

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

January 9, 2004

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 9, 2004 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice Chairperson Keogh called the meeting to order at 9:02 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
Pat Spence
Marcela Tavantzis
Ex-Officio Wes Scott (arrived after roll call)

DIRECTORS ABSENT

Dennis Norton
Ana Ventura Phares

STAFF PRESENT

Bryant Baehr, Operations Manager
Mark Dorfman, Assistant General Manager
Terry Gale, IT 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

Chuck Boxwell, RNL Design
Scott Bugental, Seniors Commission
Ceil Cirillo, County of Santa Cruz
Pat Dellin, SCCRTC
Kate Diamond, RNL Design
Gary Klemz, SEIU
Jeff LeBlanc, MASTF
Paul Marcelin-Sampson, Bus Riders Union
Manny Martinez, PSA

Ian McFadden, SEA
Patrick McKelvey, RNL Design
Jeff North, UTU
Will Regan, VMU
Celia Scott, Consultant
Link Spooner, Lift Line
Jim Taylor, UTU
Bob Yount, MASTF

2. ORAL AND WRITTEN COMMUNICATION

Written:

- a. Michael Molesky, E&D TAC RE: Paratransit Summit
- b. Camille Pierce RE: MASTF

Oral:

Director Rotkin informed the Board that he and Director Reilly approached several businesses to solicit donations to pay for bus passes for First Night Santa Cruz volunteers. Businesses that donated the \$600 necessary were: Bookshop Santa Cruz, Logo's Books, Artisan's, Data Distributing, and Emily's Bakery.

Paul Marcelin-Sampson asked several questions regarding the Highway 17 Express service as it relates to merging with Amtrak service. Les White responded that a staff report would go to the Board in February addressing this issue. He added that there is another meeting on January 22, 2004 to address the Capitol Corridor JPA. Mr. White will provide information to Mr. Marcelin-Sampson on the contact at Caltrans who does the scheduling. Margaret Gallagher is drafting a Memorandum of Understanding (MOU) with regard to purchasing of service with Amtrak. Ex Officio Director Wes Scott expressed his interest in assisting Mr. White with on-campus marketing of the connector service since he is always being asked for better connectivity between Santa Cruz and the Bay area.

3. LABOR ORGANIZATION COMMUNICATIONS

None

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

A letter from Mardi Wormhoudt to the Board of Supervisors regarding Paratransit Services in Santa Cruz County; MetroBase Project Status Update materials, and MetroBase Capacity Enhancement Feasibility Study. Vice Chairperson Keogh also mentioned the receipt of Director Ana Ventura Phares' letter of resignation from the METRO Board and a letter from Mark Stone to the Board of Supervisors requesting appointment to the METRO Board. Also distributed was a Community Traffic Safety Coalition regarding bike rider characteristics study provided to METRO. Director Rotkin directed staff to respond to the paratransit letter from Mardi Wormhoudt and to make sure METRO is involved early in the process. A paratransit meeting to solicit public input is scheduled for February 5, 2004 at 4:00 p.m. at the County Board of Supervisors Chambers.

CONSENT AGENDA

5-1. APPROVE REGULAR BOARD MEETING MINUTES OF DECEMBER 12 AND DECEMBER 19, 2003

Director Rotkin inquired about the attachments to the December 12th Minutes and was informed these were from Josh Shaw's presentation on state lobbyist issues.

5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS

No questions or comments.

**5-3. ACCEPT AND FILE DECEMBER 2003 RIDERSHIP REPORT
PAGE 1 OF THE RIDERSHIP REPORT WILL BE PRESENTED FOR
CONSIDERATION AT THE JANUARY 23, 2004 BOARD MEETING**

No questions or comments.

**5-4. CONSIDERATION OF TORT CLAIMS: Brian Neal Patrovsky, Claim #03-0032;
Ramona Diaz, Claim #03-0031**

No questions or comments.

**5-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF
JANUARY 15, 2004 AND THE MINUTES OF THE DECEMBER 18, 2003 MEETING
DOCUMENTATION WILL BE PRESENTED FOR CONSIDERATION AT THE
JANUARY 23, 2004 BOARD MEETING**

No questions or comments.

**5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR NOVEMBER 2003,
AND APPROVAL OF BUDGET TRANSFERS**

No questions or comments.

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

Director Tavantzis found the paratransit numbers for October to be completely unacceptable. There was discussion regarding the financial sanctions that are levied against Community Bridges for lack of performance and that either fines or contract termination are options that are on the table and part of the discussions METRO will have. Director Reilly asked staff to think about who would be giving the presentation on ADA requirements that METRO must comply with at the February 5th meeting.

Margaret Gallagher advised the Board that if it wished to add an item to the agenda regarding the ParaCruz Summit and METRO's participation, it would have to determine that the issue came to the attention of the Board after the posting of the agenda and there is a need to take action to make the necessary findings to determine METRO's response and how METRO would participate in the February 5th meeting.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN

To add the issue to the Board's agenda that the matter of the ParaCruz Summit and METRO's response came to the attention of the Board after the posting of the agenda and there is a need to take action before the next Board meeting to add the item of

METRO's participation in the February 5th meeting of the Regional Transportation Commission regarding paratransit to today's agenda.

Motion passed unanimously with Directors Norton and Phares being absent.

Vice Chairperson Keogh made this new item #13a on the Regular Agenda. Director Tavantzis asked staff to have Community Bridges submit a letter for the next Board meeting as to what happened to make the October figures so bad.

ITEM #6 WAS TAKEN OUT OF ORDER AT THIS TIME.

6. PRESENTATION OF RESOLUTION OF APPRECIATION FOR THE SERVICE OF JEFF ALMQUIST AS A MEMBER OF THE BOARD OF DIRECTORS

Summary:

Chairperson Reilly read the Resolution of Appreciation and presented it to Jeff Almquist.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Moved passage of the Resolution of Appreciation for the services of Jeff Almquist as a member of the METRO's Board of Directors by unanimous voice vote in lieu of a roll call.

Motion passed unanimously with Directors Norton and Phares being absent.

Judge Almquist stated that he is proud and honored to have been a part of the METRO organization. Mr. White presented Judge Almquist with a bag of METRO memorabilia at this time.

5-8. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR NOVEMBER 2003

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 NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION REGARDING THE FOLLOWING CLAIMS ON THE DATES INDICATED: CLAIMS OF FRANK COUSINS, GARY BRIERLY, NEIL BAILEY AND ROBERT GOUVEIA

No questions or comments.

REGULAR AGENDA

7. CONSIDERATION OF ELECTION OF DIRECTORS TO SERVE AS BOARD OFFICERS FOR THE YEAR 2004 AND ON THE TRANSPORTATION COMMISSION

Discussion:

Director Spence recommended that Director Tavantzis be moved up to the #1 Alternate position, however, no action was taken on this by the other Board members.

8. CONSIDERATION OF PROVISION OF SUPPORT SERVICES TO THE METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF)

Discussion:

Director Spence asked that the attachments mentioned in the MASTF Minutes be included in with the Minutes for the Board packet, subject to someone's approval. Jeff LeBlanc stated that in the past MASTF had been scolded for including too many attachments to the Board and that now the committee seriously considers which items to attach. He added that MASTF would like to hear from the Board as to what they would like to see as attachments. Director Spence also asked that #7 on the "Metro Support Services for MASTF" attachment to the staff report reflect the hours that the conference room would be open.

It was confirmed that this item will be re-clarified only and not re-discussed at the January 23rd Board Meeting.

ITEM #13A. WAS TAKEN OUT OF ORDER AT THIS TIME.

13a. CONSIDERATION OF REPRESENTATION AT THE REGIONAL TRANSPORTATION COMMISSION (RTC) PARATRANSIT SUMMIT

Discussion:

Director Keogh asked what METRO's representation would be at the February 5th meeting of the RTC.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Direct the General Manager to send a letter to the RTC to communicate METRO's desire to have a fifteen-minute presentation early in the process so people understand METRO's concerns about the ADA and the overall impact.

Director Ainsworth wants METRO's financial situation to be accurately represented and she suggested that handing out visual materials might be useful to the presentation.

Motion passed unanimously with Directors Norton and Phares being absent.

VICE CHAIRPERSON KEOGH ADJOURNED TO CLOSED SESSION AT THIS TIME.

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

Margaret Gallagher stated that the Board would discuss the Workers Compensation case of James Holodnick and the Encroachment Permit for the property at 1200 River Street.

17. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None

SECTION II: CLOSED SESSION

Vice Chairperson Keogh adjourned to Closed Session at 9:56 a.m. and reconvened to Open Session at 10:21 a.m.

SECTION III: RECONVENE TO OPEN SESSION

23. REPORT OF CLOSED SESSION

Margaret Gallagher had nothing to report at this time.

