

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**February 27, 2009**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, February 27, 2009 at the Watsonville City Council Chambers, 275 Main Street, Watsonville, CA.

Chair Bustichi called the meeting to order at 9:02 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Dene Bustichi  
Ron Graves  
Donald Hagen  
Michelle Hinkle  
Ellen Pirie  
Lynn Robinson  
Mike Rotkin  
Dale Skillicorn  
Pat Spence  
Mark Stone  
Marcela Tavantzis  
Ex-Officio Donna Blitzer

#### **DIRECTORS ABSENT**

#### **STAFF PRESENT**

Ciro Aguirre, Operations Manager  
Angela Aitken, Finance Manager  
Frank Cheng, MetroBase Project Manager  
Mary Ferrick, Fixed Route Superintendent  
Margaret Gallagher, District Counsel

Shona Harper, Asst Paratransit Superintendent  
Debbie Kinslow, Asst Finance Manager  
Robyn Slater, Human Resources Manager  
April Warnock, Paratransit Superintendent  
Les White, General Manager

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

Katie Axt, AMBAG  
Jose Gonzalez  
Carolyn Hamm, SEA  
Brenda Malphrus, Bus Operator  
Manny Martinez, PSA  
Bonnie Morr, UTU

Kirby Nicol, Former Director  
Karena Pushnik, SCCRTC  
Will Regan, VMU  
Amy Weiss, Spanish Interpreter  
Bob Yount, MAC

**2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS**

Written:

None.

Oral:

Bob Yount reported that MAC recently held its elections and elected him as Vice Chair and re-elected Naomi Gunther as Chair.

**3. LABOR ORGANIZATION COMMUNICATIONS**

Les White reported that METRO employee Francisco Devillires passed away last Friday and his services would be held tomorrow afternoon.

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

None.

**CONSENT AGENDA**

- 5-1. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF JANUARY 2009**
- 5-2. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR DECEMBER 2008**
- 5-3. **CONSIDERATION OF TORT CLAIMS: None**
- 5-4. **ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR FEBRUARY 18, 2009 AND MINUTES OF DECEMBER 16, 2008**
- 5-5. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF NOVEMBER 2008**
- 5-6. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR NOVEMBER & DECEMBER 2008**
- 5-7. **ACCEPT AND FILE NOVEMBER & DECEMBER 2008 RIDERSHIP REPORT**
- 5-8. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR THE MONTHS OF NOVEMBER & DECEMBER 2008**
- 5-9. **ACCEPT AND FILE METROBASE PROJECT STATUS REPORT**
- 5-10. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH CRUZ CAR WASH FOR PARACRUZ VEHICLE WASHING SERVICES**
- 5-11. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH STEVE'S UNION FOR PARACRUZ VEHICLE FUELING SERVICES**
- 5-12. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH DIXON AND SON TIRES, INC. FOR PURCHASE OF REVENUE AND NON-REVENUE TIRES**

- 5-13. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXTEND THE CONTRACT WITH PAT PIRAS CONSULTING FOR REVIEW OF THE ADA PARATRANSIT ELIGIBILITY PROCESS
- 5-14. CONSIDERATION OF A RESOLUTION AUTHORIZING TWO NEW SIGNERS ON THE DEPOSIT ACCOUNT FOR THE ADMINISTRATION OF APPROVED WORKERS' COMPENSATION CLAIMS WITH COMERICA BANK
- 5-15. CONSIDERATION OF AN AGREEMENT WITH SANTA CRUZ SEASIDE COMPANY FOR THE PROVISION OF LATE NIGHT SERVICE
- 5-16. CONSIDERATION OF RECLASSIFICATION OF SENIOR ACCOUNTING TECHNICIAN TO PURCHASING ASSISTANT
- 5-17. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT AMENDMENT FOR A CHANGE ORDER IN THE AMOUNT OF NOT-TO-EXCEED \$2,688.70 FROM JOS. J. ALBANESE TO PROVIDE ADDITIONAL FUNDS TO THE DEMOLITION CONTRACT TO ACCOMMODATE COSTS RELATING TO UNFORESEEN SOILS CONDITION CAUSED BY THE WET WEATHER CONDITIONS
- 5-18. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXTEND THE CONTRACT WITH TELEPATH CORPORATION FOR RADIO MAINTENANCE AND REPAIR SERVICES
- 5-19. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE JANUARY 2009 MEETING(S)
- 5-20. APPROVE REGULAR BOARD MEETING MINUTES OF JANUARY 9 & 23, 2009

