

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**April 12, 2002**

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, April 12, 2002 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice-Chairperson Reilly called the meeting to order at 9:03 a.m.

### **SECTION 1: OPEN SESSION**

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

##### **DIRECTORS PRESENT**

Sheryl Ainsworth  
Jeff Almquist  
Jan Beautz  
Tim Fitzmaurice  
Michelle Hinkle  
Mike Keogh  
Christopher Krohn  
Ana Ventura Phares  
Emily Reilly  
Pat Spence

##### **DIRECTORS ABSENT**

Dennis Norton  
Ex-Officio Mike Rotkin

##### **STAFF PRESENT**

Bryant Baehr, Operations Manager  
Kim Chin, Planning & Marketing Manager  
Mark Dorfman, Asst. General Manager  
Marilyn Fenn, Asst. Finance Manager  
Linda Fry, Service Planning Supervisor  
Terry Gale, IT Manager  
Margaret Gallagher, District Counsel

Tom Hiltner, Grants/Legis. Analyst  
David Konno, Fac. Maint. Manager  
Lloyd Longnecker, District Buyer  
Kathy O'Mara, Schedule Analyst  
Elisabeth Ross, Finance Manager  
Judy Souza, Base Superintendent  
Tom Stickel, Fleet Maint. Manager

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

April Axton, Lift Line  
Jenny Bragar, Outreach Consultant  
Wally Brondstatter, UTU  
Ceil Cirillo, County Redevelopment Dept.  
Linda Clayton, SEA  
Pat Dellin, SCCRTC  
Dianne Dunn, SEIU  
Mary Ferrick, PSA  
Kasandra Fox, MASTF

Don Hubbard, Harvey West Bus. Asso.  
Steve Marcus, UTU  
Bonnie Morr, UTU  
Carolyn O'Donnell, TMA  
Michael Paul, Goodwill Industries  
Steve Paulsen, UTU  
Celia Scott, Environmental Consultant  
Peter Scott, Concerned Citizen  
Will Regan, VMU

**2. ORAL AND WRITTEN COMMUNICATION**

- |    |  |                             |
|----|--|-----------------------------|
| a. | Deborah Lane, MASTF                                    | RE: Board Agendas           |
| b. | Terrence Lee Hancock<br>Senior Citizens Legal Services | RE: Community Bridges       |
| c. | Alan Goes, Bus Operator                                | RE: Call Stop Announcements |
| d. | Norman Schwartz, Bolton Hill Co.                       | RE: Request for Service     |

**3. LABOR ORGANIZATION COMMUNICATIONS**

Dianna Dunn who represents SEA, PSA and VMU attended budget hearings at the District and would like to submit a request to the Board asking them to consider the retirement of 2.7% at 55.

Bonnie Morr reiterated Dianna Dunn's request for two years of service credit and 2.7% at 55. Letters were distributed from the presidents of the SEIU and UTU unions.

**4. METRO USERS GROUP (MUG) COMMUNICATIONS**

Nothing to report.

**5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS**

Director Spence stated that there was a joint meeting of MASTF and MUG on April 11, 2002 regarding service cuts.

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

Replacement page 7-3 was distributed to the Board.

**CONSENT AGENDA**

**7-1. APPROVE REGULAR BOARD MEETING MINUTES OF 3/8/02 and 3/15/02 and Special Board Meeting Minutes of 3/26/02**

There were two corrections to the Minutes of 3/15: Director Reilly was listed as being present when she was absent. The Stoke Center should instead read Dominican Stroke Center instead of Cabrillo Stroke Center.

**7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**

No questions or comments.

**7-3. ACCEPT AND FILE MARCH 2002 RIDERSHIP REPORT**

No questions or comments.

**7-4. CONSIDERATION OF TORT CLAIMS: None**

None

**7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 3/14/02**

No questions or comments.

**7-6. ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF 3/13/02**

No questions or comments.

**7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2002  
AND APPROVAL OF BUDGET TRANSFERS**

No questions or comments.

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

No questions or comments.

**7-9. ACCEPT AND FILE STATUS REPORT ON ADA PARATRANSIT PROGRAM FOR  
FEBRUARY 2002**

No questions or comments.

**7-10. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR FEBRUARY 2002**

No questions or comments.

**7-11. ACCEPT AND FILE STATUS REPORT ON CALL STOP ISSUE PROGRESS**

Bryant Baehr stated that Staff is recommending that this item be changed from monthly reporting to quarterly reporting.

