

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**July 9, 2004**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, July 9, 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  
Dennis Norton  
Emily Reilly (arrived after roll call)  
Mike Rotkin (arrived after roll call)  
Dale Skillicorn  
Pat Spence  
Mark Stone  
Marcela Tavantzis  
Ex-Officio Wes Scott

#### **DIRECTORS ABSENT**

None

#### **STAFF PRESENT**

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

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

Gary Klemz, SEIU  
Manny Martinez, PSA  
Bonnie Morr, UTU

Will Regan, VMU  
Bob Yount, MASTF  
Arturo Zamedio, Lift Line, UTU

### **2. ORAL AND WRITTEN COMMUNICATION**

#### **Written:**

a. Paul Marcelin-Sampson

RE: Paratransit/UTU

**3. LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr reiterated her request of a few months ago regarding removal of members on advisory bodies. Margaret Gallagher stated that this would be agendized for a future Board meeting.

**DIRECTOR AINSWORTH ARRIVED.**

Chairperson Keogh returned to Oral Communication at this time.

Oral:

Director Norton visited Portland recently and informed the Board and Staff of the integrated rail and trolley Trimet system in use. He added that school children are encouraged to learn the system at an early age. Lastly, he stated that the Portland Metro advertises local events and how to utilize the METRO system to get to these events.

**DIRECTORS REILLY AND ROTKIN ARRIVED.**

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

Bonnie Morr distributed a letter notifying the Board that UTU had ratified the labor agreement. Minutes from the May 19<sup>th</sup> Paratransit Coordination Task Force were distributed. Both of these documents are attached to these Minutes.

**CONSENT AGENDA**

**5-1. APPROVE REGULAR BOARD MEETING MINUTES OF JUNE 11 AND JUNE 25, 2004**

The Minutes will be presented for consideration at the July 23, 2004 Board Meeting.

**5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**

No questions or comments.

**5-3. ACCEPT AND FILE JUNE 2004 RIDERSHIP REPORT**

The Ridership Report will be presented for consideration at the July 23, 2004 Board Meeting

**5-4. CONSIDERATION OF TORT CLAIMS: None**

**5-5. ACCEPT AND FILE AGENDA FOR THE METRO ADVISORY COMMITTEE (MAC) MEETING OF JULY 21, 2004**

The agenda will be presented for consideration at the July 23, 2004 Board Meeting.

**5-6. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF JULY 15, 2004 AND THE MINUTES OF THE JUNE 17, 2004 MEETING**

No questions or comments.

**5-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR MAY 2004 AND APPROVAL OF BUDGET TRANSFERS**

Director Ainsworth inquired about the Security Services expenditure and why it has increased. Mark Dorfman will find out when this contract expires and will look at these services again. Les White added that security was supplemented because of an employee problem and this contributed to the high cost.

**5-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR APRIL 2004**

No questions or comments.

**5-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR MAY 2004**

Documentation will be presented for consideration at the July 23, 2004 Board Meeting.

**5-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**

Documentation will be presented for consideration at the July 23, 2004 Board Meeting.

**5-11. ACCEPT AND FILE METROBASE STATUS REPORT**

No questions or comments.

**5-12. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE JUNE MEETINGS**

Minutes from SCCRTC will be included in the August Board packet.

**5-13. CONSIDERATION OF AUTHORIZATION TO RENEW AGREEMENT WITH SANTA CRUZ COUNTY FOR ACQUISITION AND RELOCATION ASSISTANCE SERVICE**

Mark Dorfman explained that this is a contract that we have had with the County for years for relocation services. This is used for small property acquisitions, such as the China Grade land purchase currently in progress.

**5-14. CONSIDERATION OF APPROVAL OF A RESOLUTION AUTHORIZING DECREASE IN PETTY CASH FUND FOR THE METRO CENTER**

Elisabeth Ross explained that a resolution is required by the auditors to ensure that the Board is aware of these changes.

**5-15. CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF FIVE (5) 1988 NEW FLYER BUSES, TWO (2) 1996 SEDANS, ONE 1989 PICK-UP, AND ASSOCIATED PARTS**

Chairperson Keogh informed the audience that anyone interested in acquiring one of these vehicles needs to contact Nationwide Auction.