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR PIRIE**

**Approve the Consent Agenda**

**Motion passed unanimously with all Directors present.**

#### **REGULAR AGENDA**

#### **6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS:**

The following employees were presented with longevity awards for their years of service:

##### **TEN YEARS**

Jukka Naukkarinen, Bus Operator  
Brenda H. Malphrus, Bus Operator  
Eloise Kelly, Bus Operator

#### **7. PUBLIC HEARING: CONSIDERATION OF ADOPTION OF THE FY 2008 – FY 2012 SHORT RANGE TRANSIT PLAN**

##### **Summary:**

Angela Aitken reported that METRO contracted with Wilbur Smith Associates to develop a Short Range Transit Plan (SRTP). In July 2008, the draft was presented to the Board. The proposed

plan included a new service delivery model: the Trunk and Feeder Service Option. Staff was directed to determine the feasibility of the proposed service model and presented findings to the Board in December 2008 recommending that the Trunk and Feeder Service Option be removed because it was such a drastic change making it unfeasible to implement within the five-year planning horizon of the SRTP.

The Board directed staff to have Wilbur Smith revise the document and this is the final version of the SRTP that includes revisions requested by the Board to reflect that the trunk and feeder concept not be pursued within the five-year planning horizon of the SRTP and that no revisions be made to the current service delivery model. At the request of the Board, the final version also includes new information on the requirements necessary to successfully implement a trunk and feeder service option. These revisions and new information are contained in Chapter 7: Addendum.

**Discussion:**

Director Spence stated that she felt the Addendum was inadequate and suggested adding the Board minutes and voting.

Les White explained that METRO is very unhappy with this document, including the development of it, particularly the inadequate outreach to the community, members of the Board and interaction with staff. This document contains numerous mistakes, it is not reflective of the forward-looking plan that METRO expected, and at the same time, the consultants have exhausted the grant funding and are in the position of charging METRO for any corrections or revisions to the document. Staff does not recommend paying the consultants any further beyond what has already been paid to them.

Mr. White further explained that the changes of the magnitude that would have been required for a rescoping of METRO's service delivery to a trunk and feeder system would require resources that were far beyond what METRO had envisioned. This document should now be considered a "Status Quo" for the next five years with the intent to revisit service options when the economy improves. In today's economy, METRO is not in a position to add service and will be lucky to maintain its current service level with no service cuts, fare increases, or staff reductions over the next three years.

METRO staff members that worked on determining the feasibility of the trunk and feeder system have retired, so any revisions that METRO may want to make to this plan now would require additional compensation to WSA to revise the document further, which staff does not recommend.

Director Spence clarified that she was not suggesting that staff go back to WSA, but thought staff had mentioned adding an errata page. Les White confirmed that was originally the intent, but the staff member that was to do that has retired also. Mr. White offered to do it himself if directed by the Board to drop everything else and work on this document. Director Spence suggested just adding the Board minutes to the document.

Director Stone agreed this was a very disappointing process and document that should not go back to WSA for additional compensation to fix errors. It should be adopted with the understanding that METRO is very unhappy with it.

Director Rotkin agreed with adding the minutes to the back of the document and suggested adding a sticker on the front that directs interested people to obtain a recording of the discussion regarding how the Board viewed this document when it was adopted.

Director Hagen stated that he would not approve this document for anything other than shredding unless major changes were made.

