ISSUES

- On April 23, 2004, the Board will be considering a number of service reductions for implementation in the summer bid for 2004, effective June 3, 2004.
- The California Environmental Quality Act (CEQA) requires under certain circumstances that environmental documents be prepared for implementation of service reductions.
- Public transit agencies are exempt from this requirement if a fiscal emergency necessitates the service reductions.
- In order to comply with this exemption, the transit agency must make a specific finding that there is a fiscal emergency. Before taking its proposed budgetary actions and making the finding of fiscal emergency, the transit agency must hold a public hearing. After this public hearing, the transit agency must respond within 30 days at a regular public meeting to suggestions made by the public at that initial hearing.

III. DISCUSSION

The service reductions planned to be implemented on June 3, 2004, have been proposed solely due to the District's financial situation. A balanced budget for FY 04-05 cannot be developed without some level of decrease in expense from the existing level of service. Along with service reductions in June, the District will also implement other measures including additional service reductions in September.

The CEQA guidelines provide a formula for determining whether a "fiscal emergency" exists. Staff has projected the District's cash position at June 30, 2005, assuming no change in the existing level of service (Attachment A). Since this projection results in a negative figure, the definition of fiscal emergency is met, and the Board may issue such a declaration.

The District has also met the public hearing and response requirements required by the exemption.

IV. FINANCIAL CONSIDERATIONS

If the Board does not issue the declaration of fiscal emergency on April 23, 2004, the proposed service changes will not be implemented on June 3, 2004, resulting in a failure to balance the FY 04-05 operating budget, unless substantially larger service reductions are implemented in September 2004.

V. ATTACHMENTS

Attachment A: Determination of Fiscal Emergency

DETERMINATION OF FISCAL EMERGENCY

At June 30, 2003	
Cash and cash equivalents	\$ 18,866,603
Sales tax and other receivables	\$ 3,499,002
	\$ 22,365,605
Less:	
Accounts Payable and accrued liabilities	\$ (879,522)
Accrued payroll and employee benefits	\$ (2,682,972)
Other accrued liabilities	\$ (3,078,408)
Security deposits	\$ (15,714)
Deferred revenue	\$ (21,872)
Subtotal	\$ 15,687,117
Less restricted reserves:	
Cash flow reserve	\$ (2,600,000)
Workers' comp reserve	\$ (1,320,000)
Insurance reserve	\$ (770,000)
Reserve required to fund transportation improvement program for 2004-2008	\$ (13,350,000)
Funds available at June 30, 2003	\$ (2,352,883)
Estimated retirement to reserves at June 30, 2004	\$ 1,000,000
Estimated unrestricted cash position at June 30, 2004	\$ (1,352,883)
Estimated revenue shortfall in FY 04-05	\$ (2,800,000)
Estimated unrestricted cash position at June 30, 2005	\$ (4,152,883)

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 9, 2004
TO: Board of Directors
FROM: Mark Dorfman, Assistant General Manager
SUBJECT: CONSIDERATION OF SERVICE REDUCTION FOR SUMMER 2004

I. RECOMMENDED ACTION

Staff recommends Board consideration for approval of proposed service adjustments for June 2004

II. SUMMARY OF ISSUES

- Based on the preliminary budget, METRO has a projected \$1.33 million deficit, not including the one-time funding of \$1.4 million in this year's budget.
- After all actions taken to balance the budget, revenues will not be sufficient to support the existing budget.
- Balancing actions will need to include service reductions for FY 2004/05.

III. DISCUSSION

As part of the budget planning process this year, it is apparent that staff will be unable to balance the continuation budget based on the projected revenue stream, and the fact that the existing budget contains \$1.4 million in one-time funds. Normally, any service adjustments would be made in September, but the savings from these adjustments would only count for the remaining nine (9) month period. Staff has looked at a series of adjustments that could be made June 3, 2004. As a result of moving expeditiously, a full 12 months savings can be realized from these adjustments.

Based on the preliminary budget, it does not appear that these will be the only reductions that will need to be made to balance the budget, but staff will continue to work to narrow the gap between revenues and expenses. Earlier on the agenda, staff has requested that the Board determine that a Fiscal Emergency exists to allow for a Public Hearing to be held concerning budget reductions made by a publicly owned transit agency as a result of a fiscal emergency caused by a failure of agency revenues to adequately fund agency programs and facilities. This is a requirement of CEQA, and will allow the public to comment on these proposed service reductions.

The proposed **weekday** reductions and modifications are as follows:

- **Route 4:** Delete the last trip at 5:30 PM.
- **Route 9:** Delete the 12:30 PM and 5:30 PM trips. The last trip would depart at 2:30 PM.
- **Route 32:** Delete the 2:45 PM and the 4:55 PM trips. Move the departure of the 1:55 PM trip to 2:15 PM to accommodate Vine Hill School bell times.
- **Route 40:** Delete the 6:45 AM trip. Move the 6:05 AM departure to 6:15 AM to accommodate Santa Cruz High School bell times.
- **Route 53:** Delete the 6:40 AM trip.
- **Route 58:** Delete the 7:30 AM trip. This trip was designed for Soquel High School students. However, the school has now changed their bell times rendering this trip unnecessary.
- **Route 56:** Change time point at Playa & Estrella from :45 past the hour to :35 minutes past the hour - daily. Buses are waiting for this time point and missing connections at Cabrillo College.

The proposed **weekend** reductions and modifications are as follows:

1. **Route 3C:** Change routing to eliminate the 1st loop on Beach and Cliff. The route would traverse the Beach / Cliff area on the return trip. This proposed change will assist with on-time performance.
- **Route 3N:** Eliminate route. The only night service remaining to Westside Santa Cruz on weekends would be the 10:00 PM Route 42.
 - **Route 4:** Eliminate route. No service to Harvey West Park and Paradise Park would remain.
 - **Route 10:** Delete the 7:25 AM trip. The first weekend trip would now be 8:25 AM.
 - **Route 19:** Delete the 8:30 AM trip. The first weekend trip would not be at 9:30 AM.

Local Capitola-Aptos-La Selva – Weekend Service

Due to continuing low ridership, staff proposes to eliminate Routes 52, 55 and 56 on the weekends and replace them with the Route 54, running every other hour. The Route 54 routing would be modified to serve the Rosedale-Hill- Bay loop (servicing Nob Hill).

IV. FINANCIAL CONSIDERATIONS

These reductions, if approved, will reduce METRO's operating budget by approximately \$212,929.

V. ATTACHMENTS

- Attachment A:** Summer 2004 Service List
- Attachment B:** Route 32 Weekday Timetable
- Attachment C:** Route 40 Weekday Timetable
- Attachment D:** Route 56 Weekday Timetable
- Attachment E:** Route 3C Timetable/map
- Attachment F:** Route 54 Weekend Timetable

Summer 2004 Service List

Weekday Reductions						
Route	Description	Daily Hours	Annual Hours	Annual Cost	FY 03 Riders	FY 04 Riders
4	Delete 5:45 PM Trip	0.75	190.50	\$11,430.00	7.8	7.6
9	Delete 12:30 PM trip.	0.83	210.82	\$12,649.20	N/A	2.9
	Delete 5:30 PM Trip	0.45	114.30	\$6,858.00	N/A	2.8
32	Delete 4:55 PM Trip	0.91	67.34	\$4,040.40	N/A	7.0
	Delete 2:45 PM trip.	0.58	42.92	\$2,575.20	9.8	6.1
40	Delete 6:45 am trip	1.11	281.94	\$16,916.40	21.2	17.7
53	Delete 6:40 AM trip	0.83	210.82	\$12,649.20	N/A	2.4
58	Delete 7:30 AM trip	0.83	210.82	\$12,649.20	15.4	6.2
TOTAL WEEKDAY		6.29	1,329.46	79,767.60		
Weekend Reductions						
Route	Description	Daily Hours	Annual Hours	Annual Cost	FY 03 Riders	FY 04 Riders
3N	Eliminate Route	1.53	159.12	\$9,547.20	6.1	4.9
4	Eliminate Route	5.51	573.04	\$34,382.40	7.1	5.9
10	Delete 7:25 AM trip.	0.58	60.32	\$3,619.20	5.9	7.0
19	Delete 8:30 AM trip	0.83	86.32	\$5,179.20	7.9	9.0
52	Delete route	7.45	774.80	\$46,488.00	N/A	3.3
54	Add 4 trips.	-8.00	-832.00	-\$49,920.00	N/A	N/A
55	Delete Route	9.31	968.24	\$58,094.40	10.0	8.4
56	Delete Route	4.13	429.52	\$25,771.20	N/A	3.4
	Weekend Total	21.34	2,219.36	133,161.60		
	Grand Total		3,548.82	\$212,929.20		

Route 32 Weekday Schedule

CURRENT						
METRO CENTER	SCOTTS VALLEY HIGH SCHOOL	VINE HILL SCHOOL	SCOTTS VALLEY MIDDLE SCHOOL	SCOTTS VALLEY TRANSIT CENTER	OCEAN & WATER	METRO CENTER
A	C	D	E	F	G	A
1:55 PM	2:18 PM	2:25 PM	2:30 PM	2:35 PM	2:43 PM	2:50 PM
---	---	2:45 PM	2:50 PM	2:55 PM	3:03 PM	3:10 PM
2:55 PM	3:18 PM	3:25 PM	3:30 PM	3:35 PM	3:43 PM	3:50 PM
3:55 PM	---	4:12 PM	4:17 PM	4:22 PM	4:30 PM	4:45 PM
4:55 PM	5:18 PM	5:25 PM	5:30 PM	5:35 PM	5:43 PM	5:50 PM
PROPOSED						
METRO CENTER	SCOTTS VALLEY HIGH SCHOOL	VINE HILL SCHOOL	SCOTTS VALLEY MIDDLE SCHOOL	SCOTTS VALLEY TRANSIT CENTER	OCEAN & WATER	METRO CENTER
A	C	D	E	F	G	A
<i>2:15 PM</i>	<i>2:38 PM</i>	<i>2:45 PM</i>	<i>2:50 PM</i>	<i>2:55 PM</i>	<i>3:03 PM</i>	<i>3:10 PM</i>
2:55 PM	3:18 PM	3:25 PM	3:30 PM	3:35 PM	3:43 PM	3:50 PM
3:55 PM	---	4:12 PM	4:17 PM	4:22 PM	4:30 PM	4:45 PM

Reverse formatted trips indicate trips that are deleted.
 Bold and italicized trip indicates modified running time

Route 40 Timetable

Current Schedule								
METRO	HWY 1 &	DAVNPRT	WADD.	Hwy 1 &	PACIFIC	HWY 1 &	SANTA CRUZ	METRO
CENTER	WESTERN	CASH STORE	CREEK	CMNT PLNT	SCHOOL	WESTERN	HIGH SCHOOL	CENTER
A	C	D	E	F	G	C	B	A
6:05 AM	6:15 AM	6:27 AM	6:45 AM	6:55 AM	7:00 AM	7:12 AM	---	7:25 AM
6:45 AM	6:53 AM	7:02 AM	---	7:07 AM	7:15 AM	7:25 AM	7:30 AM	7:35 AM
8:40 AM	8:48 AM	8:57 AM	---	9:02 AM	9:10 AM	9:20 AM	9:25 AM	9:30 AM
Proposed Schedule								
METRO	HWY 1 &	DAVNPRT	WADD.	Hwy 1 &	PACIFIC	HWY 1 &	SANTA CRUZ	METRO
CENTER	WESTERN	CASH STORE	CREEK	CMNT PLNT	SCHOOL	WESTERN	HIGH SCHOOL	CENTER
A	C	D	E	F	G	C	B	A
<i>6:15 AM</i>	<i>6:25 AM</i>	<i>6:37 AM</i>	<i>6:55 AM</i>	<i>7:05 AM</i>	<i>7:10 AM</i>	<i>7:22 AM</i>	<i>7:27 AM</i>	<i>7:32 AM</i>
8:40 AM	8:48 AM	8:57 AM	---	9:02 AM	9:10 AM	9:20 AM	9:25 AM	9:30 AM

Revers formatted trip indicates trip that is cut.
 Bold and italicized trip indicates trip that has been modified.

