

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

June 21, 2002

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, June 21, 2002, at the City Hall Council Chambers, 809 Center Street, Santa Cruz, California.

Chairperson Ainsworth called the meeting to order at 9:06 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Sheryl Ainsworth
Tim Fitzmaurice
Michelle Hinkle
Mike Keogh
Dennis Norton
Ana Ventura Phares
Emily Reilly
Ex-Officio Mike Rotkin
Pat Spence
Marcela Tavantzis

DIRECTORS ABSENT

Jeff Almquist
Jan Beautz (arrived after Roll Call)

STAFF PRESENT

Bryant Baehr, Operations Manager
Kim Chin, Planning/Marketing Manager
Mark Dorfman, Asst. General Manager
Margaret Gallagher, District Counsel

Steve Paulson, Paratransit Administrator
Elisabeth Ross, Finance Manager
Leslie R. White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

April Axton, Lift Line
Scott Bugental, Seniors Council
Richard Camperud, Courtesy Cab
Linda Clayton, SEA
Dianna Dunn, SEIU
Mary Ferrick, PSA

Don Hubbard, H.W. Association
Carmen Magdaleno, Interpreter
Bonnie Morr, UTU
Carolyn O'Donnell, TMA
Will Regan, VMU
Celia Scott, Consultant
Sam Storey, Community Bridges

2. ORAL AND WRITTEN COMMUNICATION

Written:

- | | |
|---------------------|--------------------------|
| a. Marge Ann Wimpee | RE: Request for Service |
| b. H. G. Leach | RE: Bonny Doon Bus Route |

- | | |
|--|---|
| c. Mary Leeman | RE: Hwy. 17 Express |
| d. Dennis Stewart | RE: MetroBase Phase 2 |
| e. Lorraine Washington | RE: Watsonville Appointee to Board |
| f. Deleted – Action taken at June 14 th Board Meeting | |
| g. Kasandra Fox | RE: Personnel Matters |
| h. Deborah Lane | RE: Personnel Matters |
| i. Don Hubbard | RE: MetroBase |
| j. Scott Bugental | RE: Comments from 4/19/02 Board Meeting |

Chairperson Ainsworth addressed the written communication (Item 2j.) from E&D TAC concerning comments made by Director Almquist and a subsequent motion made at the April 19th Board meeting. She clarified the context of Director Almquist's request for information regarding the viability of the Accessibility Services Coordinator (ASC) position in relation to the discussion which was taking place on unspecified layoff positions being proposed to balance the upcoming budget. Chairperson Ainsworth added that on April 26th the Board undirected the portion of the motion regarding the ASC position.

Oral:

Brad Neily spoke regarding the comments made by Director Almquist as referenced above. He added that his hope is to settle the call stop issue lawsuit which is tearing the community apart.

Michael Bradshaw of Central Coast Center for Independent Living (CCCIL) read a letter from his Board which is in support of METRO retaining the ASC position. Mr. Bradshaw stated that he understands that the ASC position will be funded for FY 02/03. Chairperson Ainsworth clarified that the ACS position was never deleted from the proposed budget for FY 02/03.

Scott Bugental stated that Item 2j. was written on behalf of E&D TAC and not on his own behalf. He requested a written reply to E&D TAC's letter and expressed surprise that at the time of the motion no one spoke up.

3. LABOR ORGANIZATION COMMUNICATIONS

Nothing to report at this time.

4. METRO USERS GROUP (MUG) COMMUNICATIONS

Nothing to report at this time.

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

Sharon Barbour, Vice Chairperson of MASTF, read a letter to the Board regarding the ASC position and MASTF's desire to be included in the hiring process of all upper level personnel which focus on providing services for the disabled community. A copy of this letter is attached. Chairperson Ainsworth responded that the goals and objectives of the MASTF committee do not include being a part of the hiring and/or firing of employees. She added that for positions directly related to the disabled community, MASTF should be included in the hiring process.