**REGULAR AGENDA**

8. **CONSIDERATION OF CHANGE ORDER WITH NEW FLYER OF AMERICA TO PURCHASE REMOTE KEYPADS FOR FAREBOXES FOR EIGHT (8) COMPRESSED NATURAL GAS (CNG) LOW-FLOOR BUSES**  
**ACTION NEEDED ON APRIL 12<sup>TH</sup>**

**Discussion:**

METRO piggybacked eight CNG low-floor buses onto the Pierce Transit order to be delivered this summer. The keypads on the new fareboxes would be too far away from the bus operator. Remote keypads are needed for this reason. These keypads would be paid with grant funds METRO currently has rather than with operating funds. Staff is requesting that the Board authorize a change order for this purchase.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR AINSWORTH**

**Authorize the General Manager to execute a change order with New Flyer of America to purchase remote farebox keypads for the eight (8) CNG buses on order.**

**Motion passed unanimously.**

9. **CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING TEN (10) DIESEL HIGH-FLOOR SUBURBAN BUSES THAT CAN BE CONVERTED TO COMPRESSED NATURAL GAS (CNG)**  
**ACTION NEEDED ON APRIL 12<sup>TH</sup>**

**Summary:**

This item is to request authorization to purchase ten (10) diesel high-floor buses that can be converted to CNG. These buses would be used on the Highway 17 route. Two responses were received from the Request For Proposals (RFP). The Evaluation Team ranked the two proposers and recommends that Orion be awarded the contract. Orion Bus Industries has extensive experience building convertible buses.

**Discussion:**

Director Ainsworth inquired about the interim period between the time when all buses need to be fueled by an alternate fuel path which is January 30, 2003, and the earliest delivery date for the convertible buses, which is May 30, 2003. Mark Dorfman replied that staff would send a letter to the California Air Resources Board (CARB) requesting an extension until the new buses are received.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR HINKLE**

**Authorize the General Manager to enter into a contract with Orion Bus Industries for the purchase of ten (10) each diesel, high-floor suburban buses that can be converted to CNG.**

Mr. Dorfman added that these buses are fully funded by the State. An additional bus will be added to the order in May. The trolley will arrive in September/October. Director Spence requested a spreadsheet identifying all buses and what features they will have.

**Motion passed unanimously.**

**10. CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING TWENTY-NINE (29) LOW-FLOOR BUSES THAT CAN BE CONVERTED TO COMPRESSED NATURAL GAS (CNG)  
ACTION NEEDED ON APRIL 12<sup>TH</sup>**

**Summary:**

Staff is requesting that fifteen 35' diesel, low-floor buses and fourteen 40' diesel low-floor buses be purchased. All these buses would be convertible to CNG and would replace local route service buses. When the Evaluation Team was ranking the proposers, the delivery time was an important factor to consider. The RFP system was used rather than the bid process to specify the criteria for joints for front-loading devices to prepare the buses for CNG conversion.

**Discussion:**

There was discussion on the status of the interim CNG fueling facility. Mr. White commented that there is a daily penalty if the buses are late being delivered.

**ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR KROHN**

**Authorize the General Manager to enter into a contract with New Flyer of America for the purchase of fifteen (15) each 35' diesel, low-floor transit buses that can be converted to CNG and fourteen (14) each 40' diesel, low-floor transit buses than can be converted to CNG. In addition, authorize that \$42,954 be transferred from the STA Capital Reserve to purchase one additional bus.**

**Motion passed unanimously.**

**11. CONSIDERATION OF AUTHORIZATION TO OPERATE A SHUTTLE FOR THE UNITED TRANSPORTATION UNION (UTU) SENIOR DINNER  
ACTION NEEDED ON APRIL 12<sup>TH</sup>**

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR FITZMAURICE**

**Authorize the operation of a shuttle for the United Transportation Union (UTU) senior dinner held on April 18, 2002.**

**Motion passed unanimously.**

**12. CONSIDERATION TO MODIFY THE EXISTING POSITION ENTITLED CLAIMS INVESTIGATOR TO CREATE A CLAIMS INVESTIGATOR I AND II CLASSIFICATION ACTION NEEDED ON APRIL 12<sup>TH</sup>**

**Summary:**

Robyn Slater informed the Board that two years ago the Claims Investigator position was created. After the person in that position left METRO, two recruitments were conducted, to no avail. The Claims Investigator I position was created and lowered the standards required for the original Claims Investigator position. The Claims Investigator II position is the same as the original position. The current position of Claims Investigator is now being filled by a temporary worker who is receiving no benefits. A recruitment for the Claims Investigator I position would be conducted if they Board approves the classification modification.