Route 56 Timetable

Bus leaves from CABRILLO COLLEGE	Bus leaves from CLUBHOUSE & SUMNER	Bus leaves from VIA PACIFICA	Bus leaves from PLAYA & ESTRELLA	Bus arrives at CABRILLO COLLEGE
A	B		C	A
8:20 AM	8:28 AM	8:32 AM	8:35 AM	8:48 AM
10:20 AM	10:28 AM	10:32 AM	10:35 AM	10:48 AM
1:20 PM	1:28 PM	1:32 PM	1:35 PM	1:48 PM
3:20 PM	3:28 PM	3:32 PM	3:35 PM	3:48 PM

Route 3C Timetable & Map

METRO Center	Delaware & Columbia	Almar & Rankin	DeAnza MHP	Woodrow & Delaware	Beach & Pacific	METRO Center
A	B	C	D	E	F	A
7:45 AM	7:50 AM	7:53 AM	7:58 AM	8:03 AM	8:08 AM	8:17 AM
8:45 AM	8:50 AM	8:53 AM	8:58 AM	9:03 AM	9:08 AM	9:17 AM
9:45 AM	9:50 AM	9:53 AM	9:58 AM	10:03 AM	10:08 AM	10:17 AM
10:45 AM	10:50 AM	10:53 AM	10:58 AM	11:03 AM	11:08 AM	11:17 AM
11:45 AM	11:55 AM	12:00 PM	12:05 PM	12:12 PM	12:20 PM	12:30 PM
12:45 PM	12:55 PM	1:00 PM	1:05 PM	1:12 PM	1:20 PM	1:30 PM
1:45 PM	1:55 PM	2:00 PM	2:05 PM	2:12 PM	2:20 PM	2:30 PM
2:45 PM	2:55 PM	3:00 PM	3:05 PM	3:12 PM	3:20 PM	3:30 PM
3:45 PM	3:55 PM	4:00 PM	4:05 PM	4:12 PM	4:20 PM	4:30 PM
4:45 PM	4:55 PM	5:00 PM	5:05 PM	5:12 PM	5:20 PM	5:30 PM
5:45 PM	5:55 PM	6:00 PM	6:05 PM	6:12 PM	6:20 PM	6:30 PM
6:45 PM	6:55 PM	7:00 PM	7:05 PM	7:12 PM	7:20 PM	7:30 PM



Route 54 Weekend Schedule

CAPITOLA MALL	CAPITOLA VILLAGE	CABRILLO COLLEGE	SEARIDGE/ MAR VISTA	DEER PARK CENTER	CLUBHOUSE/ SUMNER	PLAYA/ ESTRELLA	FREEDOM/ SOQUEL	SEARIDGE/ MAR VISTA	CABRILLO COLLEGE	CAPITOLA VILLAGE	CAPITOLA MALL
A	B	C	D	E	F	G	H	D	C	B	A
<i>7:30 AM</i>	<i>7:34 AM</i>	<i>7:45 AM</i>	---	<i>7:53 AM</i>	<i>7:56 AM</i>	<i>8:03 AM</i>	<i>8:12 AM</i>	<i>8:25 AM</i>	<i>8:35 AM</i>	<i>8:50 AM</i>	<i>9:00 AM</i>
<i>9:30 AM</i>	<i>9:34 AM</i>	<i>9:45 AM</i>	---	<i>9:53 AM</i>	<i>9:56 AM</i>	<i>10:03 AM</i>	<i>10:12 AM</i>	<i>10:25 AM</i>	<i>10:35 AM</i>	<i>10:50 AM</i>	<i>11:00 AM</i>
<i>11:30 AM</i>	<i>11:34 AM</i>	<i>11:45 AM</i>	---	<i>11:53 AM</i>	<i>11:56 AM</i>	<i>12:03 PM</i>	<i>12:12 PM</i>	<i>12:25 PM</i>	<i>12:35 PM</i>	<i>12:50 PM</i>	<i>1:00 PM</i>
1:30 PM	1:34 PM	1:45 PM	1:47 PM	1:56 PM	2:01 PM	2:10 PM	2:20 PM	---	2:35 PM	2:42 PM	2:55 PM
3:30 PM	3:34 PM	3:45 PM	3:47 PM	3:56 PM	4:01 PM	4:10 PM	4:20 PM	---	4:35 PM	4:42 PM	4:55 PM
5:30 PM	5:34 PM	5:45 PM	5:47 PM	5:56 PM	6:01 PM	6:10 PM	6:20 PM	---	6:35 PM	6:42 PM	6:55 PM
6:30 PM	6:34 PM	6:45 PM	6:47 PM	6:56 PM	7:01 PM	10:10 AM	7:20 PM	---	7:35 PM	---	---

Reverse formatted trips indicate trips that are deleted.

Bold and italicized trips indicate trips that are added as a result of the deletion of Routes 55 56.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Mark Dorfman, Assistant General Manager
SUBJECT: CONSIDERATION OF RESOLUTIONS AUTHORIZING SUBMITTAL OF FY 2005 STA AND TDA CLAIMS

I. RECOMMENDED ACTION

Adopt resolutions authorizing staff to submit claims to the Santa Cruz County Regional Transportation Commission for FY 2005 State Transit Assistance (STA) and Transportation Development Act (TDA) funds.

II. SUMMARY OF ISSUES

- METRO will claim \$5,497,856.00 in TDA funds and **Error! Not a valid link.** in STA funds for Santa Cruz County transit operations and capital improvements for FY 2005 based upon TDA revenue estimates for FY 2005.
- The TDA funds will be used for operating costs. The STA funds can only be used for capital improvement projects.
- The amount of STA/TDA funds available may change upon adoption of the California FY 2005 budget in July. If the amount changes, SCMTD will submit an amended claim.

III. DISCUSSION

This claim is based upon the District's share of the estimated TDA revenue which will accrue to Santa Cruz County from the state sales tax on motor fuels. METRO's allocation of the estimated revenue is \$5,497,856.00 in TDA funds and **Error! Not a valid link.** in STA funds.

Under existing law (PUC Section 99314.6), STA funds cannot be allocated for operating purposes unless the operator meets a set of efficiency standards relating to cost per revenue mile or cost per revenue vehicle hour. The SCMTD will claim the funds for capital purposes since the District cannot meet the qualifying criteria to utilize the money for operations in FY 2005.

Since California's statewide budget for FY2005 will not be approved before July 2004, the actual amount of STA/TDA funds actually available for apportionment to transit operators may change. If the final budget amount of STA/TDA funds available for Santa Cruz County changes, the SCMTD will amend its claim to the SCCRTC.

IV. FINANCIAL CONSIDERATIONS

If the SCCRTC approves these claims, a total of \$6,358,850.00 in TDA and STA funds will be available to the SCMTD in FY 2005.

V. ATTACHMENTS

Attachment A: Resolution Authorizing Submittal of FY 2005 TDA Claim

Attachment B: Resolution Authorizing Submittal of FY 2005 STA Claim

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____

On the Motion of Director: _____

Duly Seconded by Director: _____

The Following Resolution is:

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
AUTHORIZING A CLAIM TO THE
SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
FOR TRANSPORTATION DEVELOPMENT ACT FUNDS**

WHEREAS, in accordance with Article 1, Section 99210 of the Public Utilities Code the Santa Cruz Metropolitan Transit District is a transit operator; and

WHEREAS, in accordance with Article 1, Section 99214 of the Public Utilities Code the Santa Cruz County Regional Transportation Commission is the Transportation Planning Agency for Santa Cruz County; and

WHEREAS, in accordance with Article 4, Section 99260(a) of the Public Utilities Code, claims may be filed with the transportation planning agency by transit operators for the support of public transportation systems; and

WHEREAS, in accordance with Section 6655 of the California Code of Regulations, the Transportation Planning Agency issues instruction to the County Auditor for payment to claimants,

NOW, THEREFORE, BE IT RESOLVED, that the General Manager of the Santa Cruz Metropolitan Transit District is authorized to submit a claim of up to \$5,497,856.00 to the Santa Cruz County Regional Transportation Commission for Transit Operations for fiscal year 2005.

PASSED AND ADOPTED this 23rd day of April 2004, by the following vote:

AYES: Directors -

NOES: Directors -

ABSTAIN: Directors -

ABSENT: Directors -

APPROVED _____

EMILY REILLY
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____

On the Motion of Director: _____

Duly Seconded by Director: _____

The Following Resolution is:

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT AUTHORIZING A CLAIM TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR STATE TRANSIT ASSISTANCE FUNDS

WHEREAS, the State Controller is authorized under Section 99313 of the Public Utilities Code to allocate State Transit Assistance (STA) funds to regional transportation planning agencies and county transportation commissions; and

WHEREAS, in accordance with the Sections 99313 and 99314 et al of the Public Utilities Code, the Santa Cruz Metropolitan Transit District is authorized to submit a claim for STA operating funds to the Santa Cruz County Regional Transportation Commission; and

WHEREAS, the Santa Cruz Metropolitan Transit District's proposed expenditures are in conformity with the Regional Transportation Plan; and

WHEREAS, the level of passenger fares and charges is sufficient to enable the Santa Cruz Metropolitan Transit District to meet the fare revenue requirements of Public Utilities Code Section 99268.2(b); and

WHEREAS, the Santa Cruz Metropolitan Transit District is not precluded by any contract entered into on or after June 28, 1979, from employing part-time drivers or from contracting with common carriers of persons operating under a franchise or license; and

WHEREAS, the sum of the Santa Cruz Metropolitan Transit District's allocations from the State Transit Assistance fund and from the Local Transportation Fund does not exceed the amount the Santa Cruz Metropolitan Transit District is eligible to receive during fiscal year 2004. Such funding, however, shall not relieve the Santa Cruz Metropolitan Transit District of its responsibility pursuant to Section 6735 of the California Code of Regulations, Title 21, Chapter 3; and

WHEREAS, the Santa Cruz Metropolitan Transit District has made a reasonable effort to implement the productivity improvements recommended pursuant to Public Utilities Code Section 99244; and

WHEREAS, the Santa Cruz Metropolitan Transit District is making full use of federal funds available under the Intermodal Transportation Efficiency Act of the 21st Century, as amended:

NOW, THEREFORE, BE IT RESOLVED, that the General Manager of the Santa Cruz Metropolitan Transit District is authorized to submit a claim of up to [Error! Not a valid link.](#) State Transit Assistance funds for FY 2005.

PASSED AND ADOPTED this 23rd day of April, 2004 by the following vote:

AYES: Directors -

NOES: Directors -

ABSTAIN: Directors -

ABSENT: Directors -

APPROVED _____
EMILY REILLY
Chairperson

ATTEST _____
LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Leslie R. White, General Manager

SUBJECT: CONSIDERATION OF ADDING A PROVISION FOR MEMBER ALTERNATES TO THE BYLAWS OF THE METRO ADVISORY COMMITTEE (MAC).

I. RECOMMENDED ACTION

That the Board of Directors approve the addition of a provision to the Bylaws of the Metro Advisory Committee (MAC) that would provide for the appointment of alternates for Committee Members using the same selection process as that which is used to select the Members.

II. SUMMARY OF ISSUES

- On December 19, 2003 the Board of Directors approved the creation and structure of the Metro Advisory Committee (MAC).
- As a result of the action taken by the Board of Directors, the Bylaws for the MAC have been modified to reflect the Committee size and structure.
- Application forms were distributed to individuals who expressed an interest in having a member of the Board nominate them for membership on the MAC.
- Signs soliciting membership were placed in the buses in both English and Spanish, and members of both MUG and MASTF have received application information.
- On March 26, 2004 the Board of Directors appointed 11 individuals to serve as members of the MAC.
- On March 26, 2004 the Board of Directors requested that staff prepare a recommendation regarding the appointment of alternates for the members of the MAC.
- Staff has prepared the language that would be necessary to add to the Bylaws to provide for the appointment of alternate MAC members.

III. DISCUSSION

For many years two citizen advisory committees served METRO. The Metro Accessible Transit Services Forum (MASTF) addressed issues of accessibility on the fixed route service, paratransit service, and facilities. The Metro Users Group focused on the overall service that was provided,

the information distribution and marketing programs, and advised the Board on other matters that were referred to it for consideration.

On December 19, 2003 after a significant amount of discussion and multiple meetings, the Board approved the creation of a new Metro Advisory Committee (MAC) that would replace MUG. The Board approved the structure of the new committee and directed staff to prepare necessary modifications to the MAC Bylaws to reflect the decisions that were made with respect to committee size and structure. The Bylaws that reflect the actions taken by the Board of Directors are attached to this Staff Report.

In the time that has passed since the Board took action with respect to the formation of MAC, a final application form was developed and distributed. Information has been sent to former MUG members as well as MASTF members. Additionally, signs in both English and Spanish were placed in the METRO buses soliciting interest from individuals who might want to have a member of the Board nominate them for membership in the new MAC.

On March 26, 2004 the Board of Directors appointed 11 individuals to serve as members of the MAC. As a part of the discussion on March 26, 2004, the issue of alternate members was raised. The Board of Directors requested that staff prepare a recommendation regarding the addition of a provision to the MAC Bylaws that would allow the addition of alternate members. The language that would be necessary to include in the MAC bylaws to provide for alternate members is attached to this Staff Report.

Staff recommends that the Board of Directors use the same process for the appointment of alternate members as is used for the appointment of primary members. Staff further recommends that the alternate members not be subject to the term limit provisions outlined in Section 3.2 of the Adopted MAC Bylaws.