Several Directors agreed that MASTF's input could be considered, however, the final hiring decision lies with the General Manager.

6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

SECTION 1:

DELETE FROM ITEM #2 ORAL AND WRITTEN COMMUNICATIONS:

f. Richard/Betty Preinitz Action taken at 6/14/02 Board Meeting

ADD TO ITEM #2

g. Kasandra Fox RE: Personnel Matters
h. Deborah Lane RE: Personnel Matters
i. Don Hubbard RE: MetroBase
j. Scott Bugental RE: Comments from 4/19/02 Board Meeting

(Insert Written Communication)

CONSENT AGENDA:

ADD TO ITEM #7-3

ACCEPT AND FILE MAY 2002 RIDERSHIP REPORT
(Insert Page 1 of Ridership Report)

ADD TO ITEM #7-4

CONSIDERATION OF TORT CLAIM: Deny the Claim of: Cullen Plousha, Claim #02-0018
(Insert Claim)

ADD TO ITEM #7-22

b. CONSIDERATION OF AMENDING THE BYLAWS TO ELIMINATE THE SCOTTS VALLEY LOCATION AS ONE OF THE SITES FOR THE BOARD OF DIRECTORS MONTHLY MEETINGS – AMENDED
(Replace Staff Report which has original numbering as Item #13b)

REGULAR AGENDA:

DELETE ITEM #8

CONSIDERATION OF ADOPTION OF RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE SECTION 21354.4 (2.5% @ 55 FULL FORMULA) AND SECTION 21022 (PUBLIC SERVICE CREDIT FOR PERIODS OF LAYOFF)
(Action taken at the 6/14/02 Board Meeting)

DELETE ITEM #10

CONSIDERATION OF TRANSFER OF ASSETS TO HARTNELL COLLEGE AND HARTNELL COLLEGE FOUNDATION
(Action taken at the 6/14/02 Board Meeting)

- DELETE ITEM #15** CONSIDERATION OF AWARD OF CONTRACT FOR MINOR MAINTENANCE FACILITY RETROFIT CONSTRUCTION
(Contract will be rebid at future date)
- ADD TO ITEM #16** CONSIDERATION OF UTILIZING A COMPETITIVE PROCESS TO OFFER THE PUBLIC THE OPPORTUNITY TO PRESENT PROPOSALS TO CONSTRUCT A KIOSK TO OPERATE A BUSINESS AT THE WATSONVILLE TRANSIT CENTER – AMENDED
(Replace Staff Report which has original numbering as Item #7-19)
- ADD TO ITEM #17** CONSIDERATION OF AUTHORIZATION FOR GENERAL MANAGER TO ENTER INTO A CONTRACT FOR PARATRANSIT SERVICE WITH COMMUNITY BRIDGES
(Add Staff Report)
- ADD TO ITEM #18** CONSIDERATION OF DESIGNATING LIQUEFIED/COMPRESSED NATURAL GAS AS THE FUELING COMPONENT FOR THE METROBASE HARVEY WEST CLUSTER ONE ALTERNATIVE
(Add Staff Report)
- ADD TO ITEM #19** REVIEW AND CONSIDER INPUT RECEIVED DURING THE SCOPING PERIOD FOR THE PROPOSED METROBASE PROJECT AND DETERMINE ISSUES AND ALTERNATIVES TO BE INCLUDED IN THE ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) ON THE METROBASE PROJECT AND DIRECT STAFF TO PREPARE OR HAVE PREPARED A FINANCIAL FEASIBILITY IMPACT REPORT ON THE PROPERTIES IDENTIFIED FOR A POSSIBLE PHASE 2
(Add Staff Report)
- ADD TO ITEM #20** CONSIDERATION OF REINSTATING THE PART-TIME LEGAL SECRETARY POSITION PREVIOUSLY UNFUNDED IN THE 2002/2003 BUDGET
(Add Staff Report)