**CHAIR BUSTICHI OPENED THE PUBLIC HEARING AT 9:19 A.M.**

Bob Yount stated that he was very unhappy with this inadequate document, which he feels is student quality work and does not reflect the quality of METRO. Mr. Yount feel the document is completely unacceptable and he would not pay WSA any more or use them again for anything.

Katie Axt, AMBAG, stated that AMBAG provided the funding for this project which required a 30-day public comment period prior to adoption and AMBAG is not aware of that requirement being met.

Les White suggested deferring action today to allow for a 30-day public comment period prior to adoption and confirmed that there would be no consequences involved in deferring action.

Karena Pushnik, SCCRTC, stated that the RTC agrees with comments previously made and believes this document could benefit from more public discussion and input. The RTC is hopeful that METRO can revisit the plan prior to 2012. Ms. Pushnik provided a hard copy of the RTC's comments, which is attached to the file copy of these minutes.

**CHAIR BUSTICHI CLOSED THE PUBLIC HEARING AT 9:30 A.M.**

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

**Defer action to allow for a 30-day public comment period**

**Motion passed with Director Hagen voting No and all Directors present.**

**8. CONSIDERATION OF APPROVAL OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF KIRBY NICOL AS A MEMBER OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

The Board, staff, and union representatives thanked Former Director Kirby Nicol for his years of service on the METRO Board. Mr. Nicol thanked METRO for the opportunity to serve on the Board.

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

**Adopt Resolution of Appreciation for the services of Kirby Nicol as a member of the Board of Directors of the Santa Cruz Metropolitan Transit District**

**Motion passed unanimously with all Directors present.**

**9. CONSIDERATION OF DECLINING JOB ACCESS REVERSE COMMUTE GRANT FUNDING**

**Summary:**

Angela Aitken reported that in October 2008, Caltrans awarded a grant to METRO in \$44,166 in JARC funds with a required local match to operate new transit service for one year assisting low-income workers commuting from Watsonville to employment centers in Capitola and Santa Cruz.

Staff recommends declining the grant and not implementing new service because METRO would be unable to sustain it at the end of one year due to lack of funds.

**ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR HAGEN**

**Decline a one-year Job Access Reverse Commute (JARC) grant**

**Motion passed unanimously with all Directors present.**

**10. CONSIDERATION OF ADOPTING A RESOLUTION SUPPORTING THE ACTIONS OF THE CALIFORNIA TRANSIT ASSOCIATION (CTA) IN EXPLORING THE FEASIBILITY OF SUBMITTING AN INITIATIVE THAT WOULD PRESERVE AND PROTECT PUBLIC TRANSIT FUNDING**

**Summary:**

Les White reported that the state has diverted over \$6 billion in transit funding to the General Fund and the current budget signed by the Governor on February 20, 2009 completely eliminates all public transit funding for the next 5 years. Mr. White explained the significant impact of the state's actions on METRO.

Staff recommends adopting the attached resolution which supports the actions of the CTA in determining the feasibility of developing a transit funding protection initiative.

**ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR ROBINSON**

**Adopt Resolution supporting the efforts of the California Transit Association to conduct polling and focus group activities in order to determine the feasibility of placing a transit funding protection initiative before the California voters that would protect public transit funding**

**Motion passed unanimously with all Directors present.**

**11. CONSIDERATION OF THE CALIFORNIA STATE BUDGET AND ITS IMPACT ON METRO**

**Summary:**

Les White reported that the state has diverted over \$6 billion in transit funding to the General Fund and the current budget signed by the Governor on February 20, 2009 completely eliminates all public transit funding for the next 5 years. Mr. White explained the significant impact of the state's actions on METRO as outlined in Attachment A which includes placing METRO projects on indefinite hold, a 38% service reduction and the layoff of approximately 150 METRO employees in the Fall of 2012.