IV. FINANCIAL CONSIDERATIONS

The inclusion of alternate members in the MAC Bylaws will not require significant additional funding for the support of the Committee.

V. ATTACHMENTS

Attachment A: MAC Bylaws.

Attachment B: MAC Bylaws Amendment.

Attachment A

Drafted for 9/26/03
Revised for 10/24/03
Revised for 12/19/03
Amended/Adopted 12/19/03

BYLAWS FOR THE METRO ADVISORY COMMITTEE

Article I **GENERAL PROVISIONS**

§1.1 Purpose

These Bylaws govern the proceedings of the METRO Advisory Committee (MAC), an advisory committee established by the Board of Directors of the Santa Cruz Metropolitan Transit District (METRO).

§1.2 Construction of Bylaws

As used in these Bylaws, “Committee” means the METRO Advisory Committee. These Bylaws shall govern the Committee’s proceedings to the extent they are not inconsistent with METRO Regulations or California or United States Statutes. These Bylaws become effective upon approval by the METRO Board of Directors

§1.3 Definitions

- a. As used in these Bylaws, “chair” means the chairperson of the Committee.
- b. As used in these Bylaws, “vice chair” means the vice chairperson of the Committee.
- c. As used in these Bylaws “staff” means staff members that are assigned to support the Committee by the METRO Secretary/General Manager.

Article II
DUTIES AND AUTHORITY

§2.1 Duties

It shall be the duty of the Committee to provide advice to the Board of Directors on matters of METRO policy and operations referred to the Committee by the Board or Secretary/General Manager and to perform such additional duties as assigned by the Board. The Committee may also address issues which members or the public raise with respect to the quantity and quality of services provided by METRO.

§2.2 Limitations on Authority

The sole jurisdiction and authority of the Committee is to serve in an advisory capacity to the Board of Directors. It shall not have any authority to take actions that bind METRO or the Board of Directors. Communications by the Committee shall be to and through the Board of Directors. No individual member of the Committee shall be entitled to compensation from METRO and any reimbursement for travel or other expenses shall receive specific prior authorization by the Board of Directors.

Article III
MEMBERSHIP

§3.1 Membership

The Committee shall be composed of 11 members appointed by the Board of Directors as follows:

Each member of the METRO Board of Directors shall nominate 1 individual to serve as members of the METRO Advisory Committee. Appointments to the METRO Advisory Committee shall be made by the METRO Board of Directors.

All members shall be residents of the County of Santa Cruz. When making its appointments, the Board shall strive to balance the membership to reflect the ethnic, gender, and geographic diversity of the County. At least 4 of the individuals appointed to the Committee shall be persons with disabilities as evidenced by possession of a METRO Discount Photo Identification Card. No member of the Board of Directors or other elected public official shall be appointed to the Committee. No employee of METRO or any agency that provides funding to, or contracts with, METRO shall be appointed to the Committee. However, individuals that have been selected to participate on the ADA Appeals Panel or participate in the Bus Operator Sensitivity Training shall be exempt

from the financial/contracting prohibition for Committee members outlined in this section.

§3.2 Members' Terms

The term of membership of each Committee member shall be two years, and members may be re-appointed for 2 successive terms for a total of 6 consecutive years. The term of each member shall commence on January 1.

§3.3 Absences

If a member is absent (without excuse) from four Committee meetings in any twelve-month period, the position shall automatically be declared vacant. The member of the Board of Directors that nominated such Committee member shall be notified of the vacancy so that they can nominate a successor to be appointed to fill the remainder of that Committee member's term.

§3.4 Vacancies

The member of the Board of Directors who nominated the original member shall nominate a replacement candidate to fill a position on the Committee that is declared vacant. The appointment of the replacement member shall be made by the Board of Directors.

Article IV OFFICERS

§4.1 Chair and Vice Chair

The Committee shall elect from its membership a chair and a vice chair at its first meeting of the calendar year, to serve for a one-year term. The chair shall preside at all meetings of the Committee and represent the Committee before the Board of Directors. The vice chair shall perform the duties of the chair when the chair is absent. In the event of a vacancy in the chair's position, the vice chair shall succeed as chair for the balance of the chair's term and the Committee shall elect a successor to fill the vacancy in the vice chair's position as provided below. In the event of a vacancy in the vice chair's position, the Committee shall elect a successor from its membership to fill the vice chair's position for the remainder of the vice chair's term.

§4.2 Staff Support

The Secretary/General Manager of METRO shall make arrangements to furnish clerical services to prepare and distribute the Committee's agendas, notices, minutes,

correspondence and other materials. The METRO staff assigned to support the committee shall maintain a record of all proceedings of the Committee as required by law and shall perform other support duties to the committee as assigned by the Secretary/General Manager. The minutes of each meeting, when approved by the Committee, shall be transmitted to the METRO Board of Directors.

Article V MEETINGS

§5.1 Regular Meetings

Regular meetings of the Committee shall be held on the third Wednesday of each month. Whenever a regular meeting falls on a holiday observed by METRO, the meeting shall be held on another day or canceled at the direction of the Committee. A rescheduled regular meeting shall be designated a regular meeting.

§5.2 Special Meetings

The Chair may call a special meeting. The meeting shall be called and noticed as provided in Section 5.3 below.

§5.3 Calling and Noticing of Meetings

All meetings shall be called, noticed and conducted in accordance with the applicable provisions of the Ralph M. Brown Act (commencing with Section 54950 of the Government Code). The Secretary/General Manager and METRO Counsel shall be given notice of all meetings.

§5.4 Quorum; Vote

The presence of 6 members shall constitute a quorum for the transaction of business. All official acts of the Committee shall require the affirmative vote of the majority of members present, providing that a quorum is maintained at all times.

§5.5 Thirty Minute Rule

If a quorum has not been established within thirty minutes of the noticed starting time for the meeting the meeting shall be cancelled.

§5.6 Matters Not Listed On the Agenda Requiring Committee Action

Except as provided below, a matter requiring Committee action shall be listed on the posted agenda before the Committee may act upon it. The Committee may take action on items not appearing on the posted agenda under any of the following conditions:

a. Upon a determination by an affirmative vote of the Committee that an emergency exists, as defined in Section 54956.5 of the Government Code.

b. Upon a determination by a two-thirds vote of the Committee, or if less than two-thirds of the members are present, a unanimous vote of those members present, there is a need to take immediate action and the need to take action came to the attention of the Committee subsequent to the agenda being posted.

§5.7 Time Limits for Speakers

Each member of the public appearing at a Committee meeting shall be limited to three minutes in his or her presentation, unless the chairperson, at his or her discretion, permits further remarks to be made. Any person addressing the Committee may submit written statements, petitions or other documents to complement his or her presentation. Public presentations that have been scheduled prior to the meeting with the Committee Chair shall not be subject to the time limits contained in this section.

§5.8 Impertinence; Disturbance of Meeting

Any person making personal, impertinent or indecorous remarks while addressing the Committee may be barred by the chairperson from further appearance before the Committee at that meeting, unless permission to continue is granted by an affirmative vote of the Committee. The chairperson may order any person removed from the Committee meeting who causes a disturbance or interferes with the conduct of the meeting, and the chairperson may direct the meeting room cleared when deemed necessary to maintain order.

§5.9 Access to Public Records Distributed at Meeting

Writings which are public records and which are distributed during a Committee meeting shall be made available for public inspection at the meeting if prepared by the METRO staff or a member of the Committee, or after the meeting if prepared by some other person.

Article VI
AGENDAS AND MEETING NOTICES

§6.1 Agenda Format

The agenda shall specify the starting time and location of the meeting and shall contain a brief general description of each item of business to be transacted or discussed at the meeting. The description shall be reasonably calculated to adequately inform the public of the subject matter of each agenda item. The agenda may include recommendations for Committee action as appropriate.

§6.2 Public Communications

Each agenda for a regular meeting shall provide an opportunity for members of the public to address the Committee on matters of interest to the public either before or during the Committee's consideration of the item, if it is listed on the agenda, or, if it is not listed on the agenda but is within the jurisdiction of the Committee, under the agenda item heading "Oral/Written Communications". The Committee shall not act upon an item that is not listed on the agenda except as provided under Section 5.8. Each notice for a special meeting shall provide an opportunity for members of the public to directly address the Committee concerning any item that has been described in the notice for the meeting before or during consideration of that item.

§6.3 Agenda Preparation

The METRO Staff assigned to the Committee shall prepare the agenda for each meeting in consultation with the chairperson. Material intended for placement on the agenda shall be delivered to the secretary on or before 12:00 Noon on the date established as the agenda deadline for the forthcoming meeting. The METRO Staff, in consultation with the chair, may withhold placement on the agenda of any matter that is not timely received, lacks sufficient information or is in need of staff review and report prior to Committee consideration.

§6.4 Agenda Posting and Delivery

The written agenda for each regular meeting and each meeting continued for more than five calendar days shall be posted by the METRO Staff at least 72 hours before the meeting is scheduled to begin. The written agenda for every special meeting shall be

posted by the METRO Staff at least 24 hours before the special meeting is scheduled to begin. The agenda shall be posted in a location that is freely accessible to members of the public. The agenda together with supporting documents shall be transmitted to each Committee member, the Secretary/General Manager and the METRO Counsel at least five days before each regular meeting and at least 24 hours before each special meeting.

§6.5 Meeting Notices

The METRO Staff shall transmit notices of every regular meeting at least one week prior to the date set for the meeting to each person who has filed a written request with METRO for such notice as provided in Section 54954.1 of the Government Code. The notice shall be mailed at least one week prior to the date set for the meeting. Notice of special meetings called less than seven days prior to the date set for the meeting shall be given as soon as is practical.

Article VII MISCELLANEOUS

§7.1 Adoption and Amendment of Bylaws

These Bylaws shall be effective upon approval by the METRO Board of Directors.

§7.2 Committee Process

The intent of the Committee shall be to provide consensus based advice and recommendations to the METRO Board of Directors.

Approved by Board of Directors: December 19, 2003.

Attachment B

§ 3.5 Alternate Members

The Board of Directors shall appoint one alternate member of the Committee for each member appointed pursuant to Section 3.1. The membership provisions and appointment process outlined in Section 3.1 shall apply to the alternate members of the Committee. The term of office for alternate members of the committee shall coincide with the term of office of the committee member that they serve as an alternate for. The term limitation provisions outlined in Section 3.2 shall not apply to alternate members of the Committee. Individuals appointed to serve as alternate members of the Committee may not be elected to the positions of chair or vice chair provided for in Section 4.1.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2003
TO: Board of Directors
FROM: Bryant J. Baehr, Manager of Operations
SUBJECT: CONSIDERATION OF CALL STOP AUDIT REPORT

I. RECOMMENDED ACTION

This report is for informational purposes only. No Action is required.

II. SUMMARY OF ISSUES

- At the November 2001 Board of Directors meeting staff was authorized to conduct quarterly call stop compliance audits.
- Staff contracted with Robert S. Bortnick & Associates, a private investigative firm, to conduct the audit.
- On July 25, 2003 the base programming of the Talking Bus was completed and implemented. There are 48 bus routes, approximately 1,050 bus stops and 3,622 call stops.

III. DISCUSSION

At the November 2001 Board of Directors meeting staff was authorized to conduct quarterly call stop compliance audits. Staff contracted with Robert S. Bortnick & Associates, a private investigative firm, to conduct the audit. Robert S. Bortnick & Associates was authorized 100 hours to conduct a survey at a cost of \$5,000.00 each quarter. On July 25, 2003 the Talking Bus was activated on all routes encompassing 3,622 programmed call stops (trigger points). The Transit District has 48 routes serving approximately 1,050 bus stops. Each route has independent trigger points and call stops taking the number of programmed call stops and trigger points to 3,622.

Attachment A details the results of the current audit.

IV. FINANCIAL CONSIDERATIONS

Randomly conducted call stop compliance audits cost approximately \$20,000 per year.

V. ATTACHMENTS

Attachment A: Summary of Audit Results

Attachment B: Table of Results from Robert S. Bortnick & Associates dated January 2004.

Summary of the call stop audit results:

	April – May 2002	August 2002	November 2002	February / March 2003	April / May / June / July 2003	July – August – September 2003	October/ December 2003	January / March 2004
Call Stops observed	194	218	232	436	88 – Boardings	2,418	2,596	2,378
Call stops announced	186	190	232	398	88 – Operational Systems	2,305	2,558	2,371
Call stops not announced	8	28	0	38	0***	113	38	7*
Percent of call stops completed	96%	88%	100%	91.3%	0***	95.3%	98.5%	99.7%
Percent of call stops not completed	4%	13%	0%	8.7%	0***	4.7%	1.5%	.3%

*Of the seven (7) call stops not announced for January – March 2004 none were Board of Directors minimum required stops.