ADDITIONAL DOCUMENTATION FOR 6/21/02 BOARD PACKET

- 1) Amended Agenda – Corrected “Presenter” on Item #20
 Corrected Closed Session Item 1b. – Changed Defendant’s name from Metropolitan Water District to Santa Cruz Metropolitan Transit District
- 2) Amended Closed Session Agenda – Same change as above

ADD TO ITEM #7-3 ACCEPT AND FILE MAY 2002 RIDERSHIP REPORT
(Replace Page 7-3.1)

ADD TO ITEM #17 CONSIDERATION OF AUTHORIZATION FOR GENERAL
MANAGER TO ENTER INTO A CONTRACT FOR PARATRNSIT
SERVICE WITH COMMUNITY
(Information received after add-on packet was distributed)

CONSENT AGENDA

REPLACE PAGE 7-1.25 BOARD MEETING MINUTES OF MAY 17, 2002.

REGULAR AGENDA

ADD TO ITEM #19 METROBASE SCOPING MEETING ISSUE
Email from Larry/Marti Selman, Complete Mailing Service
Letter from Laree Draper, World Gym
Letter from U.S. Environmental Protection Agency

DIRECTOR BEAUTZ ARRIVED.

CONSENT AGENDA

- 7-1. **APPROVE REGULAR BOARD MEETING MINUTES OF MAY 10 AND MAY 17, 2002**
- 7-2. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**
- 7-3. **ACCEPT AND FILE MAY 2002 RIDERSHIP REPORT**
- 7-4. **CONSIDERATION OF TORT CLAIMS: Deny the Claims of: Santa Cruz
Transportation Inc., #02-0016 and Pacific School District, #02-0017, Cullen Plousha,
#02-0018.**
- 7-5. **ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF MAY 16, 2002**
- 7-6. **ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF MAY 15, 2002**
- 7-7. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR APRIL 2002,
APPROVAL OF BUDGET TRANSFERS**
- 7-8. **ACCEPT AND FILE PARACRUZ STATUS REPORT FOR MARCH 2002**
- 7-9. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR APRIL 2002**
- 7-10. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**
- 7-11. **ACCEPT AND FILE METROBASE STATUS REPORT**
- 7-12. **CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF ASSETS: TWO GILLIG
BUSES; MISCELLANEOUS EQUIPMENT**
- 7-13. **CONSIDERATION OF A RESOLUTION INCREASING THE PETTY CASH FUND FOR
THE ADMINISTRATIVE OFFICES AND ELIMINATING THE PETTY CASH FUND FOR
THE FACILITIES MAINTENANCE DEPARTMENT.**
- 7-14. **CONSIDERATION OF RENEWAL OF LIABILITY AND PHYSICAL DAMAGE
INSURANCE COVERAGE FOR FY 02-03.**
- 7-15. **CONSIDERATION OF RENEWAL OF PROPERTY INSURANCE COVERAGE FOR FY
02-03**

- 7-16. CONSIDERATION OF NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION – SONYA MCCLURE V. SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
- 7-17. CONSIDERATION OF NAME CHANGE FOR TENANT'S BUSINESS AT WATSONVILLE TRANSIT CENTER
- 7-18. CONSIDERATION OF AUTHORIZATION TO RENEW CONTRACT WITH UNIVERSITY OF CALIFORNIA, SANTA CRUZ FOR TRANSIT SERVICES
- 7-19. MOVED TO REGULAR AGENDA AS ITEM #16
- 7-20. CONSIDERATION OF AUTHORIZATION TO RENEW AGREEMENT WITH SANTA CRUZ COUNTY FOR ACQUISITION AND RELOCATION ASSISTANCE SERVICE
- 7-21. CONSIDERATION OF ADOPTING AN ANNUAL GOAL FOR DBE PARTICIPATION IN FEDERALLY FUNDED PROCUREMENTS IN FY 2003
(Moved to Consent Agenda at the June 14, 2002 Board Meeting. Staff Report retained original numbering as Item #12)
- 7-22. a. CONSIDERATION OF AMENDING BYLAWS TO CHANGE THE BOARD OF DIRECTORS MONTHLY MEETINGS FROM THE SECOND AND THIRD FRIDAY OF EACH MONTH TO THE SECOND AND FOURTH FRIDAY OF EACH MONTH
b. CONSIDERATION OF AMENDING THE BYLAWS TO ELIMINATE THE SCOTTS VALLEY LOCATION AS ONE OF THE SITES FOR THE BOARD OF DIRECTORS MONTHLY MEETINGS - AMENDED
(Moved to Consent Agenda at the June 14, 2002 Board Meeting. Staff Report retained original numbering as Item #13)
- 7-23. CONSIDERATION OF AUTHORIZING THE USE OF DISTRICT EQUIPMENT BY DISTRICT EMPLOYEES PARTICIPATING IN THE WHARF-TO-WHARF MUSIC PROGRAM TO PROMOTE PUBLIC TRANSIT AWARENESS
(Moved to Consent Agenda at the June 14, 2002 Board Meeting. Staff Report retained original numbering as Item #14)