**Discussion:**

Both the representative from SEA and from UTU expressed concern about hiring in a new position during a lay-off. They were informed that this is not a new position, just a change in job specifications in order to conduct another recruitment. Essentially, it is one position with two levels. Ms. Slater reviewed the most recent bus operator class to see if there would be a candidate for this position; there was no one qualified to do this job.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR AINSWORTH**

**Approve the modification of the Claims Investigator position to create a Claims Investigator I having an hourly salary range of \$17.58 - \$22.46 and a Claims Investigator II having an hourly salary range of \$19.53 - \$24.96.**

**Motion passed unanimously.**

**13. CONSIDERATION OF METROBASE FINANCIAL FEASIBILITY AND IMPACT REPORT AND ELIMINATION OF HARVEY WEST SITE NO. 1 AS THE PREFERRED ALTERNATIVE**

**ITEMS 13 AND 14 WERE DISCUSSED TOGETHER**

**Summary:**

The results of the Financial Feasibility and Impact Report (FFIR) for the MetroBase project show that the Harvey West Site #1 is financially unfeasible. METRO's funding for this project is \$35 million vs. an estimate of \$69 million for the development for the Harvey West No. 1 site. Staff is requesting that the Board declare Harvey West No. 1 as financially infeasible, however, it will remain as an alternative through completion of the Environmental Impact Report (EIR). Declaring this site as infeasible will also allow Staff to look at other alternatives both at Harvey West and at a two-phase alternative.

Mr. White added that the firm of Bay Area Estimating is evaluating the figures in the FFIR. The acquisition and relocation costs make this site financially infeasible. There are a number of questions regarding construction costs developed by WaterLeaf.

**14. CONSIDERATION OF AMENDING THE PREFERRED ALTERNATIVE FOR THE METROBASE PROJECT FROM HARVEY WEST 1 TO HARVEY WEST CLUSTER NO. 1**

**Summary:**

Staff is requesting that the Board revise the Preferred Alternative for the project from Harvey West No. 1 to Harvey West Cluster 1 as a result of the FFIR and for the purposes of completing the EIR. Mr. White outlined the following options that the Board could direct Staff to pursue: 1) look at Harvey West Cluster 1 as the beginning of the project but keep options open regarding cluster 2; or 2) a two-base operation which would consist of Cluster 1 expanded to include the reconstruction of the Watsonville MOF facility. Either one of these options would bring us back to a fleet size of 175. There was discussion of whether the Salz Tannery property is the only way to increase the Harvey West Cluster. The consultants are looking at Salz Tannery and at the adjacent property.

Director Ainsworth requested a timetable of the various processes and future events for this project for next week's meeting. Director Almquist asked for information regarding at what point could the configuration of the property be changed to include the Salz property while still meeting deadlines. The letter to Ceil Cirillo regarding the Salz property will be provided to the Board for next week's meeting. There was further discussion regarding the Salz property, its historic value and the interest of the art community. Director Reilly asked for a timeline of public participation regarding acquisition of the Salz property. Director Keogh asked for a discussion of grants and federal funds available, drop dead dates and requirements of how these funds are to be spent.

Les White summarized that staff is asking the Board to delete Harvey West No. 1 as the preferred alternative and to declare it economically infeasible. As a follow up, staff is asking that the Board designate Harvey West Cluster 1 as the preferred alternative for the purpose of moving onto the next steps, while recognizing that this doesn't meet all goals laid out in the EIR.

**15. CONSIDERATION OF OFFERING TWO YEARS ADDITIONAL SERVICE CREDIT FOR ELIGIBLE DISTRICT EMPLOYEES ENROLLED IN PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)**

**Summary:**

Elisabeth Ross reported that there are two options to enhance early retirements to minimize the number of layoffs. They are: 1) two years additional service credits contract with PERS; 2) the second option is the revision of the retirement formula. Option No. 2 is discussed in the next staff report. Ms. Ross added that one to four employees would take advantage of this program if the formula was not increased. This option would cost approximately \$22,000 per employee and would be paid out of the District's excess PERS assets. In order for employees to receive the two years service credit, he/she would need to retire within the specified three-month

timeframe. If this option were linked to the higher formula, more employees would be interested in the early retirement option.

Bonnie Morr of UTU stated that the two years service credit alone would not create enough of an incentive for people to take the early retirement.

**15. CONSIDERATION OF REVISING RETIREMENT FORMULA FOR DISTRICT EMPLOYEES ENROLLED IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)**

**Summary:**

There are three formulas available from CalPERS at different cost levels: 2.5% at 55, 2.7% at 55 and 3% at 60. The only program that would be at no cost would be the 2.5% formula. Funding of this would come from the existing excess assets. Unions are asking for the 2.7% plan. Director Almquist would rather look at the cost for the next ten years rather than just next year.

**17. CONSIDERATION OF PROPOSED BALANCING ACTIONS FOR FY 02-03 BUDGET**

**Summary:**

Elisabeth Ross reported that the balancing actions proposed regarding reserve funds, service reductions and reduction of UTU, SEIU and management personnel are outlined in her staff report.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR KEOGH**

**Move Items 19 through 22 and 24 through 26 to the Consent Agenda.**

**Motion passed unanimously.**

**Vice Chairperson Reilly interrupted Open Session to adjourn to Closed Session at 10:30 a.m. in order to maintain a quorum.**

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

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

None



**SECTION II: CLOSED SESSION**

Vice Chairperson Reilly adjourned to Closed Session at 10:31 a.m. and reconvened to Open Session at 10:42 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**29. REPORT OF CLOSED SESSION**

No report was required.