SECTION III: RECONVENE TO OPEN SESSION

9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A THREE-YEAR LEASE FOR KIOSK #5 AT THE WATSONVILLE TRANSIT CENTER TO LETICIA LEDESMA AND TOMAS SANCHEZ FOR A ONE-CHAIR BEAUTY SALON TO BEGIN FEBRUARY 1, 2004

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR BEAUTZ

Move Item #9 to the Consent Agenda for the January 23, 2004 Board Meeting.

Motion passed unanimously with Directors Norton and Phares being absent.

10. CONSIDERATION OF PRESENTATION BY RNL DESIGN REGARDING THE STATUS OF THE METROBASE PROJECT

Summary:

Patrick McKelvey and Chuck Boxwell of RNL Design were present to give a presentation on the status of the MetroBase project and on the Capacity Enhancement Feasibility Study. Space requirements for both Phase I and Phase 2 were discussed. Construction should begin by December 1, 2004 and end by the end of 2006 and into 2007.

DIRECTOR REILLY LEFT THE MEETING.

Discussion:

Mr. White stated that the total project cost will be approximately \$26 million of which METRO has funding for \$21+ million.

11. CONSIDERATION OF ACCEPTANCE OF THE FINANCIAL FEASIBILITY AND IMPACT REPORT FOR POTENTIAL PROPERTIES TO BE USED FOR A PHASE 2 METROBASE PROJECT

Summary:

Mark Dorfman reported that RNL Design was hired to conduct a review of the potential properties for Phase 2. Phase 2 would allow for a larger number of buses to be in the fleet.

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR ROTKIN

Extend meeting past 11:00 a.m.

Motion passed with Directors Norton, Phares and Reilly being absent.

Discussion:

There was discussion regarding part of the water company site that the City currently owns that METRO might be interested in for parking. This site would be essential if the City does not do a joint parking facility with METRO. For the record, Director Rotkin stated that Phase 2 of the MetroBase project might never happen and that no funds have been identified for this phase of the project. Celia Scott added that the Environmental Impact Report (EIR) specifically provided for a possibility of a Phase 2 but there would have to be an environmental review at that time.

DIRECTOR TAVANTZIS LEFT THE MEETING.

Les White informed the Board that the RNL Design team has been very responsive and cooperative and thanked them on behalf of staff for their approach to this project.

12. CONSIDERATION OF REQUESTING THAT THE CITY OF SANTA CRUZ SUBSTITUTE 25 YEARS FOR THE CURRENT 30 DAYS IN THE REVOCATION SECTION OF THE ENCROACHMENT PERMIT FOR THE PROPERTY LOCATED AT 1200 RIVER STREET

Les White reported that based on discussions with Real Property Negotiators in Closed Session, it was recommended that this item be deleted until staff has an agreement to bring back to the Board.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR AINSWORTH

Delete this item.

Motion passed with Directors Norton, Phares, Reilly and Tavantzis being absent.

13. CONSIDERATION OF PARACRUZ TRANSITION PLAN TO TAKE OPERATIONS IN-HOUSE FROM COMMUNITY BRIDGES

DOCUMENTATION WILL BE PRESENTED FOR CONSIDERATION AT THE
JANUARY 23, 2004 BOARD MEETING

14. **CONSIDERATION OF APPROVAL OF THE REVISED FORMATION AGREEMENT
FOR THE HIGHWAY 1 WIDENING/HOV HCA/JOINT POWERS AUTHORITY**

Summary:

Les White reported that the Board approved an agreement for METRO to participate in the Highway 1 Widening/HOV HCA/Joint Powers Authority in 2003. The agreement that was approved showed participation from the County, four cities and METRO. The agreement is now modified to delete the City of Santa Cruz as a participant. The agreement needs to be re-approved to reflect that the City of Santa Cruz is not involved. There is no financial impact to METRO resulting from the deletion of the City of Santa Cruz; METRO's portion is still 10%.

15. **PUBLIC HEARING FOR CONSIDERATION OF AUTHORIZING THE APPLICATION
AND EXECUTION OF AN FTA GRANT FOR URBANIZED AREA FORMULA FUNDS
FOR FY 2004**
PUBLIC HEARING WILL BE HELD AT 9:00 A.M. ON JANUARY 23, 2004

DOCUMENTATION WILL BE PRESENTED FOR CONSIDERATION AT THE
JANUARY 23, 2004 BOARD MEETING

ADJOURN

There being no further business, Vice Chairperson Keogh adjourned the meeting at 11:24 a.m.

Respectfully submitted.

Dale Carr
Administrative Services Coordinator