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR PHARES

Approve Consent Agenda. Change second Board Meeting from the Third Friday to the Fourth Friday of each month to improve staff's ability to respond to the Board's requests from the first Board meeting.

Motion passed with Director Almquist being absent.

REGULAR AGENDA

8. DELETED
9. CONSIDERATION OF ADOPTION OF FY 02-03 FINAL BUDGET

Summary:

Elisabeth Ross reported that staff is requesting adoption of the final budget for FY 02-03. The action would adopt the resolution, authorize Board travel and staffing levels, and approve the employee incentive program. The proposed operating budget is \$31.6 million and \$20 million in the capital budget. Originally, twenty-four positions would not be funded in the upcoming year.

Because of actions taken, the layoff positions were decreased to fourteen. Staff will bring the budget back to the Board in October with revisions to cover revenue adjustments. Ms. Ross reviewed the sales tax information. She added that the Repair account was reduced with the assumption that it would be entirely reimbursed through the collection process. Mr. White added that staff would be working more closely with law enforcement to deal more effectively with vandalism.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR FITZMAURICE

Adopt the resolution approving the final budget for FY 02-03 as presented in Attachment B; authorize Board member travel in FY 02-03 as described in Attachment C; approve the Employee Incentive Program as presented in Attachment D and authorize staffing levels as listed in Attachment G.

Motion passed by a roll call vote with Director Almquist being absent.

10. DELETED

11. ACCEPT AND FILE REPORT EXPLAINING VEHICLE PUBLIC LIABILITY RATE INCREASES

Summary:

Mark Dorfman conducted a presentation at the June 14th Board meeting on this issue. No action is necessary other than for the Board to accept and file the report.

12. MOVED TO CONSENT AGENDA AS ITEM #7-21

13. MOVED TO CONSENT AGENDA AS ITEM #7-22

14. MOVED TO CONSENT AGENDA AS ITEM #7-23

15. DELETED

16. CONSIDERATION OF UTILIZING A COMPETITIVE PROCESS TO OFFER THE PUBLIC THE OPPORTUNITY TO PRESENT PROPOSALS TO CONSTRUCT A KIOSK TO OPERATE A BUSINESS AT THE WATSONVILLE TRANSIT CENTER -- AMENDED
(Moved to Regular Agenda at the June 14, 2002 Board Meeting. Staff report retained original numbering as Item #7-19)

Summary:

Margaret Gallagher explained that this matter was brought before the Board last year and staff was asked to reagentize this issue in one year. Staff recommends that a Request for Proposals (RFP) be issued by METRO offering the public an opportunity to present proposals to construct the kiosk at the proposer's cost and to operate business through METRO's standard

lease arrangements. Proposals would be reviewed by staff and a recommendation would be made to the Board who would have final authority to accept or reject the proposals.

Discussion:

Director Rotkin suggested that a Board members representing the City of Watsonville be involved in the discussions with staff before a final recommendation is made to the Board. This Board member would have input regarding the appropriateness of the proposals and how they would fit into the community.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR FITZMAURICE

Utilize the competitive process to offer the public the opportunity to present proposals to construct a kiosk and operate a business at the Watsonville Transit Center. Direct staff to include a Watsonville Board member in the discussions.

Director Phares asked that staff talk with one of the Watsonville Board members plus the Watsonville City Manager prior to the RFPs being sent out. Director Rotkin suggested that the viability of the business may not be clear until the RFP is submitted. He added that it is acceptable to ask for proposals ahead of time. Mr. White commented that staff intends to involve a Watsonville Board member in the crafting of the RFP.

Motion passed with Director Almquist being absent.

ITEM #19 WAS TAKEN OUT OF ORDER.

19. **REVIEW AND CONSIDER INPUT RECEIVED DURING THE SCOPING PERIOD FOR THE PROPOSED METROBASE PROJECT AND DETERMINE ISSUES AND ALTERNATIVES TO BE INCLUDED IN THE ENVIRONMENTAL IMPACT REPORT/ENVIRONMENTAL IMPACT STATEMENT (EIR/EIS) ON THE METROBASE PROJECT AND DIRECT STAFF TO PREPARE OR HAVE PREPARED A FINANCIAL FEASIBILITY IMPACT REPORT ON THE PROPERTIES IDENTIFIED FOR A POSSIBLE PHASE 2**

Summary:

Margaret Gallagher confirmed that the Board chose Harvey West Cluster 1 as the preferred site for the MetroBase project. This site consists of the Golf Club Drive site, Surf City Produce property, River Street property owned by the District, and the Tool Shed property. A Notice of Preparation (NOP) was issued on April 30, 2002 to solicit comments from the public and from other agencies. Staff is asking the Board for their input to see if there are any other environmental issues to be placed in the Environmental Impact Report (EIR) for Phase 1.

Staff is further requesting the Board to authorize a financial feasibility study so the District can determine acquisition, relocation and construction costs should the project go forward through Phase 2. Staff also needs to identify grant funding for Phase 2 as there are currently no funds for Phase 2.

Discussion:

Les White added that this is an early notification that staff is considering and looking at certain properties as a potential Phase 2. It is unlikely that all of the properties would be needed, however, each individual parcel is being examined to see how it might fit into the expansion process for the District. This examination of the parcels would be conducted to see if they are compatible before staff lines up funding, and conducts an EIR.

Cecil Scott outlined the facts to date regarding Phase 1, its size, and that it is believed that a Phase 2 is needed because Phase 1 is substantially smaller than METRO's original intention. The EIR underway now would address Phase 2 on a qualitative level; the EIR would list possible sites and would indicate the physical factors, and would entail a limited analysis of Phase 2 based on the best information available. No decision could be made to approve Phase 2 until a full environmental analysis is conducted in a supplemental environmental document after the approval of Phase 1. The timetable for Phase 2, if it were built, would be September by the time the analysis of the property and financial impact report were conducted. Staff would return to the Board in the beginning of 2003 with an analysis of potential funding capabilities for exploring the enhancement, whatever it might be. The scoping process on the environmental review would be done in the second quarter of 2003 with environmental documents being available in early 2004.

Staff suggests the following: 1) keep facility and timelines moving forward; 2) accept comments regarding Harvey West Cluster 1 and move forward in the EIR; 3) if directed, a Financial Feasibility Study (FFS) would be conducted on the enhancements. This would determine the progress of Phase 2.

CHAIRPERSON AINSWORTH ACCEPTED PUBLIC COMMENTS AS OF 10:13 A.M.

The following Plantronics employees spoke:

Tom Falon, Jeff Strand, Barbara Sherer, Rita Chapman, Lee Sanders, Neil Snyder, Dan Sully, Mike Hervey, Juan Lopez, Mary Peterson, Julie Murphy and Rich Pickerd. The main concerns of these speakers were Plantronics' plans to expand on the Vernon Street site that METRO currently leases for bus parking and is currently a possibility for Phase 2, loss of tax revenue to the City, insufficient notice for the Scoping Meeting, quality of life if the employees have to commute, Plantronics' contributions to the community through charitable works including Second Harvest Food Bank, and global ramifications since Plantronics' clients enjoy coming to Santa Cruz.

Don Hubbard of the Harvey West Area Association spoke regarding his concerns with the insufficient notice given for the Scoping Meeting, loss of tax revenue to City, jobs and businesses needed in this area, the Harvey West clubhouse and children playing in the park. Mr. Hubbard stated that the Watsonville property that METRO owns would satisfy METRO's demands for years to come.

Deborah Damon of Complete Mailing Service commented that her business has been in the Harvey West Park for two years. Prior to moving to this location, they searched for a place that

would accommodate their growth. Complete Mailing Service contributes to the County, City, arts and Second Harvest Food Bank. Ms. Damon asked the Board not to rush this process and to look at all possibilities.

Director Norton pointed out that METRO is also a major employer in the County. He added that he doesn't see the Vernon Street piece of property as being a major contributor to the Phase 2.

ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR FITZMAURICE

Eliminate the Plantronics property from consideration in the MetroBase project.

Motion passed with Directors Hinkle, Keogh and Spence voting no; and with Director Almquist being absent.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR SPENCE

Review Denise Duffy & Associates' recommendation for the issues and alternatives to be included in the scope of the MetroBase EIR/EIS; and direct staff to prepare or have prepared a Financial Feasibility Impact Report on the properties identified for a possible Phase 2 with a due date of September 27, 2002.

It was reiterated that the Salz property is not included in the Phase 2 alternatives.

Motion passed with Director Almquist being absent.

Les White pleaded with the Board not to slow the MetroBase project down. METRO began this process with \$37 million in funding. Due to delays to the project, METRO is now below \$30 million in funding for this facility.

17. CONSIDERATION OF AUTHORIZATION FOR GENERAL MANAGER TO ENTER INTO A CONTRACT FOR PARATRANSIT SERVICE WITH COMMUNITY BRIDGES

Summary:

Staff is requesting authorization to enter into a three-year contract with Community Bridges. Service would be initiated on July 1, 2002 if the contract is approved. There would be two one-year renewals with the right to cancel with 90-days notice. The contract is worth \$9.2 million and all clauses have been reviewed with Community Bridges. This contract is for billing on an hourly basis vs. on a ride-by-ride basis as previous contracts stipulated. Mr. Dorfman reviewed the billing calculations. Community Bridges expects to comply by July 2004 with the clause stipulating a lighted parking lot is needed .

Discussion:

Director Beautz requested that the Board be supplied with the actual contracts to review in the future.

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR NORTON

All future contracts will be provided to the Board when there is an agenda item concerning a contract.

Motion passed with Director Almquist being absent.

Mr. Dorfman added that this contract entails strict penalties in terms of performance as well as financial penalties in terms of timeliness of bills. There are, however, incentives for good performance. There will now be dedicated staff who will be monitoring this contract. METRO will also obtain a “use” license of the software that Community Bridges has in place which will enable METRO to query the paratransit records. Director Spence pointed out that the Customers’ Guide and Policy & Procedures are a part of the contract. However, the District reserves the right to amend the Customers’ Guide without renegotiating the contract. Lift Line will have a separate phone line for ParaCruz calls only. Paratransit rides will be segregated and not mixed in with other services. Director Spence asked for assurances that the sub-contractors are aware that they need to perform on an hourly rate and uphold the same standards. Sam Storey responded that the sub-contractors will mirror the contract requirements in terms of performance requirements, pick up times, ready windows, etc. Mr. Storey added that the METRO vehicles would be dedicated to ADA service only. If the METRO vehicles go to a sub-contractor, these would continue to be used for ADA service only and no meters would be installed in them. TDA rides would be consolidated with ADA rides, however, the software will allocate the charge to TDA vs. ADA rides. There was discussion regarding the 70/30 split which is still in effect and how Community Bridges would monitor the rides assigned to their sub-contractors.

