

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

February 8, 2002

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, February 8, 2002 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

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

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Tim Fitzmaurice
Michelle Hinkle
Mike Keogh
Ana Ventura Phares
Emily Reilly
Pat Spence

DIRECTORS ABSENT

Sheryl Ainsworth (arrived at 9:10)
Jeff Almquist (arrived at 9:13)
Jan Beautz (arrived at 9:04)
Christopher Krohn
Dennis Norton
Ex-Officio Mike Rotkin (arrived at 9:46)

STAFF PRESENT

Bryant Baehr, Operations Manager
Kim Chin, Planning & Marketing Manager
John Daugherty, Access. Svcs. Coord.
Mark Dorfman, Asst. General Manager
Marilyn Fenn, Asst. Finance Manager
Terry Gale, IT Manager
Margaret Gallagher, District Counsel

Tom Hiltner, Grants/Legis. Analyst
David Konno, Fac. Maint. Manager
Ian McFadden, Transit Planner
Elisabeth Ross, Finance Manager
Robyn Slater, Interim H.R. Manager
Judy Souza, Base Superintendent
Tom Stickel, Fleet Maint. Manager
Leslie R. White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

Jim Bosso, S. C. Transportation
Scott Bugental, Seniors Council
Linda Clayton, SEA
Dianna Dunn, SEIU
Kasandra Fox, MASTF
Debra Lane, MASTF
Jeff LeBlanc, Rider

Steve Marcus, UTU
Carolyn O'Donnell, TMA
Kathy O'Mara, Schedule Analyst
Will Regan, VMU
Sam Storey, Community Bridges
Candace Ward, UCSC
Linda Wilshusen, SCCRTC

2. ORAL AND WRITTEN COMMUNICATION

Oral:

Vice Chairperson Reilly introduced the newest Board Member, Ana Ventura Phares, representing Watsonville.

Director Spence stated that due to limitations with using paratransit service to get to and from the Board meetings, she would schedule her pickup at 11:30 from the first Board meeting of the month, and at 12:15 from the second Board meeting. Arrangements will be made for Director Spence to wait in the City Hall Council Chambers for her scheduled ride, when necessary.

Vice Chairperson Reilly stated that upon completion of the City Hall Council Chambers renovation, there will be a room available behind the Chambers where the Board could conduct Closed Sessions.

Written:

- | | | |
|----|--|------------------------------|
| a. | J. R. Whiteagle | RE: Paratransit Service Area |
| b. | Lorraine Washington, City of Watsonville | RE: Appointment to Board |

3. LABOR ORGANIZATION COMMUNICATIONS

No questions or comments.

4. METRO USERS GROUP (MUG) COMMUNICATIONS

No questions or comments.

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

No questions or comments.

6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

The following documents were provided at the meeting:

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|----------|----------------------------------|
| Item 7-1 | Minutes of 1/18/02 Board Meeting |
| Item 7-9 | ADA Report |
| Item 17 | Staff Report |
| Item 18 | Staff Report |
| Item 19 | Staff Report |

CONSENT AGENDA

7-1. APPROVE REGULAR BOARD MEETING MINUTES OF 1/11/02 and 1/18/02

No questions or comments.

7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS

No questions or comments.

7-3. ACCEPT AND FILE JANUARY 2002 RIDERSHIP REPORT

No questions or comments.

7-4. CONSIDERATION OF TORT CLAIMS: Deny the claim of: Marcos Hernandez, Enedina Santos, Brian Hernandez, Brandon Hernandez

District Counsel Gallagher informed the Board that she had been informed by Counsel for the claimants that because the insurance policy of the people at fault in this case not being great enough, the Claimants are pursuing METRO for payment of medical bills, loss of wages and pain and suffering. Ms. Gallagher has not received any medical records of the alleged claimants.

7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 1/17/02

No questions or comments.

7-6. MINUTES OF MUG COMMITTEE MEETING: No Meeting in January due to lack of quorum

No questions or comments.

7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR DECEMBER 2001, APPROVAL OF BUDGET TRANSFERS

Elisabeth Ross explained the “non transportation revenue” category of the Revenue and Expense Report. This amount is an adjustment to the projected overhead costs from Community Bridges. It also reflects reimbursement to METRO for the multiple billing problem and METRO’s waiving of administrative fees to provide medical coverage for Community Bridges employees. Mr. White added that the next contract would not contain this type of calculation and rebate.

7-8. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE

Bryant Baehr stated that the UCSC ridership figures are down for December due to the holiday structure which affects the number of school days. Mr. Baehr, Mark Dorfman and Larry Paegler meet to reconcile these figures each month.

7-9. ACCEPT AND FILE STATUS REPORT ON ADA PARATRANSIT PROGRAM FOR DECEMBER 2001

No questions or comments.

7-10. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR DECEMBER 2001

It was confirmed that these figures are for December. The number of cars on Highway 17 were down as well.

7-11. ACCEPT AND FILE STAFF REPORT ON THE INVESTIGATION OF BIO-DIESEL AS AN INTERIM FUEL

Les White reported that Staff would return to the Board in March with a recommendation. Staff is working with Devco Oil regarding their installation of a supplemental tank of either biodiesel/green diesel blend or a straight green diesel fuel by July 1, 2002 for METRO to use. Staff is working to find sources for both green and biodiesel if it is affordable and desirable.

7-12. ACCEPT AND FILE UPDATE ON STATUS OF CALL STOP ISSUE

Director Fitzmaurice asked why this item isn't in Closed Session and was informed that if the discussions went into any detail, it would be. This is a report on the Call Stop Issue rather than on the litigation.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR AINSWORTH

Move this item to Closed Session for the Board meeting of February 15, 2002.

Motion passed unanimously.

Margaret Gallagher clarified to the Board that she spoke with FTA's chief counsel's office who provided her with information that goes to the intent of the writers of the regulation regarding the major transfer point issue. **The regulations themselves use broader language.** Director Spence asked Bryant Baehr for an update on the survey regarding compliance and was informed that the Board would receive a report in March on this issue.

7-13. CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF ASSETS: NINE GILLIG BUSES; ONE BASE STATION; 108 CLEVELAND FAREBOXES, 183 VAULTS AND RELATED PARTS

The old fareboxes will be placed on e-Bay for possible sale and will also be advertised to the transit industry. The brass components may be of interest to someone. Kathy O'Mara suggested offering them to the KUSP auction. Director Almquist suggested that these might be of interest to METRO bus operator retirees.

7-14. CONSIDERATION OF AUTHORIZATION FOR GENERAL MANAGER TO EXECUTE ADDENDUM TO STATE OF CALIFORNIA PURCHASE CARD PROGRAM MASTER SERVICE AGREEMENT

No questions or comments.

7-15. ACCEPT AND FILE NOTICE OF ACTION IN REGARD TO SETTLEMENT OF THE CHRISTIAN FLORIN V. SANTA CRUZ METROPOLITAN TRANSIT DISTRICT CASE

No questions or comments.

REGULAR AGENDA

8. CONSIDERATION OF ADOPTION OF RESOLUTION REVISING FY 01-02 BUDGET

Summary:

Elisabeth Ross discussed the revenue shortfall due to the drop in sales tax. Farebox revenues are down by 1%. Farebox revenues of other Bay Area transit systems are down 9%. The TDA funds are also short since they are sales tax driven. Interest rates have lowered and are being revised downward. Ms. Ross reported that the State believes that the sales tax will drop 3.5% - 4% for the rest of the year. An expense adjustment of \$50,000 needs to be made and Staff is using operating accounts to make the adjustment. Ms. Ross reviewed the capital funding. The Metro Center renovation is grant funded from the State. Staff will defer purchase of non-revenue vehicles and these funds will be transferred back into the operating budget. These and other steps taken add up to a balanced budget. Ms. Ross added that she is looking to the Board for advisement on the Employee Incentive Program and how to spend these funds.

9. CONSIDERATION OF REVISING POLICY REGARDING BIKES INSIDE BUSES

Summary:

Bryant Baehr reported that this item was prompted by a letter received on December 12, 2001 asking the Board to consider revising the bikes on buses policy in regards to Route 35. Currently, bikes are allowed on buses for Routes 40, 41 and 42 in addition to the last departure point for Highway 17 buses. Statistics were provided to the Board on the total number of riders, wheelchair and bike users for November and December of 2001. A survey of other transit districts in the area and what their policy is on bikes on buses was also provided.

Discussion:

To Mr. Baehr's knowledge, there have been no conflicts between wheelchair users and bike users. Concerns expressed were: statistics are from winter months, not higher ridership months, seats in front of bus are reserved for the disabled and seniors, how will the bike user get to his destination if he is deboarded in the middle of a route. Mr. Baehr will include these concerns in his report to the Board at the February 15th meeting. He will also provide data from July, August, September and October of 2001. Both MUG and MASTF will address this issue at their meetings next week and will report to the Board on February 15th. Linda Wilshusen added that the Transportation Commission would support modifying this policy to allow bikes inside buses. Kasandra Fox appealed to the Board to not allow bikes in the securement areas. Steve Marcus of UTU stated that the union would make a comment regarding this issue at the February 15th meeting. Director Keogh asked if a bike user would receive a pass to ride another bus if he/she is displaced for a wheelchair user. Director Reilly asked for information of any

occurrences where a wheelchair user was refused a ride due to a bike being on the bus. Lastly, John Daugherty pointed out that numerous seats are taken out of commission to allow for bikes in the securement area. Loss of guaranteed seats to seniors and the disabled may affect their willingness to move from paratransit to fixed route service.

Scott Bugental of E&D TAC asked that METRO staff attend their meeting next Tuesday to present this issue. Several Directors requested information on Route 35 only rather than on the entire system. It was suggested that bike riders who use the bus receive an orientation from “People Power” on the proper procedures.

Mr. Baehr was directed to write a letter to Batya Kagan informing her that the Board has discussed this and invite her to attend the Board meeting.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR FITZMAURICE

Limit discussion to potential changes on Route 35 and continue this matter to the March Board meeting.

Director Reilly suggested that Deborah Lane write a letter to the Board with her suggestions for bike lockers.

Motion passed with Director Keogh voting no.

10. CONSIDERATION OF SECURITY ISSUES AT THE WATSONVILLE TRANSIT CENTER

Summary:

METRO currently has an agreement with the City of Watsonville to share a security officer between the parking garage and the Watsonville Transit Center. METRO pays \$16,000 for this service. The Watsonville Police Dept. requested and received permission to terminate this agreement due to vandalism allegedly occurring when the officer leaves the parking garage to patrol the Transit Center. Out-of-pocket cost to METRO to provide a security officer 40 hours a week, 52 weeks per year would be \$19,000 above the \$16,000 which was paid to the City of Watsonville for a total of \$35,000. METRO does not currently have security at the Watsonville Transit Center.

Discussion:

Director Almquist asked if a direct line to the Police Dept. could be installed at the Transit Center. Bryant Baehr will propose this to the City of Watsonville. Director Ainsworth asked for the cost of this direct line. According to District staff, Ali of Transmart reported that the gangs have returned to the Transit Center.

**11. CONSIDERATION OF AMENDMENT TO WARRANTY SECTION OF REPOWER CONTRACT 00-07 WITH COMPLETE COACH WORKS
ACTION REQUIRED ON 2/8/02**

Summary:

Tom Stickel reported that METRO has a contract with Complete Coach Works to repower forty-two (42) diesel buses with new engines. This project is nearly completed. Over the last six months, METRO has generated approximately \$17,000 in warranty claims. Complete Coach offered to paint four buses at a value of \$5,000 each in exchange for the warranty claims. This would be both a monetary and time savings to the District. The estimated time of completion of the painting of four buses is one month.

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR ALMQUIST

Authorize the General Manager to execute a contract amendment to amend the warranty section of Contract 00-07.

Motion passed unanimously.

12. CONSIDERATION OF AMENDING BYLAWS TO DELETE REQUIREMENT FOR OFF-CITY ROTATION FOR BOARD REPRESENTATIVE TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION

Summary:

Margaret Gallagher reported that in the past METRO would provide the City with representation to the Commission. Since the law changed, all cities have representation and there is no need for this requirement. Staff recommends deleting the language from the Bylaws in this regard.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ALMQUIST

Move this item to the Consent Agenda.

Motion passed unanimously.

13. CONSIDERATION OF REAPPORTIONMENT TO THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT'S BOARD OF DIRECTORS AS A RESULT OF THE FINDINGS OF THE COUNTY CLERK

Summary:

A letter was received from the County Clerk outlining the results of the 2000 census. Once the Board is alerted by the County Clerk of the need to reapportion, it must be done.

Discussion:

There were several comments about discrepancies in the population figures provided by the County Clerk. Les White responded that Staff would ask Mr. Bedal for an updated report.

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR BEAUTZ

Defer this item to the March Board meeting.

Motion passed with Directors Ainsworth and Keogh voting no.

Margaret Gallagher will research how similar transit districts compose their Board. Director Keogh asked if the Enabling State Law is specific to the census data or to the population data and was informed that it relates to the official census.

14. **CONSIDERATION OF APPLICATIONS TO PARTICIPATE ON THE METRO USERS GROUP (MUG) COMMITTEE UNDER THE MEMBERSHIP CATEGORY OF “TRANSIT USER”**
ACTION REQUIRED ON 2/8/02

Summary:

Mark Dorfman outlined the composition of the Metro Users Group. These two applicants would be filling two of the six vacancies in the category of “transit users”.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR KEOGH

Appoint Shelly Day and Virginia Kirby to the Metro Users Group.

Motion passed unanimously.

15. **CONSIDERATION OF A RESOLUTION AUTHORIZING AN APPLICATION TO CALTRANS FOR FY2002 NON-URBANIZED AREA OPERATING ASSISTANCE**

Summary:

Mark Dorfman reported that there are two forms of operating assistance METRO is eligible for. The Non-Urbanized Areas funding assistance is available for some areas of METRO’s system which qualify. The amount available is \$46,701.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR KEOGH

Move this item to the Consent Agenda and include a waiver of the roll call vote for the resolution.

Motion passed unanimously.

16. CONSIDERATION OF NOMINATION AND ELECTION OF DIRECTORS TO SERVE AS ALTERNATE REPRESENTATIVES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE YEAR 2002

Summary:

Les White stated that the alternates to the Transportation Commission were not nominated at the last Board meeting.

Discussion:

Director Beautz made the following nominations and Director Almquist seconded them:

Director Ana Venture Phares	-	1 st Alternate
Director Michelle Hinkle	-	2 nd Alternate
Director Christopher Krohn	-	3 rd Alternate

Linda Wilshusen added that it is important for METRO's Transportation Commission appointees to contact Les White's office if they cannot attend a meeting. METRO's administrative staff will contact the alternates in order of 1st, 2nd, and 3rd to ensure a representative is at the Commission meeting.

17. CONSIDERATION OF HOW TO PROVIDE TRANSIT SERVICE TO THE BEACH FLATS AFFORDABLE HOUSING PROJECT

Summary:

Les White stated that METRO staff was contacted by Mercy Housing and also by Director Fitzmaurice regarding the Beach Flats Affordable Housing Project. The concern is that with the implementation of this project, a current bus stop, which is the only one in this area, would be removed. In order to qualify for tax credits, Mercy Housing requires a letter from the District stating that there will be a bus stop within 500' of the project. Staff is suggesting a bus stop on either Beach Street, Park Place and/or two stops on Third Street. Staff is asking the Board for their advice on which stop/stops would be most prudent; and for authorization for a letter of support to be written for Mercy Housing subject to whatever assistance is required from the City of Santa Cruz and/or the developer of the project.

Discussion:

Les White stated that the new bus stops are held to a higher standard than the existing stops. There was discussion of problems with some of the suggested stops, such as sidewalks and loading zones. Director Spence would like to see a recommendation that there are marked crosswalks wherever the bus stop is located. Staff suggests a bus stop on Third Street and one by the Boardwalk. Ian McFadden informed Director Spence that the proposed stop on Park Place has bike amenities, which would give it an advantage over the other proposed stops. Director Spence asked Staff to mark the proposed bus stops as A, B, C, D. Director Hinkle expressed concern about the public being made aware of this change and asked how people in

the area are being notified. Construction of the housing project should begin in June or July of 2002.

ACTION: MOTION: DIRECTOR AINSWORTH SECOND: DIRECTOR BEAUTZ

Continue the meeting past 11:00 a.m.

Motion passed unanimously.

Ian McFadden added that there are three disabled passengers for whom Staff makes stops. The Board will be hearing from these passengers as the proposed new stop would be a block away from these pickups.

18. CONSIDERATION OF PROPOSAL FROM CITY OF SANTA CRUZ TO PURCHASE ONE RUBBER-TIRED TROLLEY

Summary:

Mark Dorfman stated that in the past Board members expressed interest in the District acquiring a trolley. Staff is currently in the procurement process to acquire buses. The grant in place would allow Staff to switch out one 35' bus for a CNG trolley. METRO could piggyback onto an existing contract of Oklahoma City Transit District. Total cost of trolley is \$366,800 with a Federal Share of \$293,415 and a local share of \$73,354. The City of Santa Cruz would provide a local match on a 3-year payback basis. Estimated delivery time for the trolley would be August or September 2002.

Discussion:

Director Reilly confirmed that this trolley would be available for use by surrounding cities. Will Regan expressed concern about the level of maintenance that would be required to maintain the brass and wood on this trolley. Mr. Dorfman responded that the vehicle would be in a garage or under a tent which would minimize the maintenance. Director Keogh asked what the age and mileage is on the bus that this trolley would replace. Mr. Dorfman will supply this information at next week's meeting. Director Fitzmaurice offered to talk with the City regarding a place to store the trolley.

19. CONSIDERATION OF STATUS REPORT ON AMERICANS WITH DISABILITIES (ADA) PARATRANSIT PROCUREMENT

Summary:

As required by law every five years, METRO issued a Request For Proposal (RFP) for provision of ADA services. A study of rider registrations and certifications was conducted and verified that there are close to 9,000 users in the current system. A separate audit was conducted to look at the operation of the system. Out of five companies who attended the pre-bid conference, two proposals were received in response to the RFP. They were: Community Bridges and American Transit Corporation (ATC). The two proposers were ranked ATC as number one and Community Bridges as number two.

District Staff received a letter of protest from Community Bridges in response to the procurement. There needs to be a recommendation to the Board on the award of contract prior to responding to the letter of protest. This item was a report on the status only.

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

Margaret Gallagher informed the Board that they would be discussion the case of Sonya McClure v. METRO.

21. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None

SECTION II: CLOSED SESSION

Vice Chairperson Reilly adjourned to Closed Session at 11:33 a.m. and reconvened to Open Session at 11:44 a.m.

SECTION III: RECONVENE TO OPEN SESSION

22. REPORT OF CLOSED SESSION

Margaret Gallagher stated that there was nothing to report.

ADJOURN

There being no further business, Vice-Chairperson Reilly adjourned the meeting at 11:44 a.m.

Respectfully submitted.

DALE CARR
Administrative Services Coordinator