ROBERT S. BORTNICK & ASSOCIATES
PRIVATE INVESTIGATION

CRIMINAL/CIVIL
CA. LIC. NO. P111733

136 VERNON STREET
SANTA CRUZ, CALIFORNIA 95060
TELEPHONE (831) 423-5122
FAX (831) 459-0430
E-MAIL: ortnickPI@aol.com

April 13, 2004

Santa Cruz Metropolitan Transit District
Mr. Bryant Baehr, Manager of Operations
1200 River Street
Santa Cruz, California 95060

RE: ADA Call Stop Survey (1st Quarter 2004)

Dear Mr. Baehr,

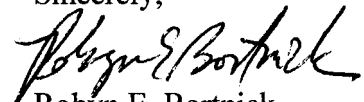
Pursuant to your request, attached you will find the results of the call stop survey for the first quarter of 2004 (January – March).

This report contains the following information;

1. A brief statistical summary of the results of the survey.
2. A brief explanation of the codes used on the check list pages to describe relevant observations made by our investigator while on board indicated routes.
3. The checklist pages provided by you, with operator identification numbers, bus numbers, and approximate times our investigator boarded each bus, noted on the upper right hand corner of each page, as well as some brief notes taken while on the bus.

If you have any questions regarding any part of this report, please do not hesitate to contact me.

Sincerely,


Robyn E. Bortnick
Investigator

REB/encl .

<u>ROUTE</u>	<u>OP#</u>	<u>BUS. #</u>	<u>DATE</u>	<u>CALLSMADE</u>	<u>CALLSMISSED</u>	<u>NOTES</u>
7		2219	4/02	8	0	
9		2219	3/29	18	0	E
10		2215	3/12	34	0	
10		2227	3/17	23	0	
13		9814	3/12	21	0	
13		9825	3/15	35	0	
15		2204	3/12	29	0	
15		9836	3/15	29	0	
16		9819	3/11	31	0	V
16		2210	3/15	31	0	
19		9801	3/18	27	0	E
19		9810	3/21	22	0	E
20		9837	3/17	33	0	
20		9828	3/11	31	2	
31 (o/b)		8084	3/31	17	0	
31 (i/b)		8084	3/31	12	0	V
35 (i/b)		9802	3/13	36	0	U, V
35 (i/b)		8090	3/21	32	0	U, V
35 (i/b)		8092	3/23	36	0	U, V
35 (i/b)		2222	3/17	31	0	U, V
35 (i/b)		2214	3/18	32	0	U, V
35 (i/b)		8095	3/31	36	0	U
35 (i/b)		2214	3/26	32	0	U, V
35 h9/cc		2214	3/17	31	0	V
35A h9/cc		8095	3/18	40	0	V
35A ga/bb		8082	3/13	52	1	V
35A h9/cc		9814	3/21	39	0	U
35A ga/mt		9813	3/23	46	0	V
35A h9/cc		8095	3/26	39	0	V
35A ga/mt		2216	3/31	39	0	V
40 (o/b)		2224	3/20	10	0	
40 (i/b)		2224	3/20	13	0	
41 (o/b)		2224	3/21	38	0	
41 (i/b)		2224	3/21	31	0	
53		9804	4/01	24	0	
55		9804	3/17	40	1	O, L
55		9815	3/18	30	0	
65 (o/b)		9805	3/22	33	0	V
65 (i/b)		9816	3/24	27	0	
65 (o/b)		2211	4/02	29	1	
65 (i/b)		9809	4/02	19	0	
66 (o/b)		2218	3/20	32	0	
66 (i/b)		9812	3/22	30	0	
66 (o/b)		9818	3/30	25	0	E

<u>ROUTE</u>	<u>OP #</u>	<u>BUS #</u>	<u>DATE</u>	<u>CALLS MADE</u>	<u>CALLS MISSED</u>	<u>NOTES</u>
66 (i/b)	9807		3/29	29	1	
67 (oh)	2211		3/12	23	0	
67 (i/b)	2218		3/20	22	0	
67 (o/b)	9813		3/24	23	0	
67 (i/b)	2210		3/27	22	0	
69 (o/b)	2207		3/23	20	0	
69 (o/b)	2228		3/29	11	1	E
69A (i/b)	2202		3/12	18	0	
69A (o/b)	2233		3/19	40	1	
69A (i/b)	9829		3/19	39	0	
69A (o/b)	2201		3/27	41	0	C
69A (i/b)	2203		3/30	18	0	
69W (o/b)	2228		3/20	40	0	E
69W (i/b)	2203		3/18	18	0	
69W (o/b)	2228		3/27	17	0	V
69W (i/b)	2225		4/01	12	0	
70 (o/b)	9830		3/18	29	0	
70 (o/b)	2236		4/01	29	0	
71 (cliff/i/b)	2234		3/20	74	0	V, E
71 (cliff/i/b)	2233		3/27	65	0	
71 (crest/i/b)	2206		3/22	49	1	C
71 (crest/oh)	2208		3/22	70	0	
72	9802		3/22	26	0	
73	2223		3/27	37	0	
75	2218		3/19	60	0	
78 (o/b)	9803		3/20	15	0	U
78 (i/b)	9803		3/20	16	0	
91 (i/b)	9830		3/17	6	0	V

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Leslie R. White

SUBJECT: CONSIDERATION OF APPOINTING INDIVIDUALS TO REPRESENT METRO ON THE PARATRANSIT COORDINATION TASK FORCE BEING FORMED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION.

I. RECOMMENDED ACTION

That the Board of Directors appoint two members of the Board to serve on the Paratransit Coordination Task Force and also appoint one individual to the Task Force who has a disability who uses the Fixed Route Service and appoint one individual to the Task Force who has a disability and uses the Para Cruz service.

II. SUMMARY OF ISSUES

- On April 1, 2004 the Santa Cruz County Regional Transportation Commission (RTC) approved the creation of a Task Force to address the coordination of paratransit services.
- The Paratransit Coordination Task Force will have 24 members appointed by various agencies that have an interest in the provision of paratransit service.
- The RTC has requested that the Board of Directors select two members of the Board to serve on the Paratransit Coordination Task Force.
- The RTC has requested that the Board of Directors appoint one individual who has a disability and who uses the fixed route service provided by METRO to serve as a member of the Paratransit Coordination Task Force.
- The RTC has requested that the Board of Directors appoint one individual who has a disability and who uses the Para Cruz service to serve as a member of the Paratransit Coordination Task Force.
- It is anticipated that the Paratransit Coordination Task Force will hold the first meeting in May 2004 and conclude work with a report to the RTC in January 2005. Subsequent to receiving the report of the Task Force, it is anticipated that the RTC will forward recommendations to the various agencies that fund and operate paratransit services, including METRO.

III. DISCUSSION

On February 4, 2004 the Santa Cruz County Regional Transportation Commission (RTC) held a public meeting to receive information regarding the paratransit services that are funded and provided by various agencies in Santa Cruz County. Over 100 individuals attended the meeting. As a result of the information that was received, the RTC decided to form a task force to address the long term financing and service issues that were raised at the public meeting. On April 1, 2004 the RTC approved the creation of a Paratransit Coordination Task Force. The Task Force was created to include a membership of 24 individuals representing various agencies and service users. The Staff Report that was approved by the RTC is attached to this Staff Report.

The Paratransit Coordination Task Force includes four seats that are anticipated to be filled by individuals appointed by the Santa Cruz METRO Board of Directors. Two of the seats on the Task Force are designated to be filled by members of the METRO Board of Director. One seat is reserved for an individual who has a disability who uses the Fixed Route system. The other METRO appointed seat is reserved for an individual who has a disability who uses the Para Cruz service.

It is anticipated that the Task Force will hold an initial meeting in May and then meet as necessary to complete the work outlined in the work program approved by the RTC. The attached RTC staff report envisions that the Task Force would report to the RTC in January 2005. The RTC would then forward recommendations to the various funding agencies and service providers in February 2005.

Staff recommends that the Board of Directors select two Directors and appoint them to the SCCRTC Paratransit Coordination Task Force. Staff further recommends that the Board select two members of the Metro Advisory Committee (MAC) who meet the requirements of the RTC as individuals who have disability and who use either the Fixed Route system in one case or the ParaCruz service in the other. I have attached a list of members of the MAC who would be eligible for appointment to the two seats on the Task Force.

IV. FINANCIAL CONSIDERATIONS

The appointment of individuals to the RTC Paratransit Coordination Task Force will not require any funds from either the METRO Operating Budget or Capital Budget at this time.

V. ATTACHMENTS

Attachment A: SCCRTC Staff Report April 1, 2004

Attachment B: MAC Members who qualify Task Force Appointment

AGENDA: April 1, 2004

TO: Regional Transportation Commission
FROM: Linda Wilshusen, Executive Director
RE: **Paratransit Coordination Task Force and Work Plan**

RECOMMENDATIONS:

Staff recommends that the Regional Transportation Commission:

1. Approve the proposed Draft Paratransit Coordination Task Force composition (Attachment 4) and Work Plan (Attachment 6);
 2. Direct staff to solicit applications for the three positions and alternates appointed by the RTC;
 3. Direct staff to invite the other entities proposed to be represented on the Task Force or making appointments, to notify the RTC of their appointment by April 23;
 4. Appoint a SCCRTC Commissioner as chair of the Task Force; and
 5. Return to the May RTC meeting with nominees and further recommendations on the Task Force schedule and process.
-

BACKGROUND

In February 2004, the Santa Cruz County Regional Transportation Commission (RTC) held a special public hearing to solicit community input about paratransit issues. Over 100 people attended that meeting. A copy of the minutes is attached ([Attachment 1](#)).

At that meeting the RTC directed staff to meet individually with various stakeholders regarding recommendations for a short-term Task Force to improve coordination of paratransit services in Santa Cruz and return to the April Commission meeting with recommendations regarding the Task Force's work program including membership, focus, timeline, staffing, facilitation and budget. Also included was direction for RTC staff to research definitions of terms such as "senior," "disability," and demographics showing aging in Santa Cruz County and examples of paratransit in peer counties.

At the March 4th meeting, the RTC approved its annual budget and work program including staff time during FY 04-05 to oversee the Paratransit Coordination Task Force process.

DISCUSSION

Following the February meeting, staff developed a list of over 200 entities associated with seniors and people with disabilities. This list was developed with input from the Santa Cruz Metropolitan Transit District (SCMTD), the Senior's Council and the Elderly & Disabled Transportation Advisory Committee.

A survey was then distributed to this list in order to broaden the scope of specialized transportation issues beyond those discussed at the public hearing (Attachment 2). A total of 39 surveys were returned, of which 23 were from the Cabrillo College Stroke Center students and staff. A summary of the responses is shown in Attachment 3. In addition, meetings were held with various stakeholders and Commissioners/staff, including specific meetings with SCMTD and Community Bridges.

Task Force Membership

Based on the input received and discussions with community members, a list of proposed Task Force members was developed (Attachment 4). The list of 24 members includes a broad cross section of representatives including RTC and SCMTD board members, service providers, funding agencies, advocacy groups, social service providers, union representatives, County departments, residential care facilities and system users. Many Task Force members will represent a range of groups, agencies and users. For the Task Force to be successful in reaching agreement on a future paratransit coordination plan, the number of members must be limited and those appointed to serve must demonstrate a willingness to listen and consider a variety of viewpoints.

The attached list designates the entity appointing the Task Force member. **Staff recommends that applications for the RTC appointments – one from a skilled nursing/residential care facility, one from the medical community or senior housing development and one consumer of paratransit services – be announced in the newspaper and would be sent to appropriate entities.** The remainder of the members are self appointed or to be appointed by a designated agency. Staff will send out invitations with a request that these appointments be made by April 23 to be included in the May RTC agenda packet.

The manager of the SCMTD and Community Bridges would be ex-officio members. The Task Force would be convened by RTC and technical assistance would be provided by RTC, SCMTD and Community Bridges staff. Alternates would be allowed, however due to the short term nature of the task force, members would be encouraged to attend meetings for the duration to ensure consistency. **Staff recommends that the SCCRTC appoint a Commissioner as Task Force Chair at today's meeting, the chair would serve as one of the RTC representatives to the Task Force.**

Goals and Issues

A number of reoccurring themes came out of the public hearing, discussions with community members and the stakeholder survey. These themes can be summarized in three proposed goals for the paratransit system:

- The paratransit system will use funding as efficiently and effectively as possible
- The paratransit system will strive to maximize customer service and satisfaction
- Legal mandates shall be observed

Staff has attempted to group the issues and concerns under the goals as shown in Attachment 5. These goals and issues would also be the focus of separate Task Force Meetings. It is assumed that the Task Force would confirm the goals and issues at the first meeting.

Work Plan/Schedule

As shown in Attachment 6, it is envisioned that the Task Force will meet monthly for three hours over the course of 7 - 8 months. Meetings in the 3:00 to 6:00 pm time frame would accommodate seniors, people with disabilities, board members, agency and advocacy representatives. A meeting location has not yet been determined, however Commissioner and SCMTD Chair Emily Reilly is finding out whether rooms in the Civic Auditorium are available. The meetings would be open, public, noticed meetings. It is anticipated that the final plan and recommendations would be ready for the RTC, SCMTD and Community Bridges boards in January of next year.