Mr. Dorfman explained that this contract is for a fixed price and would not fluctuate if Lift Line’s expenses increase. There was discussion regarding door-to-door services vs. home health care duties. Director Fitzmaurice asked District Counsel Gallagher to inquire as to whether there have been any transportation providers who have been held legally responsible for treatment or assistance given to paratransit riders.

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR REILLY

Extend the meeting past 12:00 noon.

Motion carried with Director Almquist being absent.

Mark Dorfman confirmed with Sam Storey that a clause would be inserted stating that the sub-contractors could not refuse an ADA rider when assigned to them. Mr. Storey added that training on the ParaCruz Policies & Procedures has already begun. Director Tavantzis suggested that a close eye be kept on the complaint report. Lastly, if a paratransit customer calls a Board member about being denied a ride due to being unqualified, Mr. Storey asked that he be contacted in this regard. Lift Line staff has been instructed to review all options with each caller.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR BEAUTZ

Authorize the General Manger to enter into a three-year contract with Community Bridges for the operation of ADA Paratransit Services.

Bonne Morr of UTU asked the Board to reiterate the direction to staff given a few months ago to follow through with a procedure to create a process for possibly bringing this service in house. Ms. Morr was informed that this direction to staff is still in force and this procedure will be brought before the Board when completed.

Motion passed with Director Almquist being absent.

18. CONSIDERATION OF DESIGNATING LIQUEFIED/COMPRESSED NATURAL GAS AS THE FUELING COMPONENT FOR THE METROBASE HARVEY WEST CLUSTER ONE ALTERNATIVE

Summary:

Mr. White reported that in order to continue to move forward with the MetroBase EIR, it is important to identify how to bring CNG to the preferred location. Originally, there was discussion regarding bringing the CNG line from San Lorenzo Lumber to Harvey West Park. This was anticipated to cost approximately \$2.5 million.

For the purpose of the EIR for Cluster 1, staff recommends as an interim measure that liquefied natural gas (LNG) be utilized. The following impacts need to be considered: truck traffic which would increase due to delivering of the LNG; on-site storage of approximately 15,000 gallons of LNG. If the Board decides to stay with the concept of bringing in a CNG line, consultants would need to look at the environmental impact from Harvey West Park to San Lorenzo Lumber. This would significantly change the time line.

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR NORTON

Designate the use of liquefied/compressed natural gas (L/CNG) as the fueling component for the MetroBase Harvey West Cluster One alternative.

Motion passed with Director Almquist being absent.

20. CONSIDERATION OF REINSTATING THE PART-TIME LEGAL SECRETARY POSITION PREVIOUSLY UNFUNDED IN THE 2002/2003 BUDGET

Summary:

Les White stated that in preparation of defending the District in the Lane/Loya action, this position is needed due to the volume of work that will be required.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR FITZMAURICE

Transfer funds from the Claims Reserves to the operating budget to reinstate the position of part-time Legal Secretary to provide staff support for the defense in the Lane/Loya vs. SCMTD action.

Motion passed with Director Almquist being absent.

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

Margaret Gallagher reported that the claims of Santa Cruz Transportation vs. SCMTD and Ruelas vs. SCMTD would be discussed.

22. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None

SECTION II: CLOSED SESSION

Chairperson Ainsworth adjourned to Closed Session at 12:34 p.m. and reconvened to Open Session at 12:47 p.m.

SECTION III: RECONVENE TO OPEN SESSION

23. REPORT OF CLOSED SESSION

There was nothing to report at this time.

ADJOURN

There being no further business, Chairperson Ainsworth adjourned the meeting at 12:47 p.m.

Respectfully submitted

DALE CARR
Administrative Services Coordinator