**ITEM #23 WAS TAKEN OUT OF ORDER.**

**23. CONSIDERATION OF AMENDING BYLAWS TO CHANGE THE NUMBER OF BOARD OF DIRECTORS MONTHLY MEETINGS FROM TWO TO ONE**

**Discussion:**

Director Fitzmaurice left the meeting.

Director Beautz mentioned that going from two Board Meetings per month to one would make the meeting very long and staff would need a commitment from the directors that each of them would attend the sole Board Meeting each month. She suggested that two Board Meetings per month remain but the workshop meeting should have a time limit on discussions in order to shorten it. Les White pointed out that the timeframe between the first and second Board Meetings make it very difficult for staff to respond to the directors' requests for further information to be ready for the second Board Meeting.

Director Krohn left the meeting.

It was suggested that there be two weeks between Board Meetings. Director Almquist suggested two options: 1) Two meetings each month, two weeks apart and put more action items on the first meeting agenda; 2) Continue first meeting and designate a group of interested directors to a committee. Notice the meeting as both a Board and Committee. If there is no quorum for the Board Meeting, continue with the Committee Meeting. The Committee participants would make recommendations.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR AINSWORTH**

**Continue this item until the May Board Meeting.**

**Motion passed with Directors Fitzmaurice and Krohn absent.**

**18. CONSIDERATION OF RESULTS OF THE 2000 CENSUS AND COUNTY CLERK'S NOTIFICATION OF A NEED FOR BOARD OF DIRECTOR REAPPORTIONMENT**

**Discussion:**

Les White reported that the bylaws of the District would be changed to reflect the new apportionment. He also stated that members of the Board could not be asked to leave; they would need to resign. Letters will be sent to the Watsonville City Clerk asking for an appointment for their second seat and to the Santa Cruz City Clerk asking that one of their members be removed from the METRO Board. If no one from the City of Santa Cruz wants to resign, this will be difficult.

**ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR BEAUTZ**

**Extend meeting past 11:00 a.m.**

**Motion passed with Directors Fitzmaurice and Krohn being absent and Director Almquist voting no.**

Director Phares asked if alternates are allowed according to the bylaws. Mr. White responded that the statute governing the District does not allow for alternates. The Board reapportionment issue and the alternate Board member issue should be addressed at the same time since they both would require a bill being carried through legislation in order to change the statute. Director Beautz stated that there should be a full discussion with the entire Board of the re-apportionment issue noting populations that each member represents. Director Spence stated that once Watsonville has two seats on the METRO Board, she hopes that both representatives would attend the meetings rather than the additional seat being considered a co-seat.

**19. CONSIDERATION OF AMENDING AMPAC BUILDING MAINTENANCE CONTRACT FOR SCOTTS VALLEY TRANSIT CENTER**

Moved to Consent Agenda for the 4/19/02 Board Meeting.

**20. CONSIDERATION OF AWARD OF CONTRACT FOR ADA ELIGIBILITY SCREENING SERVICES**

Moved to Consent Agenda for the 4/19/02 Board Meeting.

**21. CONSIDERATION OF AMENDING NATIONWIDE AUCTION SYSTEMS CONTRACT**

Moved to Consent Agenda for the 4/19/02 Board Meeting.

**22. CONSIDERATION OF AGREEMENT WITH THE SANTA CRUZ SEASIDE COMPANY FOR THE PROVISION OF LATE-NIGHT SERVICE**

Moved to Consent Agenda for the 4/19/02 Board Meeting.

**24. CONSIDERATION OF MODIFYING THE DISTRICT'S BUS STOP SHELTER SPECIFICATIONS AND APPROVE THE BUS STOP ADVISORY COMMITTEE'S (BSAC) RECOMMENDATIONS**

Moved to Consent Agenda for the 4/19/02 Board Meeting.

**27. CONSIDERATION OF LEASE OF WATSONVILLE TRANSIT CENTER KIOSK #5 TO JESUS MARQUEZ FOR A PARTY SUPPLY STORE**

Moved to Consent Agenda for the 4/19/02 Board Meeting.

**28. CONSIDERATION OF INDEMNIFICATION AGREEMENT WITH NEW FLYER REGARDING WHEELCHAIR RESTRAINT ARM ASSEMBLY**

\*The attachment to the staff report will be distributed at the Board meeting.

Moved to Consent Agenda for the 4/19/02 Board Meeting.

**ADJOURN**

There being no further business, Vice-Chairperson Reilly adjourned the meeting at 11:05 a.m.

Respectfully submitted.

DALE CARR  
Administrative Services Coordinator