**5-16. ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION ON THE WORKERS' COMPENSATION CLAIM SETTLEMENT OF JAMES HOLODNICK**

No questions or comments.

**REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

This presentation will take place at the July 23, 2004 Board Meeting.

**7. CONSIDERATION OF RECEIPT OF REPORT OF THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION'S PARATRANSIT COORDINATION TASK FORCE**

**Summary:**

Director Spence's report indicated repeat information in #1 and #2. She distributed corrected information to her written report and these corrections are attached to these Minutes. Pat Dellin reported that the Minutes from the Task Force would be given to the Administrative Services Coordinator going forward. These Minutes will be attached to Director Spence's report each month. Also, the Guide to Specialized Services booklet has been updated and METRO was given several copies.

**DIRECTOR BEAUTZ ARRIVED.**

Margaret Gallagher will make a presentation at the August meeting of the Task Force regarding the ADA legal mandates.

**8. CONSIDERATION OF MODIFICATION OF THE CONTRACT FOR ADMINISTRATION OF PARATRANSIT ELIGIBILITY SCREENING PROCESS**  
ACTION REQUIRED AT THE JULY 9, 2004 BOARD MEETING

**Summary:**

There is a recommendation to modify the existing contract for administration of the Eligibility Screening Program for paratransit services. Projections of the number of assessments to be done far exceeded those that occurred. Due to this fact, the contractor finds that it is not profitable for them to continue and therefore, asked that the contract be modified.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HINKLE**

**Authorize modifications to the existing contract with Disabled Services at Orthopaedic Hospital releasing them from an obligation to provide in-person eligibility assessments while retaining their services for review of eligibility assessment files and consultation effective August 1, 2004 through December 31, 2005.**

**Discussion:**

The number of new registrants for the last 3 months were 109, 84 and 82. Orthopaedic Hospital will be paid for a minimum of 50 new registrants per month.

**Motion passed unanimously.**

**9. CONSIDERATION OF:**

- a. **PUBLIC HEARING TO PROVIDE PROPERTY OWNERS, WHOSE PROPERTY IS TO BE ACQUIRED, AN OPPORTUNITY TO APPEAR AND BE HEARD REGARDING METRO'S RIGHT TO TAKE CERTAIN REAL PROPERTY FOR THE CONSTRUCTION OF A MAINTENANCE FACILITY; AND**
- b. **ADOPTION OF A RESOLUTION OF NECESSITY FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION IN FEE OF ASSESSOR PARCEL NUMBER 008-103-04 LOCATED AT 120 GOLF CLUB DRIVE**

PUBLIC HEARING WILL BE HELD AT THE JULY 9, 2004 BOARD MEETING  
ACTION REQUIRED AT THE JULY 9, 2004 BOARD MEETING

**Summary:**

**Public Hearing was opened at 9:35 a.m.**

Frank Cheng reported on the property acquisition for the MetroBase project. Ceil Cirillo and Tony Condotti were present to answer any questions the Board might have. There were no property owners or their representatives present.

**Public Hearing was closed at 9:41 a.m.**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Adopt the Resolution of Necessity finding and determining that the public interest and necessity require the acquisition in fee of Assessor Parcel Number 008-013-04 (120 Golf Club Drive)**

Ceil Cirillo stated that the latest correspondence received from the owner or his representative was on June 25, 2004 at which time they declined METRO's offer. She added that since there is no satisfactory resolution to the negotiations at this point, she needs to proceed with this action while continuing to negotiate with the owner.

**Motion passed unanimously by a roll call vote.**

**10. CONSIDERATION OF APPROVAL OF 25 YEAR LEASE WITH THE CITY OF SANTA CRUZ FOR PROPERTY NEEDED FOR THE METROBASE PROJECT**

Documentation will be presented for consideration at the July 23, 2004 Board Meeting.

**11. CONSIDERATION OF ADOPTING AN ANNUAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION RATE OF 2.4% FOR FEDERALLY-FUNDED PROCUREMENTS IN FY 2005**

**Summary:**

This is a requirement of the federal government relating to funding. METRO's goal for DBE participation this past year was 5.5% with an actual participation rate of 2.7%. The rules for calculation have changed and are now being tied to the census. Utilizing the new calculation, METRO's actual participation rate was 2.4%. Staff recommends that the Board follow procedure and adopt the 2.4%. Staff anticipates an increase in this percentage during the construction of MetroBase.

**Discussion:**

Director Rotkin asked the staff to put out notices far and wide for contractors for the construction of MetroBase in order to increase our DBE participation. Mr. Dorfman responded that METRO pays into the State for a membership and they provide these services to us. Plus, the RFP language encourages DBE participation.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN**

**Move this item to the Consent Agenda for the July 23, 2004 Board Meeting.**

**Motion passed unanimously.**

**12. CONSIDERATION OF COSTS OF EXTENSION OF SERVICE TO THE SANTA CRUZ COUNTY FAIRGROUNDS THROUGH THE CONCLUSION OF THE FAIR**

**Summary:**

During the service reduction discussions in June, the Board asked Staff to determine the cost for continuing the service to the County Fair for the timeframe that it is open. The financial impact to the District would be \$4,752.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN**

**Move this item to the Consent Agenda for the July 23, 2004 Board Meeting.**

**Discussion:**

When asked how we would make the public aware of this service, Mr. Dorfman responded that staff would do a Press Release, provide signs on the buses and at the transit centers in addition to a small notice in the *Headways*. He was directed to inform the Fair staff as well. Director Tavantzis added that the Fair needs to promote the bus service as well.

**AMENDMENT TO MOTION:**

**Extending this service for the timeframe of the Fair is only conditional upon the Fair doing additional advertising for this event. Be clear that METRO will not do this every year but it will consider it each year.**

**The Motion to move this item to the Consent Agenda was withdrawn. The Amendment to the Motion was changed to “Direction to staff”.**

**Direction:**

- \*Contact Fair personnel about providing additional advertising for the bus service.
- \*Provide Fair personnel with a bus route map.
- \*Change the terminology to “Fair Shuttle”
- \*Return to the Board at their July 23<sup>rd</sup> meeting with the Fair’s response.
- \*Discuss with Fair personnel the possibility of having a bus display at the Fair with METRO volunteers to man the booth, operate the lifts and demonstrate putting a bicycle in the bike rack.

**13. CONSIDERATION OF SUBMITTING COMMENTS WITH REGARD TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION’S PROPOSED EXPENDITURE PLAN**

**Summary:**

Les White reported that the proposed expenditure plan would be submitted to the voters for consideration in November 2004. He asked if the Board had any comments to formally transmit to the Regional Transportation Commission (RTC).

**Discussion:**

Pat Dellin of the RTC stated that there would be a special meeting on July 27<sup>th</sup> to draft the Expenditure Plan and that there have been no changes to the project listing. There were no recommendations made at this time.

**14. CONSIDERATION OF MODIFICATIONS TO SANTA CRUZ METRO’S BYLAWS INCLUDING ADDING RULES OF PROCEDURE FOR BOARD MEETINGS, SELECTING REPRESENTATIVES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION, SETTING TIME LIMITS FOR TESTIMONY ON AGENDA ITEMS AND OTHER CHANGES**

**Summary:**

Margaret Gallagher stated that the Brown Act allows the governing Board to set reasonable time limits for public testimony. She suggested that the bylaws be changed to indicate a specific amount of time for public testimony so that the length of discussion on an agenda item can be limited.

**Discussion:**

Director Rotkin suggested that the bylaws leave it up to the discretion of the Chairperson to set limits on public comments or to set a time limit on an agenda item discussion.

**Direction:** \*Ms. Gallagher will bring language back to this effect.  
\*Bring back recommendation as to the risks to METRO if speakers are constrained to a specific time limit.

There were suggestions to limit the amount of discussion on an agenda item as a whole but to maintain flexibility as to public comment time limits. Also, there should be language prohibiting one speaker from giving his/her allotted time to a spokesperson. Members of the public stated that they need to know how much time they have for comment to prepare their speeches ahead of time.

**15. CONSIDERATION OF THE IMPACT OF RECENT FUEL PRICE INCREASES ON PUBLIC TRANSIT RIDERSHIP AND OPERATING COST**

**Summary:**

Les White reported that most times when there is an increase in fuel prices, there is an increase in ridership. The decreases in ridership which resulted from service reductions have been mitigated to some degree by the cost of fuel increasing dramatically and getting people out of their cars.

**16. CONSIDERATION OF THE REQUEST FROM THE SCOTTS VALLEY CITY COUNCIL TO RECONFIGURE ROUTE #31 TO REMOVE SERVICE FROM VINE HILL SCHOOL ROAD AND REDIRECT THE SERVICE TO OPERATE ON GLENWOOD DRIVE IN SCOTTS VALLEY SERVING THE SCOTTS VALLEY HIGH SCHOOL ON ALL TRIPS**

**Summary:**

Les White stated that the service on Vine Hill School Road attracted lots of activity from groups who want the service on this road and groups who do not. The Scotts Valley City Council approved a bus turn around in Siltanen Park for a six-month demonstration period. One month later after receiving public input, the City Council directed METRO to cease operating buses through the parking lot as soon as possible for safety reasons. Staff recommends that the Board approve the request from the Scotts Valley City Council to redeploy the Route #31 service by deleting service from Vine Hill School Road and reassigning the service to operate on Glenwood Drive serving the Scotts Valley High School on all trips.



**Discussion:**

Director Tavantzis expressed concern that METRO expended \$4,000 to make a change at the request of the Scotts Valley City Council and now is changing it again. Bonnie Morr added that with the high school being closed, the drivers are wasting 7-8 minutes by still having to go to the school to turn around.

**Direction:** \*Director Norton asked staff to provide a diagram of the route at the next meeting.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR TAVANTZIS**

**Return to the Board Meeting of July 23<sup>rd</sup> with input from the Scotts Valley City Council regarding the bus stop improvement expenditure. Move Item #15 to the Consent Agenda for the July 23<sup>rd</sup> Board Meeting.**

Director Beautz suggested that since Director Ainsworth will be absent from the July 23<sup>rd</sup> Board Meeting, possibly another representative of the Scotts Valley City Council could attend that meeting. Director Ainsworth will work on this.

**Motion passed unanimously.**

**17. CONSIDERATION OF SUBMITTING A RESPONSE TO THE GRAND JURY REGARDING RECOMMENDATIONS FROM THE 2003-2004 FINAL REPORT**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Move this item to the Consent Agenda for the July 23, 2004 Board Meeting.**

**Motion passed unanimously.**

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

Margaret Gallagher reported that there would be a conference with METRO's Labor Negotiator regarding UTU negotiations.

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

None

**SECTION II: CLOSED SESSION**

Vice Chairperson Keogh adjourned to Closed Session at 10:49 a.m. and reconvened to Open Session at 10:55 a.m.

### **SECTION III: RECONVENE TO OPEN SESSION**

#### **20. REPORT OF CLOSED SESSION**

Margaret Gallagher stated that there was no action taken in Closed Session.

#### **21. CONSIDERATION OF RATIFICATION OF CONTRACT WITH UNITED TRANSPORTATION UNION LOCAL 23 FOR THE OPERATION OF PARACRUZ PROGRAM FOR THE PERIOD OF JULY 9, 2004 THROUGH JUNE 30, 2006**

##### **Summary:**

Staff received a letter as an add-on from UTU this morning, a copy of which is attached to these Minutes. Staff is requesting ratification by the Board of the UTU contract since all items set by the Board were met. Les White added that staff had a series of action items contingent upon contract ratification. All these issues will bring the paratransit service in house with a November 2<sup>nd</sup> transition date for in-house service.

##### **Discussion:**

Bonnie Morr revised the voting listed in the letter: it should be 35 to 1 to ratify the contract. She thanked Arturo Zamedio and the Lift Line UTU members for their support.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN**

**Accept the agreement ratified by UTU Local 23. Thank staff for their involvement in the negotiations of the contract.**

Director Rotkin added that the reason the Board brought this service in house was to provide better service for the users of paratransit.

**Motion passed unanimously.**

### **ADJOURN**

There being no further business, Vice Chairperson Keogh adjourned the meeting at 11:00 a.m.

Respectfully submitted,

Dale Carr  
Administrative Services Coordinator