Budget

At this time, the costs anticipated with the Paratransit Coordination Task Force are staff time, as approved in the RTC Work Program, and costs to provide snacks and rent a meeting room, if necessary. There will also be advertising costs to run notices about Task Force membership and special meetings, and printing/mailing costs for packets.

SUMMARY

Per RTC direction at the February 2004 meeting, a proposal for a Paratransit Task Force and Work Plan has been developed. It is anticipated that participants would appoint representatives in April; meetings would commence in May and continue for 7-8 months. It is expected that final recommendations would be available for the RTC, SCMTD and Community Bridges boards in January 2005.

Attachments:

1. Minutes from the Feb 04 Paratransit Public Hearing
2. Sample Survey
3. Summary of input from the Stakeholder Surveys
4. Proposed Task Force Members
5. Proposed Goals and Issues
6. Proposed Work Plan

SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION
AND
SERVICE AUTHORITY FOR FREEWAY EMERGENCIES

MINUTES

**Thursday,
February 5, 2004
4:00 p.m.**

**Board of Supervisors Chambers
701 Ocean Street
Santa Cruz CA 95060**

1. Roll Call

Members Present:	Jan Beautz	Dennis Norton
	Tony Campos	Ellen Pirie
	Richard De La Paz	Emily Reilly
	Scott Kennedy	Pat Spence
	Randy Johnson	Mark Stone
	Mike Rotkin (Alt)	Mardi Wormhoudt
Staff Present	Linda Wilshusen	Pat Dellin
	Karena Pushnik	Gini Pineda
	Luis Mendez	

2. Oral Communications

3. Additions or Deletions to Consent and Regular Agendas

4. Public Hearing on the Coordination of Americans with Disabilities Act (ADA) Paratransit Services and Other Specialized Transportation Services in Santa Cruz County

Senior Planner Karena Pushnik gave the staff report reviewing the scope of paratransit services, including the federally required ADA compliant paratransit services provided by the Metro and Lift Line.

Commissioner Wormhoudt, who wrote the letter that brought the matter before the Commission, said the issue is very complex. She said that the Metro and Lift Line did a good job and that it wasn't the Commission's job to interfere with the internal workings of the transit district. She said that while there wasn't more money to solve the problems, the Commission should be able to find a long term plan to help the clients who are asking for something better.

Les White, SCMTD, described the pressures faced by the Metro in dealing with paratransit issues. He said that the Metro

is accountable to the Department of Justice for their ADA paratransit services.

SCMTD attorney Margaret Gallagher spoke about the legal requirements imposed on the Metro by Title II of the Americans with Disabilities Act which include being charged with discrimination if it fails to provide next day service to paratransit clients.

Bryant Baehr, SCMTD, said that in 2000 Metro conducted a comprehensive operational and financial study for ParaCruz, the Metro's paratransit service. The two-year study questioned how people accessed services and took suggestions from the public. The transit district designed a recertification process to determine eligibility and produced a ParaCruz guide to let people know what to expect from and how to access the Metro's paratransit services.

Mark Dorfmann discussed the financial impacts of providing complimentary paratransit service saying that the Metro is obligated to provide service to all eligible clients. He said that because sales tax revenues and Transportation Development Act money have declined and the ParaCruz cost per ride has increased, Metro is projecting a deficit of over one million dollars. Mr. Dorfman said that Metro currently spends 9% of its budget on paratransit and predicted an increase to 13% of the budget.

Sam Storey, Lift Line, showed how Lift Line fits into Community Bridges family of programs. He described the various types of rides offered by Lift Line and said that each program had its own set of rules and regulations. Mr. Storey said that ADA ParaCruz rides account for a significant portion of the total Lift Line rides. Mr. Storey referred to spreadsheets illustrating Lift Line's decreasing revenues and increasing costs. He said the largest cost increase was due to the jump in Worker's Compensation insurance.

Mr. Storey showed the Lift Line staff reductions on the organizational chart and said that Lift Line was able to meet demand at this time because demand decreases in the winter. He said that grouping rides was needed and that Lift Line met ADA's performance requirements.

The floor was opened for the public hearing. Chair Beautz asked that comments be limited to three minutes.

Ernestina Saldania complained that her ParaCruz rides are late and that she gets the wrong vehicle for her wheelchair. She advised that the Commission listen to testimony from people who use the services.

Brad Neely supported a community wide dialogue emphasizing that it was important to understand that ADA paratransit is complimentary to established fixed route transit service. He suggested an overall look at customer service and efficient use of vehicles.

Jeff Le Blanc said that there is no time for a task force because the crisis is now.

Bud Winslow has not found a concise and clear definition of rights guaranteed by the ADA. He said legislation would require public and private providers to publish guidelines for ADA requirements and publish information about availability of ADA services.

Rick Baine, UTU, blames the sub-contractual relationships with the taxi services and would like to see restrictions lifted on Community Bridges.

Majel Jordan, Elderday, said the complexity of the system is beyond reason and supports more coordination between the Metro and Lift Line.

Barbara Schaller said that taxi script is good and suggested that taxi riders share rides.

Michael Bradshaw said that the Americans with Disabilities Act is about protecting civil rights and that segregating services according to who pays the bill is a bad idea. He recommended a moratorium until task force brought a recommendation to the Commission.

Gloria uses Lift Line and said the duplication of services is wasteful.

Caroline Bliss-Isberg, Stroke Center, said Lift Line was great but the system is broken and said that it worked better when caregivers were allowed to determine who needed specialized transportation. She urged a moratorium on any further fragmentation and recommended forming a task force immediately.

Jean Goudreau, a Lift Line user, thought it was dumb that rides could not be co-mingled.

Gail Goudreau, Santa Cruz County Human Resources Agency, said she supports a simplified system even if the funding sources differ.

Kathy Hogan and **Liz McCready** said all the Lift Line drivers

are amazing and supports keeping them.

Diane Sherron, Stroke Center, said she looked into the possibility of local churches helping to provide rides but found that liability issues and the lack of handicapped accessible vans made it impossible.

A member of the Twin Lakes Church congregation said that they relied on Lift Line bring the disabled to church. She spoke against duplication of services.

Judy Gomes, Stroke Center, said that the system worked better years ago when students could schedule their rides for a semester. She said some students forget to call in and book rides now that they must call every 2 weeks.

Merritt Tucker, Stroke Center said that the information that worked in the 80's should be shared now and supports a moratorium until a task force is developed.

Trudi Jackson, who rides Lift Line, said that those who complain should realize the drivers have a difficult job and supports Lift Line and the taxi providers.

Brenda Moss, Senior Network Services, said a service once called excellent had become so inflexible that a 92 year old woman could not get certified for a ride to the doctor because she can walk to the nearby grocery store.

Scott Bugental said there had been improvements with the Metro system and presented a brochure from Paratransit, Inc., which serves as the Consolidated Transportation Services Agency for Sacramento County, as a model to study.

Steve Taylor said to factor in the cost of emergency care for those who don't get their rides to doctor.

Karen Delaney, Volunteer Center, there is more than just a transportation problem and that a single intake system with professionals trained in social services in addition to transportation was needed. She said certification and recertification was very confusing.

Kathleen Johnson, Ombudsman Advocate, said certification and recertification is not a one size fits all process and that some disabled people can take a bus on a good day but not on days when they experience more difficulty.

A spokesperson for Pacific Coast Manor said the probably 99% of the residents in skilled nursing facilities are ADA eligible but they had to be recertified with the new ParaCruz process. It was suggested that facility staff be

trusted as to whether clients should be recertified and that Metro could monitor staff on a quarterly basis.

Bob Yount made comments on behalf of nine people including a request for help with something to hang on to in the vans and for a client advocate with a dedicated phone number to receive complaints. He said most drivers are highly rated.

Clay Kempf said this is a community issue and not just an ADA and paratransit issue. He said a task force is needed to get all policy decision makers at the table along with some less obvious stakeholders like the Volunteer Center and Red Cross. He suggested reviewing the history of how services got where they are and designing an optimal system to develop methods to educate users and providers and to end the movement that segregates by funding source.

John R. Zee said the Lift Line gets him everywhere.

Paul Sampson, Metro Riders Union, asked who was going to pay if the Metro is pressured to provide more paratransit services. He said in Riverside, volunteers get mileage reimbursement to provide rides and in King County, Washington, vans are provided. He said the community has to come in and pick up where ADA laves off and that ADA should not be broadened at the cost of regular bus service.

The Public Hearing was closed.

Commissioner De Pa Paz opened discussion by asking what was the problem with co-mingling rides and why can't it be overcome.

Les White explained that the ADA is legally considered as a civil right and that the Act sets a standard for wait time, etc. He said that communities that have expanded services have suffered lawsuits because the ADA includes a federally mandated guarantee that every trip is filled and that balancing legal requirements with funding requirements is the issue. He said there is some relief with the plan to provide same destination co-mingled service with "first on last off" scheduling.

Commissioner Spence described some of the problems she encountered when using paratransit, including wait times on the phones and the lack of cleanliness of vans. She said that the Metro has a unique responsibility under the law and asked that staff research definitions and criteria to clarify future discussions. Definitions included the most common criteria to be considered a "senior" and the definition of "disability". Ms. Spence asked for demographics showing aging in Santa Cruz County and examples

of paratransit services in peer counties. She said it was important to agree on definitions.

Commissioner Wormhoudt said that Commissioner Spence's information will greatly help the task force. She said she was impressed with the Public Hearing and believed Santa Cruz could make a statewide model. Ms. Wormhoudt noted that imposing a moratorium on further fragmentation was not within the purview of the Commission.

Commissioner Wormhoudt moved to direct staff to meet individually with various stakeholders regarding recommendations for a short-term Task Force to improve coordination of paratransit services in Santa Cruz and return to the April Commission meeting with recommendations regarding the Task Force's work program including membership, focus, timeline, staffing, facilitation and budget. Ms. Wormhoudt added that the information requested by Commissioner Spence be provided to the task force.

Commissioner Reilly seconded.

Commissioners discussed the time frame for forming the task force.

Commissioner Spence said she was specifically interested in meeting with social service providers.

Commissioner Wormhoudt noted that meeting individually with stakeholders was not intended to exclude the public but to get counsel from the providers.

Executive Director Linda Wilshusen said that it was important to include a range of stakeholders and in order to meet expectations, it would be necessary to report back in April.

Commissioner Campos said that sometimes haste makes waste and that the Commission wanted to ensure a good partnership.

The motion passed unanimously.

5. Next Meetings/Adjournment

The meeting adjourned at 6:45 p.m.

The next Transportation Policy Workshop is scheduled for Thursday, February 19, 2004 at 9:00 a.m. at the SCCRTC offices, 1523 Pacific Avenue, Santa Cruz, CA 95060.

The next regular SCCRTC meeting is scheduled for Thursday, March 4, 2004 at 9:00 a.m. at the Board of Supervisors

Chambers, 701 Ocean Street, Santa Cruz, CA 95060.

A Public Hearing on the Recreational Rail Environmental Impact Report and Proposition 116 Funds is scheduled for Thursday, March 4, 2004 at 7:00 p.m. at the Board of Supervisors Chambers, 701 Ocean Street, Santa Cruz, CA 95060.

Respectfully submitted,

Gini Pineda, Staff

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Specialized Transportation Stakeholder Survey

The Santa Cruz County Regional Transportation Commission wants to understand specialized transportation issues for seniors and people with disabilities. Your input will help formulate a work plan to be pursued by a task force to be determined at the April 2004 SCCRTC meeting. Please use back of this page, if needed.

Your name: _____ Agency/Organization: _____
Phone: _____ E-mail: _____

How many (individual) people do you work with per month? _____

How many of those people need specialized transportation? (*percentage of total*) _____

How many rides do your clients take per month: (*circle one: average, estimate or actual*) _____

What type of specialized transportation is used (please provide approximate number of rides per month by type)?

___ ADA Paratransit

___ Lift Line: ___ MediCal, ___ Stroke Center, ___ Senior Mealsites, ___ Elderday,

___ Out-of-County Medical/Red Cross, ___ Taxi Scrip,

___ Other (*please specify*): _____

In your opinion, please rate the most critical issues facing system users:

(*please rank from 1 to 5, with 1= very important and 5=minimal importance*)

___ Cost to user of paratransit

___ Scheduling rides

___ Available funding for paratransit

___ Coordination of paratransit services

___ Ease of use for system users

___ Co-mingling rides with different funding sources

___ Eligibility process

___ Other (*specify*): _____

Comments: _____

What works in the current paratransit/specialized transportation system for seniors and people with disabilities?