In order to avoid these impacts at METRO, staff recommends immediately implementing the following three-part strategy:

1. The first part of the recommended strategy is to request that the timetable from the California Air Resources Board (CARB) for the elimination of diesel buses from the fleet be delayed from 2012 to 2015.
2. The second part of the strategy is to seek support from the Members of the Legislature that represent Santa Cruz to achieve legislative action authorizing the sale of \$800 million in PTMISEA Bonds as soon as the market is appropriate. Included in this area is the goal of achieve full construction of the Operations Building and support facilities at a cost not to exceed \$ 20 million leaving approximately \$7 million in PTMISEA funds to be used to purchase replacement buses. I propose to augment these funds with the FY 2011, though FY 2015 funds received from the federal Small Cities Transit Intensive Cities funds. This finding will generate approximate \$3.75 million. The achievement of these funds will require METRO to actively advocate for, and successfully achieve, the retention of the STIC Program in the federal Authorization Bill that should be enacted prior to October 1, 2009.
3. The third part of the strategy is to achieve acceptance by the Legislature that the \$743 million level of state formula funding identified in SB 79 in 2007 is the base level of funding that the state needs to provide to transit systems on a permanent basis. The \$ 743 million funding level would provide approximately \$5.1 million / year to Santa Cruz using the current STA formula.

**Discussion:**

There was a discussion about the state budget and its significant impact on METRO.

**12. CONSIDERATION OF THE STATUS OF THE PRESIDENT'S ECONOMIC STIMULUS PROGRAM AND ITS IMPACT ON METRO**

**Summary:**

Les White reported that on January 23, 2009 the Board of Directors approved projects for submission to the Santa Cruz County Regional Transportation Commission (SCCRTC) to compete for funding that they may receive from the American Recovery and Reinvestment Act.

The funding that will be received by the SCCRTC from American Recovery and Reinvestment Act the can be used for both road and transit investments. The funding that will be received by METRO can only be used for transit investments.

As METRO will be able to fund critical projects with “transit only” American Recovery and Reinvestment Act funds staff recommends that METRO reprioritize the projects submitted to the SCCRTC so that critical road projects can be funded from the funds allocated to them.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ROBINSON**

**Approve staff recommendation to reprioritize the project list previously submitted to the RTC and allow the projects to be used by the RTC as a last resort to avoid losing any funding should any other projects fail to meet their needs**

**Motion passed unanimously with all Directors present.**

**13. CONSIDERATION OF A REQUEST TO EXPAND THE SERVICE BOUNDARY FOR THE PARACRUZ SERVICE TO INCLUDE THE MONTEREY BAY HORSEMANSHIP AND THERAPEUTIC CENTER LOCATED AT 783 SAN ANDREAS ROAD, LA SELVA BEACH, CALIFORNIA**

**Summary:**

Les White reported that METRO had received a request from the Monterey Bay Horsemanship and Therapeutic Center to expand the ParaCruz service boundary to provide service to their center located at 783 San Andreas Road in La Selva Beach, which is approximately 2.75 miles beyond the ¾ mile service boundary.

**Discussion:**

There was a discussion about making special exceptions and noted that METRO would be overwhelmed with requests if they were granted.

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

**Deny the request from the Monterey Bay Horsemanship and Therapeutic Center for a variance in the ParaCruz Service Area Boundary that would allow direct service to the 783 San Andreas Road, La Selva Beach facility**

**Motion passed unanimously with all Directors present.**



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

Margaret Gallagher reported that the Board would have a conference with its Labor Negotiators regarding SEIU, Local 521, and UTU, Local 23, ParaCruz Division.

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

None.

**SECTION II: CLOSED SESSION**

Chair Bustichi adjourned to Closed Session at 11:00 a.m. and reconvened to Open Session at 11:40 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**16. REPORT OF CLOSED SESSION**

Chair Bustichi reported that the Board took no reportable action in Closed Session.

**ADJOURN**

There being no further business, Chair Bustichi adjourned the meeting at 11:41 a.m.

Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator