

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

November 19, 2010

A regular meeting of the Santa Cruz Metropolitan Transit District Board of Directors was held on Friday, November 19, 2010 at the Watsonville City Council Chambers, located at 275 Main Street in Watsonville, California.

Chair Pirie called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Dene Bustichi
Donald Hagen
Michelle Hinkle
John Leopold
Ellen Pirie
Antonio Rivas
Lynn Robinson
Mike Rotkin
Marcela Tavantzis

DIRECTORS ABSENT

Ron Graves
Mark Stone
Ex-Officio Donna Blitzer

STAFF PRESENT

Angela Aitken, Acting AGM/Finance
Manager
Bob Cotter, Maintenance Manager
Frank Cheng, MB Project Manager
Mary Ferrick, Fixed Route Superintendent
Margaret Gallagher, District Counsel

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

John Daugherty, SEA
Manny Martinez, PSA
Bonnie Morr, UTU

Will Regan, VMU
Amy Weiss, Spanish Interpreter

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

Written:

None.

Oral:

None.

3. **LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr, UTU, said she was concerned that the methods used by METRO's Workers Comp Administrators were leading employees to consider legal action. Ms. Morr said it eventually becomes a cost issue. Ms. Morr said that the Administrators were not very knowledgeable in transit issues, and she hoped that some of the rough spots could be worked through so that less attorneys are involved. Ms. Morr requested that the Board discuss item #5-16.

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

None.

CONSENT AGENDA

5-1. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF AUGUST 2010**

5-2. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORTS FOR AUGUST 2010 AND APPROVAL OF BUDGET TRANSFERS**

5-3. **CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM OF MARY SIERRA, #10-0034**

5-4. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF SEPTEMBER 2010**

5-5. **ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR SEPTEMBER 2010**

5-6. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR SEPTEMBER 2010**

5-7. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ MONTHLY SERVICE REPORT FOR SEPTEMBER 2010**

5-8. **ACCEPT AND FILE MAC AGENDA FOR NOVEMBER 17, 2010, AND MINUTES OF SEPTEMBER 15, 2010 MEETING**

- 5-9. **APPROVE REGULAR BOARD MEETING MINUTES OF OCTOBER 22, 2010 AND SPECIAL BOARD MEETINGS MINUTES OF OCTOBER 22 AND 29, 2010**
- 5-10. **ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE SEPTEMBER 2010 MEETING(S)**
- 5-11. **ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR NOVEMBER 2010**
- 5-12. **ACCEPT AND FILE STATUS REPORT OF FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES**
- 5-13. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH ALLIANT INSURANCE SERVICES, INC. FOR LIFE, ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE, AND FOR LONG TERM DISABILITY INSURANCE**
Director Hagen thanked the staff for the cost savings to be realized.
- 5-14. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH ALLIANT INSURANCE SERVICES, INC. FOR EMPLOYEE DENTAL INSURANCE COVERAGE**
- 5-15. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH GFI GENFARE FOR AN AUTOMATIC FARE COLLECTION SYSTEM FOR AN AMOUNT NOT TO EXCEED \$2,341,645 AND FOR A MILESTONE SCHEDULE TO PROCESS PROGRESS PAYMENTS**
- 5-16. **CONSIDERATION OF MODIFICATION TO SANTA CRUZ METROPOLITAN TRANSIT DISTRICT'S BYLAWS TO REFLECT METRO BOARD'S DECISION NOT TO HOLD A REGULAR MEETING DURING THE MONTH OF JULY**
- 5-17. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE EMPLOYER BUS PASS AGREEMENTS WITH THE FOLLOWING ENTITIES: SEASIDE CO, DOMINICAN HOSPITAL, AND COUNTY OF SANTA CRUZ**
- 5-18. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH CLUTCH COURIERS FOR DAILY INTER-OFFICE MAIL DELIVERY, U.S. MAIL PICK-UP AND DELIVERY, AND AGENDA PACKET DELIVERY**

**5-19. RECEIVE INFORMATION ON ALLOCATION OF ADDITIONAL FY11
TRANSPORTATION DEVELOPMENT ACT FUNDS TO SANTA CRUZ METRO.**

Item #5-16 was moved to the Regular Agenda as item 14.1

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR ROTKIN

Approve the Consent Agenda as amended.

Motion passed unanimously with Directors Graves and Stone being absent.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

The following employees were acknowledged for their years of service.

Ten Years: Leticia Callejas, Bus Operator; Juan Hernandez, Vehicle Service Worker II;
John Otto, Bus Operator; Bill Yeo, Bus Operator

Twenty-five Years: Serena Tovar, Bus Operator; Peter Milburn, Bus Operator

Thirty Years: Roland Owens, Vehicle Service Technician

**7. PUBLIC HEARING: CONSIDERATION OF ADOPTING THE AMENDMENTS TO SANTA
CRUZ METRO'S FARE ORDINANCE TO REPLACE "MONTHLY PASS" WITH "31
CONSECUTIVE DAY PASS"**

Summary:

Angela Aitken said that the Board held a first reading of amending the fare ordinance for replacing Monthly Passes with 31 Day Passes. Ms. Aitken said that Santa Cruz METRO is installing an updated Fare Revenue Collection System that has the ability to issue "period pass" magnetic cards that enable riders to use them as transit passes over a predetermined set period of time. Ms. Aitken said that replacing the current Monthly Passes with a 31 Day Pass will allow the public to purchase a pass at any time and employ that pass for 31 consecutive days from when it is first used on a fixed route bus. Director Hagen pointed out that this would greatly improve the loading time on fixed route buses. Leslie White said that the word consecutive needed to be inserted at various places in the staff report attachments.

CHAIR PIRIE OPENED THE PUBLIC HEARING AT 9:40 A.M.

CHAIR PIRIE CLOSED THE PUBLIC HEARING AT 9:41 A.M.

No members of the public addressed the Board.

ACTION: MOTION: DIRECTOR HAGEN SECOND: DIRECTOR ROTKIN

Approve the amendments to Santa Cruz Metro’s Fare Ordinance to replace “Monthly Pass” with “31 Consecutive Day Pass”

Motion passed unanimously with Directors Graves and Stone being absent.

8. CONSIDERATION OF TERM EXPIRATIONS AND VACANCIES ON THE METRO ADVISORY COMMITTEE

Summary:

Les White reported that there are two MAC appointments that expire at the end of December, 2010. Mr. White recommended that the Board re-appoint the two members.

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR HAGEN

Reappoint Mara Murphy and Dave Williams to the Metro Advisory Committee (MAC) for terms of office ending December 31, 2012

Motion passed unanimously with Directors Graves and Stone being absent.

9. CONSIDERATION OF APPROVAL OF 2011 FEDERAL LEGISLATIVE ADVOCACY PROGRAM

Summary:

Les White detailed the Federal Legislative Advocacy Program for 2011. Mr. White said that the Alternative Fuel Tax Credit must be passed in order for METRO to receive about \$500,000. Mr. White said that the passage of SB3412 would bring \$2.5 billion in needed funds for transit agencies nationwide. Mr. White said it was questionable if the new Congress would be supportive. Mr. White said a new multi-year Authorization Bill was needed. Mr. White recommended that METRO must advocate for the retention of the existing Census Urbanized Zone Areas in Santa Cruz, Watsonville, and Salinas.

Discussion:

Director Leopold said that he had no hope in Congress, and noted that the transportation infrastructure was in trouble. Chair Pirie asked if it would be helpful for local municipalities provided letters of support. Director Rivas asked who travels to Washington D.C. for the Legislative Conference.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR LEOPOLD

Adopt the proposed METRO 2011 Federal Legislative Advocacy Program.

Motion passed unanimously with Directors Graves and Stone being absent.

10. CONSIDERATION OF APPROVAL OF 2011 STATE LEGISLATIVE ADVOCACY PROGRAM

Summary:

Les White said that the state program was different than the federal program, but no less challenging. Mr. White said METRO needs to continue advocating for stable funding from the state. Mr. White said that METRO received \$31 million less from the state over the last four years, and the economy has not rebounded. Mr. White said looking for additional sources of funding was a top priority. Mr. White outlined the State Legislative Advocacy Program for 2011.

Discussion:

Director Leopold asked for an explanation of the repercussions of Proposition 26. Les White said that Prop. 26 would be a boon to litigators, and he explained the conflict that might arise. Mr. White said that because a two-thirds majority did not approve the Gas Tax Swap, the measure may be invalidated, resulting in less funds for METRO. Director Leopold asked for clarification of the idea to use school funds.

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR HAGEN

Adopt the proposed METRO 2011 State Legislative Advocacy Program and direct staff to prepare letters addressed to local jurisdictions requesting their support of METRO's goals.

Motion passed unanimously with Directors Graves and Stone being absent.

11. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO SIGN A CONTRACT RENEWAL FOR PRINTING OF HEADWAYS WITH FRICKE-PARKS PRESS, INC.

Summary:

Mary Ferrick said that a new contract was needed for the printing of Headways.

Discussion:

Director Rivas asked why there were no local printers. Director Tavantzis asked if there were plans to replace the Spanish flag as a representation of the Spanish language. Director Rotkin said it was not reasonable to change it since it is an internationally recognized symbol for Spanish language.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HAGEN

Authorize the General Manager to sign a contract renewal for the printing of Headways with Fricke-Parks Press, Inc.

Motion passed unanimously with Directors Graves and Stone being absent.

12. **CONSIDERATION OF COMMENTS ON THE CITY OF SANTA CRUZ'S DRAFT CLIMATE ACTION PLAN**

Discussion:

Director Rotkin said City of Santa Cruz staff do not understand the fiscal capabilities of METRO. Les White said that the goals are positive, but METRO's finances are a barrier.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR LEOPOLD

Accept and file comments on the City of Santa Cruz's Draft Climate Action Plan.

Motion passed unanimously with Directors Graves and Stone being absent.

13. **ACCEPT AND FILE METRO STAFF RESPONSE TO THE U.S. DEPARTMENT OF COMMERCE CENSUS BUREAU GEOGRAPHY DIVISION'S PROPOSED URBAN AREA CRITERIA**

Summary:

Les White spoke about the repercussions of the proposed changes to the US Census Urbanized Zone Areas. Tove Beatty detailed the US Census proposals.

Discussion:

Director Rotkin said that it would be helpful to solicit letters of support from the municipalities and agencies in Santa Cruz County and the region. Director Tavantzis said that she was concerned about the effects of the proposals on city agencies and non-profits.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI

Accept and file Santa Cruz METRO's comments on the U.S. Department of Commerce Census Bureau Geography Division's Proposed Urban Area Criteria and direct staff to draft and solicit a letter of support from the municipalities and agencies in Santa Cruz County and the region.

Motion passed unanimously with Directors Graves and Stone being absent.

14. **ORAL ANNOUNCEMENT:** THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, JANUARY 14, 2011 AT 9:30 A.M. AT THE SANTA CRUZ METRO ADMINISTRATIVE OFFICES LOCATED AT 110 VERNON STREET, IN SANTA CRUZ.

14.1 CONSIDERATION OF MODIFICATION TO SANTA CRUZ METROPOLITAN TRANSIT DISTRICT'S BYLAWS TO REFLECT METRO BOARD'S DECISION NOT TO HOLD A REGULAR MEETING DURING THE MONTH OF JULY

Discussion:

Bonnie Morr said she was concerned about changing the bylaws to change the monthly meeting schedule. Ms. Morr said it would be a disservice to the community.

ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR RIVAS

Approve modifications to Santa Cruz Metropolitan Transit District's Bylaws to reflect the Metro Board's decision not to hold a regular meeting during the month of July and include language that mentions the ability to call special meetings.

Motion passed unanimously with Directors Graves and Stone being absent.

15. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

Margaret Gallagher, District Counsel, said that the Board of Directors would have a conference with its Legal Counsel regarding the existing litigation of the Claim of PG&E v. Santa Cruz METRO, and that the claim of Nesly Pacheco v. Santa Cruz METRO has been pulled from the agenda, and that there would not be a conference with its Real Property Negotiators for 425 Front Street, Santa Cruz, CA.

16. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

Chair Pirie adjourned to Closed Session at 11:10 a.m. and reconvened to Open Session at 11:20 a.m.

SECTION III: RECONVENE TO OPEN SESSION

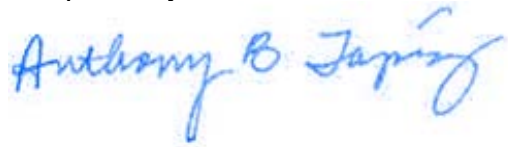
17. REPORT OF CLOSED SESSION

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

ADJOURN

There being no further business, Chair Pirie adjourned the meeting at 11:08 a.m.

Respectfully submitted,

A handwritten signature in blue ink that reads "Anthony B. Tapiz". The signature is written in a cursive style with a large, stylized 'A' and 'T'.

ANTHONY TAPIZ
Administrative Services Coordinator