What could be improved? _____

What solutions do you propose? _____

What should be the main components of the Task Force's work plan? _____

Please mail or fax this survey to the Santa Cruz County Regional Transportation Commission: 1523 Pacific Avenue, Santa Cruz, CA 95060, fax: 831/460-3215 and call 460-3200 with questions. A copy of the survey is on-line (www.sccrtc.org/transit.html#access), if you'd like to share it with your colleagues.

Please return the surveys asap, no later than March 8. We apologize for the short turn-around time.

Paratransit Stakeholder Survey Results

Name	Agency	# of contacts per month	# of people needing specialized transportation	# of rides per month (1)	What works	What could be improved?	Solutions proposed	Task Force Work Plan ideas
Tim Miller	Red Cross	50	50	160 - AV	local Lift Line & Red Cross support	More Lift Line trips to remote areas	Maximize cost-effective programs	
Deborah Sweeney	Dept of Rehab	1000	800	9600 - ES	Accessible bus system w/ supportive drivers	- Lift Line responsiveness Medical/work trip prioritization	Metro-managed system	- System responsiveness - dependable - affordable - train people to use bus
Sharon Spence	Cabrillo Dental Hygiene	700	16	24 - ES	Services are needed	- Employee training on rider safety (tie downs) - Phone/Customer service sensitivity training needed	- Research creative funding options - eligibility process should be more objective	- Creative funding options - combine duplicated services
Bob Tschich	Hangar Prosthetics, Orthotics	150-200				- On-time Pick/Delivery - Drivers knowing routes	- Educate drivers - Work on scheduling/on-time	
Dorothy Nicholls	Health Projects Center	8						- East of use for riders - Co-mingle rides
Judy Peretto	Cabrillo College Stroke Center							
Sheryl Haver	Mid-County Senior Center	1400	45	40 - AV	- Gets people to/from activities	- Duplicate vans sent when unnecessary	- Coordinate people w/ destinations	- Find ways to save seniors, state and county funds
Linda Martinez	WNRC - West	89	85		- Eligibility staff great, renewals fast	- Lift Line drivers don't wait 10 minutes	- Residents can wait in the lobby	
Elbina Rafizadeh	MSSP	40	40	160 - AV	- Availability	- Timeliness of pick up/return	- Improved coordination of dispatch w/ drivers	- Devise a workable system to make Lift Line accountable, esp to frail clients

Paul Marcelin-Sampson	Metro Riders Union	13	0	425 - ES	-ParaCruz Guide easy to read - Recertification process fair - Metro's monthly report on ADA monitors contract	- Vendor performance - More rides on same vehicle - Consumer info materials - Fixed route equity - Labor relations	- Lift Line as CTSA should write Riders Guide -	
Gail Goudreau	Co.Human Resources Agency	2000	450		-Caring drivers - Sufficient vehicles	-Process for setting up rides - Eligibility certification - Allow residential facilities to certify riders - Reinstate permanent ride schedules	-Allow co-mingling - Reinstate permanent ride ability - educate riders & agencies	-ID components that work - ID past components that worked and are now gone - Explore a variety of improvements - Reduce fragmentation
Brenda Moss	Senior Netroek Services	750	450		- Lift Line drivers courteous/sensitive	- Waiting time for riders - Allow ridesharing - Recertification process	- Bring knowledgeable people together to rebuild services	- Outline a plan that improves services for riders, meets legal requirements and maximizes funding
Link Spooner	Community Bridges/CTSA	3827	3827	15136	- 95% of ADA riders picked up on time in Jan 04 - E/D clients able to access appointments throughout the county	- Seamless transfers for Pajaro users to Stroke Center - Increase ADA service area - Increase funding sources - Allow co-mingling	-Improved cooperation between CTSA & SCMTD for improved service coordination	- ID issues - prioritize goals - Don't ignore funding
Jeni Brill	WomenCARE	190	20	40 - AV		-Better funding so rides can be free to users		-Seek more funding
Jill Ginghofs	Alzheimer's Association				-Availability	- Timliness		

Amy Lathrop	Oak Tree Villa	200+	20	50+ - ES	- Residents happy with the cost of services and ease of registration	- Drivers need to be on time or call if late - Respect clients (communicate with them) - Phone line often busy/hard to get through		
Kelly Duffin	Dominican Hospital	1400	200	150		- Determining ways to balance costs over all participants/clients to equalize perceived inequities	- Look at cost-shifting alternatives such as increases in \$2 rides to public to offset higher cost, low frequency rides	- Establish goals - Understand community needs - Receive input - Feasibility studies - Generate solutions - Test solutions - Implement

<p>Judy Gho, Judy Peretto, Diane Cherin, Rosemary Eator, James Gonzalez, Sharon christ, Lois Saso Jan Hiley, mary Morton, Helen Sufford, Merritt Tucker, Lisa Palacio, Laura Herrins, Rhonea Saloni, Marlene Warneke, Donna S., Denny Fasnacht, Mike Short, Peter Pinkerton, Eleanor Harvey, Willie Serpa, Susan Kramer, Rosario Mendoza</p>	<p>Cabrillo College Stroke Center</p>	<p>130-150</p>	<p>35-40</p>	<p>100 - ES</p>	<ul style="list-style-type: none"> - Drivers efficient, helpful, sensitive and curtious - Single number to book rides - Scoters fit on vans - People appreciate the rides (independence) - Courtesy Cab terrific 	<ul style="list-style-type: none"> - On-time pick up/delivery - Notification if van late - Permanent scheduling option (big obstacle for speech/memory disabled) - More programs and drivers - Reduce cost to rider - Install handles on vans to help transfers - Better communication between schedulers and drivers - Need to better coordinate vans going to same places - Phone operators could be more polite 	<ul style="list-style-type: none"> - Combine rides w/ similar O & D, rather than by funder - Riders should contine calling Lift Line/Keep service with Community Bridges - Students should be able to schedule rides for the semester - More bus service - Better communications - Eliminate language barriers with operators - Need better organization - More accessible vans available at critical times (AMs) - Communication with riders so that they know status of van's scheedule (bad traffic/weather) - Remember that service a reflection of higher ocietal values (don't let lack of funds hinder creative ideas/solutions) - Understanding that disabled need transportation to make their life better 	<ul style="list-style-type: none"> - Creative financing - Combine duplicated services (co-mingle) - Develop a plan to make it easy for the riders - Organization and cooperation - Increase efficiency of the entire system - Affordability for riders - Plan to coordinate dispatcher & drivers - Develop rules for callers - Designate an explicit time frame for changes to take place - Strive to maintain/provide the maximum and best service to those who need it the most - More efficient dispatch
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1 Applicants were asked to circle average (AV), estimate (ES) or actual (AC)

Attachment 4

PARATRANSIT COORDINATION TASK FORCE Possible Members and Alternates

- Two Regional Transportation Commissioners (not on SCMTD Board)
- Two SCMTD Board members
- One representative appointed by Community Bridges
- One representative appointed by the E/D TAC
- One representative from MASTF
- One representative of MAC
- One representative of the Bus Riders Union
- One representative from UTU
- One representative from SEIU 415
- One representative from the Seniors Council
- One representative from the Stroke Center/Elderday/Cabrillo College Disabled Students
- One representative from the Center for Independent Living
- The County Auditor or designee
- The HSA Administrator or designee
- The HRA Administrator or designee
- One representative from the Medi-Cal/Alliance for Health
- One representative from the taxi companies providing paratransit services
- One representative from skilled nursing facilities and Residential Care Facilities appointed by the RTC
- One representative of the medical community or senior housing developments appointed by the RTC
- One disabled consumer who uses the fixed route service appointed by SCMTD
- One consumer of paratransit services appointed by the RTC
- One consumer of paratransit services appointed by SCMTD

Total = 24 people.

The Manager of the SCMTD and the Director of Community Bridges would be ex-officio members of the Task Force convened by the RTC and staffed by the RTC, SCMTD and Community Bridges.

Paratransit System Goals and Issues

PROPOSED GOAL 1: The paratransit system will use funding as efficiently and effectively as possible.

Related Issues:

How to manage eligibility under various programs (clear criteria, centralized information and/or registration)
Advance scheduling (for rides more than 2 weeks away)
Available Funding and Resources
Coordination between paratransit services (ADA, TDA, other)
Co-mingling / combine duplicate services
Clear transportation system understanding and expectations (riders, case workers, counselors)
Co-mingling / combine duplicate services
Making the Bus More Accessible (sidewalks, land use, etc.)
Mobility Training

PROPOSED GOAL 2: The paratransit system will strive to maximize customer service and satisfaction.

Related Issues:

Ease of use for client
Customer Service (phone hold times, timeliness of eligibility determination, etc.)
Trip quality (timeliness, safety, clean vehicles, support equipment in vehicles e.g. more hand grips etc.)
Communication between drivers & riders for schedule changes
Affordability
Community input procedures (riders, caregivers, and facilities)
Accountability and system responsiveness
Availability of Accessible Vehicles (incl. Taxi Scrip)

PROPOSED GOAL 3: Legal mandates shall be observed

Related Issues:

Assurance that legal requirements met (ADA, Area Agency on Aging, Medi-Cal)
Labor relations

Attachment 6

Paratransit Coordination Task Force Draft Work Plan

Meetings: Every month, 7-8 meetings, 3:00 to 6:00 pm

Location: To be determined (possibly @ Civic Auditorium ABC rooms)

Duration: Seven-Eight months

Board Actions:

April 2004 – RTC approves the Work Plan/Task Force and sets first meeting date

February 2005 – RTC, SCMTD and Community Bridges consider Paratransit Recommendations

May: Review issues
Agree on Definitions
Outline Work Plan/Schedule
Needs Assessment/Review Demographics
Agree to Goals

June: Review peer programs and identify potentially applicable innovative solutions

July: Work on Goal #1: Efficiency & Effectiveness

August: Work on Goal #2: Customer Service & Satisfaction

September: Work on Goal #3: Legal Mandates

October: Discuss Recommendations Plan and Responsibilities

November: Formulate Recommendations Plan and Responsibilities

December: Finalize Plan and Review Recommendations for RTC/SCMTD/CB

ATTACHMENT B

MAC Members

Eligible for Appointment

To

SCCRTC

Paratransit Coordination Task Force

Fixed Route Users

- Kanoa Dynak
- Michael Edwards
- Norm Hagen Jr.
- B. Jefferson LeBlanc
- Robert Yount
- Lesley Wright

Para Cruz Users

- Norm Hagen Jr.
- Lesley Wright

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

STAFF REPORT

DATE: April 23, 2004

TO: Board of Directors

FROM: Margaret Gallagher, District Counsel

SUBJECT: STATUS REPORT FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TRANSIT ORIENTED CHILD CARE AND APARTMENT COMPLEX CENTER FOR PROPERTY APN'S 17-011-51 AND 52 IN WATSONVILLE, PURSUANT TO A LEASE AGREEMENT BETWEEN THE CITY OF WATSONVILLE AND THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

I. RECOMMENDED ACTION

No Action requested.

II. SUMMARY OF ISSUES

- On or about March 25, 1999, the City of Watsonville Redevelopment Agency expressed interest in acquiring the property located adjacent to the Watsonville Transit Center in Watsonville (APNs 17-011-51 and 52)
- The City of Watsonville Redevelopment Agency has been awarded grants from the Transit District and the Packard Foundation for analysis and construction of a childcare center.
- On or about August, 2000, the Santa Cruz Metropolitan Transit District Board of Directors authorized the General Manager to execute a Lease Agreement with the City of Watsonville for a nominal amount in order to facilitate transit-related development on the site. Part of the Lease Agreement provided that the City of Watsonville would provide regular status updates for the Project to the Santa Cruz Metropolitan Transit District.

III. DISCUSSION

In 1988, the Santa Cruz Metropolitan Transit District purchased APNs 17-011-51 and 52 from the Alexander family, lots believed to be necessary for the construction of the Watsonville Transit Center. According to a Board report written in late 1987, the property was to be used for "off-street parking for occupants and customers of the adjacent transit center."

The Alexander property was never turned into a park and ride lot or a customer parking lot. In fact, in April 1999, the Board of Directors declared the property to be surplus. At

that time the staff was directed to consider whether leasing the property was advantageous to the Transit District.

In August of 2000, this Board authorized the General Manager to execute a 99-year Lease with the City of Watsonville to enable the City to acquire this property located adjacent to the Watsonville Transit Center. The City had received various grants to develop a transit orientated child-care and apartment complex center.

Part of the Lease Agreement provided that the City of Watsonville would provide regular status updates for the Project to the Santa Cruz Metropolitan Transit District. Janet R. Davison, Redevelopment and Housing Director for the City of Watsonville has provided an update letter on the project which is attached for the Board's review. No action is necessary at this time.

IV. FINANCIAL CONSIDERATIONS

None.

V. ATTACHMENTS

Attachment A: Letter dated March 31, 2004 from Janet Davison, Redevelopment and Housing Director for the City of Watsonville giving an update on the Via Del Mar Project.

Attachment B: A 2-page letter with 2-page attachment from Jane Royer Barr, Project Manager for Mid-Peninsula Housing Coalition, which provides the current status of performance schedules for housing and childcare for the project.



CITY OF WATSONVILLE

Opportunity • Integrity • Community

ADMINISTRATION
BUILDING
250 Main Street
Watsonville, CA 95077
831-728-6000
Fax 831-728-6000

March 31, 2004

MAYOR & CITY COUNCIL
215 Union Street
Watsonville, CA 95077
831-728-6000
CITY MANAGER
831-728-6001
CITY ATTORNEY
831-728-6013
CITY CLERK
831-728-6005
PERSONNEL
831-728-6012

Ms. Margaret R. Gallagher
General Counsel
Santa Cruz Metropolitan Transit District
370 Encinal Street, Suite 100
Santa Cruz, CA 95060

RE: **Update on Via del Mar Project --124 W. Beach Street, Watsonville**

Dear Ms Gallagher:

CITY HALL OFFICES

250 Main St

COMMUNITY
DEVELOPMENT
831-728-6018
Fax 831-728-6173

FINANCE
831-728-6031
Fax 831-763-4066

PUBLIC WORKS &
UTILITIES
831-728-6049
Fax 831-728-4065

PURCHASING
831-728-6029
Fax 831-763-4066

REDEVELOPMENT & HOUSING
831-728-6014
Fax 831-763-4114

AIRPORT
100 Aviation Way
831-728-6075
Fax 831-763-4058

FIRE
115 Second Street
831-728-6060
Fax 831-763-4054

LIBRARY
310 Union Street
831-728-6040
Fax 831-763-4015

PARKS & COMMUNITY SERVICES
30 Maple Avenue
831-728-6081
Fax 831-763-4078

This letter is to inform you and the Santa Cruz Metropolitan Transit District Board that Via del Mar, a transit-oriented project, is on schedule to start construction this summer. The project developer Mid-Peninsula the Farm, Inc has satisfied all City requirements under an approved Special Use Permit and has resubmitted plans for final City building permit approval.

The project is on schedule to secure all funding commitments. The Redevelopment Agency of the City of Watsonville is committing a 55-year residual receipts loan of \$1,215,000 at 0% interest rate and \$429,846 in grant monies for the childcare center. We are currently in the process of finalizing all loan documents and sublease agreement with the developer.

The permanent lender for Via del Mar is the California Housing Finance Agency (CalHFA). CalHFA is requesting a collateral position on the property and its fee interest as a financing condition for the project. Per Section 6.5 of Article VI (page 19) of the Lease Agreement between the City and SCMTD, CalHFA is considered an Approved Lender and eligible to subordinate with a deed of trust the property and its fee interest as collateral.

SCMTD needs to provide the City and the developer with a legal opinion as to whether Davis Bacon Act prevailing wages apply to this project. Mid-Peninsula would like to request your determination by April 2nd in order to go out to bid by April 15, 2004. This project has six funding sources that will require state prevailing wages, but none of them require Davis Bacon.

Please call Mario Maldonado (831) 728-6143 if you have any questions concerning the commitment of the status of the project.

Sincerely,
Janet R. Davison

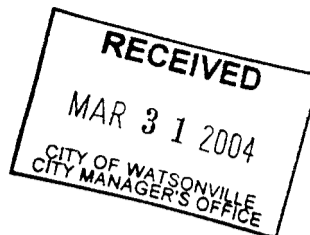
Janet R. Davison
Redevelopment and Housing Director

/enclosure



Mid-Peninsula Housing Coalition
Monterey Bay Office

77 Aspen Way, Suite 103
Watsonville, California 95076
Tel: [831] 761-7215
Fax: [831] 761-7218
Rental Information: [650] 2994066
Email: midpen@midpen-housing.org
<http://www.midpen-housing.org>



March 29, 2004

Ms Marcela Tavantzis
City Of Watsonville
PO Box 50000
Watsonville. CA 95077-5000

RE: Via del Mar Update

Dear Marcela,

Attached is an update of the Schedule of Performance, Exhibit B to the Option to Lease.

Funding commitments received for the project are as follows:

City RD.4	\$1,215,000
City Childcare Grants	429,846
HOME	1,000,000
AHP	239,000
Prop 46 Joe Sema	600,000
MHP	3,092,739
CalHFA	860,000

Outstanding funding that has been applied for and will be approved in April are 4% tax credits (\$4,117,036) and CDALC bond approval (\$6,725,000). These are non-competitive. The tax credits were shopped and bids were received on the 26th. Bids generally came in at the levels we had projected so we do not expect a shortfall. We will be selecting out tax credit partner in the next few weeks.

The construction docs were submitted last May and we received plan check comments in June. Because we did not receive 9% tax credits last fall, we delayed in resubmitting the plans. We are now resubmitting the bid set for final approval. The project will go out to bid in mid-April. We expect to close all loans and bring in the tax credit partner in June. Construction is scheduled to begin in late June or the first week of July.

We have been informed that the City will defer to rent restrictions from HCD rather than those requested by the City in the original RFQ. Per Section 14-46.040(d) of the City's Affordable Housing Ordinance related to projects funded through State housing programs and the RDA, this project satisfies rental restrictions in its entirety.

COPY



Equal Housing Opportunity-Professionally managed by Mid-Peninsula Housing Management Corporation

COPY

Drafts of the sublease with the City and loan docs for RD.4 have been sent via Mario Maldonado to the Redevelopment Agency's counsel and City Attorney for review and comment.

Outstanding issues remaining are related to prevailing wage. We are awaiting confirmation from SCMTD that Davis Bacon is required on the project as triggered by the land purchase which we believe used Federal funds. It is our understanding that the grants for the childcare do not include federal funds so they do not trigger Davis Bacon. HOME does not trigger Davis Bacon as there are less than 12 HOME units. In regard to State prevailing wage, we are expecting a residential wage rate decision from the DIR any day. However, it only includes four decisions. We are trying to sort out the application of commercial versus residential wage rates to the childcare center. In all other projects that we have done at Mid-Peninsula, we have used residential wage rates for the whole project rather than splitting out the childcare center. We believe it may be difficult to separate and track labor on the childcare center. I will keep you informed in regard to this topic. It is our understand that State prevailing wage and Davis Bacon, if applicable, are triggered by grants which are coming through the City and SCMTD funding as passed on to the City via the Lease. Therefor, the City will need to supply us with the appropriate prevailing wage rate decisions for those categories not covered by the residential wage rates and for Davis Bacon, if applicable as well. In regard to monitoring, please let us know what you will require.

Please call me at 761-7217 if you have any questions about the project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jane", is written over a horizontal line.

Jane Royer Barr
Project Manager

Status of Schedule of Performance Housing



<u>PERFORMANCE ITEM</u>	<u>DATE</u>	<u>STATUS</u>
1. Execution of Option	10/22/02	Met
2. Approval of Conceptual Design	10/22/02	Met
3. Application for HOME funds	10/30/02	Awarded 1/03
4. Submission to City for Design Review	11/15/02	Met
5. Planning Commission Public Hearing and Approval	1/03	Met
6. Receive Entitlements	1/03	Met
7. Application for AHP grant and commitment of permanent financing	4/03	Awarded 5/03
8. Application for Prop 46 Joe Sema funding	6-11/03	Awarded 8/03
9. Application for Low Income Housing Tax Credits	First and Second Rounds, 03 & 04 (4%)	Met: 3/03, 7/03, & 3/04
10. Award of Tax Credit Reservation	6/9/03	Pending 4/04
11. Close Construction Loan	12/03 (or 04 if no award of tax credits in 03)	6/04
12. Receipt of Reservation of Low Income Tax Housing Credits and all other financing required for project	not later than June 2004	4/04
13. Submission of Final Construction Documents	within 30 days of receipt of reservation of Low Income Housing Tax Credits	3/04
14. Approval of Final Construction Documents/Pull Building Permits	within 150 days of receipt of reservation of Low Income Housing Tax Credits	4/04 & 6/04
15. Exercise of Option	within 60 days of receipt of reservation of Low Income Housing Tax Credits	6/04

**Status of Schedule of Performance
Child Care**

COPY

<u>PERFORMANCE ITEM</u>	<u>DATE</u>	<u>STATUS</u>
1. Execution of Option	10/22/02	Met
2. Approval of Conceptual Design	10/22/02	Met
3. Submission to City for Design Review	11/15/02	Met
4. Planning Commission Public Hearing and Approval	January 2003	Met
5. Receive Entitlements	January 2003	Met
6. Commitment of all funds by City necessary to build Child Care	05/02/03	Met* li04
7. Submission of Construction Contract to State	05/15/03	Est 6/04
8. Start of Construction	within 150 days of receipt of a reservation of 9% Low Income Housing Tax Credits	Est 6/04
9. Execution of Lease with Child Care Operator	09/01/03 (or within 150 days of receipt of a reservation of 9% Low Income Housing Tax Credits)	Met 3/03

* = Loss of \$149,867 of the State Parks & Rec & Dept of Transportation grants; this has been replaced by MHP-NSSS funds

** = Not submitted to State due to delay in funding and thus Construction contract

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004
TO: Board of Directors
FROM: Mark J. Dorfman, Assistant General Manager
SUBJECT: CONSIDERATION OF OPERATION OF BEACH SHUTTLE FOR CITY OF SANTA CRUZ

I. RECOMMENDED ACTION

Staff is recommending that the Board of Directors authorize staff to operate the Santa Cruz Beach Shuttle for this summer.

II. SUMMARY OF ISSUES

- The Santa Cruz Beach Shuttle has not operated for the past two years.
- In response to financial support from the City of Santa Cruz, METRO purchased a trolley bus to use for the service.
- At the April 13, 2004 City Council Meeting, approval was given to pay for the cost to operate the Beach Shuttle for this summer.
- In the past the District has provided 23% funding for these types of services, but the current Board direction is that these services be paid fully by sponsoring agencies.
- The City of Santa Cruz has agreed to provide the funding for two buses to operate this summer.
- As was done in the past, METRO will work with the County to secure the County Parking Lot in exchange for passes for the County Summer Youth Program.

III. DISCUSSION

For the past two years, the Santa Cruz Beach Shuttle has not operated due to funding constraints. The City of Santa Cruz in the past funded the 20% local share for the purchase of a rubber-tired trolley that intended to be used for this service. Since it was delivered, it has seen limited use.

City staff contacted METRO requesting cost information for the operation of a Beach Shuttle this year. METRO staff informed the City that due to current Board direction, we are unable to provide any funding for the operation of the Beach Shuttle. The City at it's April 13, 2004 Council Meeting approved a proposal to provide \$30,400 to fund a two-bus Beach Shuttle for this summer. (Attachment A)

METRO staff has contacted the County for the use of the County parking lot. In the past, METRO has provided passes to County Parks in exchange for the use of the Parking Lot. Staff is proposing the same arrangement this year as ridership is extremely light during the summer months.

IV. FINANCIAL CONSIDERATIONS

There is no direct financial impacts as a result of operating the service. The entire operating cost of the Beach Shuttle will be paid by the City of Santa Cruz.

V. ATTACHMENTS

Attachment A: City of Santa Cruz Beach Shuttle Staff Report



CITY COUNCIL AGENDA REPORT

Attachment **A**

DATE: March 26, 2004

AGENDA OF: April 13, 2004
DEPARTMENT: Public Works
SUBJECT: 2004 Beach Shuttle

RECOMMENDATION: That the City Council adopt the following resolutions: 1) authorizing and directing the City Manager to execute agreements with the Transit District and County of Santa Cruz for the operation of the 2004 Beach Shuttle program, in a form acceptable to the City Attorney; and 2) transferring funds and amending the FY 2004 budget in the amount of \$30,400 in order to fully fund the 2004 Beach Shuttle.

BACKGROUND: City staff has been working to address the visitor, neighborhood and employee parking and access impacts from the Depot Site Park and the San Lorenzo River Phase III (Laurel Street Extension) projects. The Depot Site is currently under construction and the River project is anticipated to start before the summer. As part of this effort, Public Works staff has been working with Beach Area neighbors to increase the visitor and residential parking supply in the neighborhood. Parks and Recreation, Redevelopment and Public Works staff have also been working to develop a plan for funding the beach shuttle. Transit District staff has been very supportive of initiating the program. Staff has developed a financing and operational plan for this summer.

DISCUSSION: The cost to operate two shuttle vehicles is \$950 a day, for a total cost of \$30,400 for the weekends and holidays during the summer season (32 days). This shuttle service would operate for 8 hours a day, be free to riders, and provide 30 minute headways. Exact hours of operation are being determined. A 20 minute headway which requires a third bus and \$15,200 more in funding would be more attractive for customers. Staff will continue to search for grant and other funding sources to provide this additional service. If successful, we will return to Council with a program budget adjustment.

The Transit District has also agreed to operate the trolley as one of the summer beach shuttle vehicles. This will give higher visibility to the service and should encourage ridership. The proposed route will follow the route used in previous shuttle services. Staff will also maintain the shuttle lane on lower Pacific Avenue and will also work with the Transit District to test the shuttle's use of the two way bicycle lane on Beach Street between Ideal Fish and the Casino at Cliff Street.

Public Works staff has talked with County Parks and Open Space staff about using the County Government Center Parking Lot on weekends and holidays from Memorial Day to Labor Day. They have expressed a willingness to agree to lease the lot to the City and Transit District in exchange for bus passes that would be given to children enrolled in County summer recreation programs. This arrangement has been used in the past and Transit District staff supports using this approach this summer. Public Works staff will work with the Transit District to finalize this arrangement with the County.

Public Works staff will also talk with Beach Area businesses about commercial sponsorship. The Transit District has agreed to provide interior bus advertising to any participating sponsors.

City staff has identified the following sources for funding this summer's shuttle program:

- | | |
|--|----------|
| • San Lorenzo River Phase III Project (Storm Water Fund) | \$20,000 |
| • Public Works Salary Savings (General Fund) | \$5,200 |
| • Parks and Recreation Salary Savings (General Fund) | \$5,200 |
| Total: | \$30,400 |

As mentioned earlier, Public Works staff is working with Beach Area residents to provide more residential and visitor parking in the Beach Area. Currently staff estimates that the City could add at least 20 meters in the Beach Area. If installed, these meters would generate approximately \$8,000 in additional revenue during the peak season (June-September). This revenue would accrue to the General Fund balance and help offset the expenditure of Public Works and Parks and Recreation salary savings on the shuttle program.

FISCAL IMPACT: A budget adjustment will be required to transfer \$20,000 from the Stormwater fund to the General fund to offset the parking related impacts related to the construction projects and to transfer \$10,400 in General fund Salary savings to the Beach Shuttle Project account. Additional financial adjustments between accounts to meet accounting standards will show on the budget adjustment form.

Report prepared by Matt Farrell, Parking Programs Manager.

Submitted by:

Approved by:

Mark R. Dettle
Director of Public Works

Richard C. Wilson
City Manager

M:\PW1037 Rpt

Attachments:

-Resolution;

-Budget Adjustment.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: April 23, 2004

TO: Board of Directors

FROM: Tom Stickel, Manager of Fleet Maintenance

SUBJECT: CONSIDERATION OF AMENDMENT OF CONTRACT WITH VEHICLE MAINTENANCE PROGRAM, INC. FOR BUS FILTERS

I. RECOMMENDED ACTION

District staff is recommending that the Board of Directors authorize the General Manager to execute an amendment to the contract with: Vehicle Maintenance Program, Inc. for bus filters to allow for a price increase of 4% on certain filters.

II. SUMMARY OF ISSUES

- At its February 27, 2004 board meeting, the Board of Directors authorized the General Manager to extend the contract for an additional one-year period with Vehicle Maintenance Program, Inc. for the purchase of bus air, fuel and oil filters at the same terms, conditions and prices.
- Contract amendment papers were processed and sent to the contractor for signature.
- Contract amendment papers were returned with a letter informing the District that due to the increase in steel prices, one filter manufacturer was increasing their prices to Vehicle Maintenance Program, Inc. on Luberfiner filters by 4%.
- District staff recommends that the Board of Directors authorize the General Manager to amend the contract with Vehicle Maintenance Program, Inc. to allow for a 4% price increase for the purchase of Luberfiner air, fuel and oil filters.

III. DISCUSSION

In order to obtain the best prices by combining annual quantities from several participating transit agencies, the RTCC Procurement Committee actively participates in joint procurements for commodities that are commonly used by RTCC member agencies.

On January 14, 2004, Golden Gate Bridge, Highway and Transit District (lead agency for this contract) exercised an option to extend the RTCC contract for one additional year at the same terms, conditions and prices. After the District board of directors approved this contract extension on February 27, 2004, contract amendment documents were sent to Vehicle Maintenance Program, Inc. for signature. In early March, Vehicle Maintenance Program, Inc. was informed that the manufacturer for Luberfiner filters was unable to hold prices on their filters for the additional one-year period due to the large price increases in steel. Luberfiner

increased their prices to Vehicle Maintenance Program, Inc. effective April 1, 2004. Vehicle Maintenance Program, Inc. sent a letter to the RTCC committee asking for allowance of this price increase. A price analysis was conducted and showed that the total bid prices received from Vehicle Maintenance Program, Inc. was still lower than the other bids that had been received. Vehicle Maintenance Program, Inc. has a history and of providing the District with excellent quality, good service and maintaining low prices for many years.

District staff recommends that the Board of Directors authorize the General Manager to amend the contract with Vehicle Maintenance Program, Inc. to allow for a 4% price increase for the purchase of Luberfiner air, fuel and oil filters.

IV. FINANCIAL CONSIDERATIONS

The necessary funds for the procurement of bus filters are contained within the Fleet Maintenance operating budget. Annual estimated budget for bus filters is \$25,000. The necessary funds for the procurement of fasteners and terminals are contained within the Fleet Maintenance operating budget. Annual estimated budget for fasteners and terminals is \$25,000.

V. ATTACHMENTS

- Attachment A:** Letter from Vehicle Maintenance Program, Inc.
- Attachment B:** Letter from Champion Laboratories, Inc.
- Attachment C:** Amendment to the contract

VEHICLE MAINTENANCE PROGRAM, INC.

3595 N. Dixie Highway Bay #7

Boca Raton, FL 33431

(563) 362-6080

FAX (561) 362-7994

March 15, 2004

**To: Yvonne Picree
Golden Gate Transit**

From: Penny Brooks

**Re: Filter Contract No. 2001-RTCC-1
Price increase request**

Dear Yvonne

I have just received the attached information from Champion Laboratories informing me that there will be a 4% price increase in cost of the Luberfiner filters I have circled on the attached original bid form, effective April. 1, 2004.

I would like to know if there is anyway I would be permitted to incorporate this increase into the prices quoted on our current contract.

At the time I renewed this contract with you, Luberfiner guaranteed VMP firm pricing for the additional year. Historically, they have always honor-ed their price quotes.

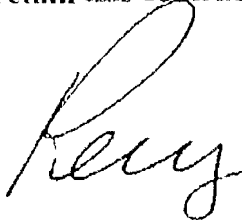
As you know, transit bidding is very competitive and I have always given the RTCC very low prices. A 4% increase in my cost with no increase to the RTCC could result in substantial losses to VMP.

I apologize for having to ask this of you. I have been in business for nearly 16 years and have never had a situation like this occur.

Please understand that I am not planning to default on this contract. I have never defaulted on a contract and do not intend to do so now. I am hoping there is a way for you to work with me so that VMP can retain this contract and also retain our reputation of being a dependable supplier.

Sincerely

Penny



VEHICLE MAINTENANCE PROGRAM, INC.

3595 N. Dixie Highway Bay #7

Boca Raton, FL 33431

(561) 362-6080

FAX (561) 362-7994

March 19, 2004

To: Yvonne Pierce
Golden Gate Transit

From: Penny Brooks

Re: Filter Contract No. 2001-RTCC-1
Price increase filter list

Category A

Item #	Part #	Current Price	Price 4-16-04 to 4-15-05 w/4% iucresse
13	G481	\$4.25	\$4.42
16	G562	5.38	5.60
18	LFP815FN	2.06	2.14
19	LFP815FN	2.06	2.14
20	LFP816FN	2.06	2.14
21	LFP816FN	2.06	2.14
22	LFP777B	4.64	4.83
23	LFP4223	5.10	5.30
24	1,FF8010	4.70	4.89
25	PH1218	1.59	1.65
27	LFP911	4.27	4.44
28	LFP2286	3.93	4.09
30	LFP2160	4.39	4.57
31	PH8A	1.43	1.49
32	LFW4016	2.63	2.74
33	LFW4013	2.65	2.76
34	LFW407I	2.11	2.19
38	LFP3000	10.33	10.74
40	LFW6500	23.37	24.31

Category B

2	LFW4686	1.75	1.82
---	---------	------	------

Thank you so much for allowing this increase. I look forward to a continuing wonderful relationship with all my RTCC customers.

Penny

To: All Customers

Date: March 2, 2004

Steel prices have increased over 60% in recent months. Most of the increase has occurred since President Bush ended tariffs on imported steel in December, which was expected to lead to lower prices. While the steel tariffs drove up prices for U.S.-made steel in 2002 and 2003, global forces are impacting prices today.

- World consumption of steel is expected to reach 1 billion tons this year, more than 100 million more tons than was consumed in 2001.
- About 80% of this year's increase will come from Asia, particularly China.
- A weaker U.S. dollar means imported steel is now selling at a much higher price.
- Energy prices have remained elevated, making the energy-intensive process of making steel more expensive.
- Greater demand and lower worldwide inventories have forced many U.S. manufacturing businesses to conduct open market spot buys to insure adequate supply of steel.
- Scrap steel prices, historically a source of inexpensive raw material for the mini mills, has also increased 65-70% due to high demand in Asia.
- A coal mine fire in West Virginia in 2003 has led to lower U.S. output of coke, a substance made from coal that is used in making steel.

We are most assuredly embarking on uncharted times. John Surma, President of U.S. Steel, told his management in a February 16, 2004, memo, "By any measurable standard, we are working under conditions perhaps never before seen in the market." He went on to say, "As a guide for operating in this turbulent time, WC must be focused on achieving market prices. USS must recognize that as market prices change, we must change; be it monthly, weekly or even daily."

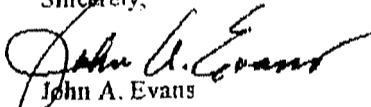
Turbulent times require clear and concise action. As unpopular as they are, price adjustments are required. Through improved efficiencies, Champion was able to overcome some of the increased cost that resulted from the steel tariff. We are not, however, able to overcome the current increases that are the result of increased world demand during this time of reduced supply. Effective April 1, 2004, prices on spin-on oil filters, hydraulic coolant and selected fuel filters will be adjusted 4.0%. Every effort has been made to fairly apply the increase. Air filters, while they have some expanded metal, are not being increased at this time.

We have given much thought to this adjustment. For years we have challenged our people to find ways to overcome material, labor and overhead increases through improved efficiencies. Our efforts have been extremely successful. We cannot, however, overcome changes of this magnitude. This is a worldwide problem, not an automotive industry or filter industry problem.

Because of the high demand for steel and our inability to increase our purchases beyond our forecasted quantities, we will be unable to accept "pre-price increase" orders in excess of 10% of your March 2003 orders. Any order, or series of orders that exceed this, will have to be returned. Example: If March 2003 purchases totaled \$150,000, your March 2004 purchases cannot exceed \$165,000.

We appreciate your business and continued support during these challenging times.

Sincerely,


John A. Evans
President

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
SECOND AMENDMENT TO CONTRACT FOR BUS AIR, FUEL
AND OIL FILTERS (2001-RTCC-01)**

This Second Amendment to contract for bus air, fuel and oil filters is made effective April 16, 2004 between the SANTA CRUZ METROPOLITAN TRANSIT DISTRICT, a political subdivision of the State of California (“District”) and VEHICLE MAINTENANCE PROGRAM, INC. (“Contractor”).

I. RECITALS

- 1.1 District and Contractor entered into a Contract for bus air, fuel and oil filters on May 18, 2001.
- 1.2 The Contract allows for two additional one (1) year terms upon mutual written consent.
- 1.3 The purpose of this Second Amendment is to renew the contract for a one-year period, pursuant to the provisions of paragraph 3 of the Contract, which allows for two additional one-year terms upon mutual written consent. This fully executed Second Amendment constitutes mutual written consent.

Therefore, District and Contractor amend the Contract as follows:

II. TERM

- 2.1 Paragraph 3.02 is amended to include the following language:

This Contract shall continue through April 15, 2005. This Contract may be mutually extended by agreement of both parties.

III. PRICE INCREASE

- 3.1 Prices on all filters will remain the same except for Luberfiner filters which shall have a 4% price increase.

IV. REMAINING TERMS AND CONDITIONS

- 4.1 All other provisions of the Contract that are not affected by this amendment shall remain unchanged and in full force and effect.

V. AUTHORITY

- 5.1 Each party has full power to enter into and perform this Second Amendment to the Contract and the person signing this Second Amendment on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this Second Amendment to the Contract, understands it, and agrees to be bound by it.

Signed on _____

DISTRICT
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Leslie R. White
Secretary/General Manager

CONTRACTOR
VEHICLE MAINTENANCE PROGRAM, INC.

By _____
Penny M. Brooks
President

Approved as to Form:

Margaret Rose Gallagher
District Counsel