



**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT (METRO)  
BOARD OF DIRECTORS AGENDA MEETING MINUTES  
OCTOBER 28, 2016 – 8:30 AM  
CAPITOLA CITY COUNCIL CHAMBERS  
407 CAPITOLA AVENUE  
CAPITOLA, CA 95010**

A regular meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District (METRO) was convened on Friday, October 28, 2016 at the Capitola City Council Chambers, 420 Capitola Avenue, Capitola, CA.

The Board Meeting Agenda Packet can be found online at [www.SCMTD.com](http://www.SCMTD.com) and is available for inspection at Santa Cruz METRO's Administrative offices at 110 Vernon Street, Santa Cruz, California.

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**SECTION I: OPEN SESSION**

**1 CALL TO ORDER at 8:45AM by Chair Rotkin.**

**2 ROLL CALL: The following Directors were present, representing quorum:**

<b>Director Ed Bottorff</b>	<b>City of Capitola</b>	
<b>Director Dene Bustichi</b>	<b>City of Scotts Valley</b>	
<b>Director Karina Cervantez</b>	<b>City of Watsonville</b>	
<b>Director Cynthia Chase</b>	<b>City of Santa Cruz</b>	
<b>Director Jimmy Dutra, Vice Chair</b>	<b>City of Watsonville</b>	<i>Arrived 8:46AM</i>
<b>Director Don Lane</b>	<b>City of Santa Cruz</b>	
<b>Director Bruce McPherson</b>	<b>County of Santa Cruz</b>	<i>Arrived 9:01AM</i>
<b>Director Mike Rotkin, Chair</b>	<b>County of Santa Cruz</b>	

Directors Friend, Director Hagen, Director Leopold and Ex Officio Director Blitzer were absent.

**STAFF PRESENT:**

Alex Clifford	METRO CEO/General Manager
Julie Sherman, Esq. for Leslyn K. Syren	METRO District Counsel

**METRO EMPLOYEES AND MEMBERS OF THE PUBLIC WHO VOLUNTARILY INDICATED THEY WERE PRESENT (IN ALPHABETICAL ORDER) WERE:**

Heather Adamson, AMBAG	Angela Aitken, METRO
Erron Alvey, METRO	Debbie Kinslow, METRO
Beverly Steumbaugh, Citizen	Tom Stumbaugh, Citizen
Daniel Zaragoza, METRO	

### **3 ANNOUNCEMENTS**

Chair Rotkin introduced Carlos Landaverry and his Spanish Language Interpretation services. He then announced:

- This meeting is being televised by Community Television of Santa Cruz County with technician, Alex Saidi.
- Director Norm Hagen and Ex Officio Director Blitzer were not able to attend today's meeting.

### **4 BOARD OF DIRECTORS COMMENTS**

Chair Rotkin pulled Item 9-11, Consideration of Authorizing the CEO to execute a Cooperative Agreement for Transportation Coordinator Services with Cabrillo College, so staff can make changes to the report.

Chair Rotkin talked about the Metrobase Ad Hoc Committee which was in existence at the time of the recent establishment of a new set of Standing Committees at the September 2016 meeting. The Metrobase Ad Hoc Committee was developed to advise the Board with regard to the MetroBase project which is now in the process of closing out. Rather than disbanding or folding this advisory role into a new Standing Committee, it was determined the best course of action would be to allow this Ad Hoc Committee to continue to function in its capacity through close out of the Metrobase project. There were no objections to this decision.

Director Rotkin said the public continue to express their opinions in letters published in the Santa Cruz Sentinel that Measure D does not provide enough money for public transit services. This Board has unanimously endorsed Measure D as we believe it is the best option for funding in support of METRO at this time.

Hearing no further comments, Chair Rotkin moved to the next agenda item.

### **5 COMMUNICATIONS TO THE BOARD OF DIRECTORS**

Hearing none, Chair Rotkin moved to the next agenda item.

### **6 COMMUNICATIONS FROM MAC**

Having none, Chair Rotkin moved to the next agenda item.

### **7 LABOR ORGANIZATION COMMUNICATIONS**

Mr. Eduardo Montesino, representing Bus and Paratransit Operators, said Measure D is not perfect but it provides resources which we desperately need to provide the best bus and Paratransit service to the community. People are wondering what they will get for their money. The public should be aware that this would fund service on the streets.

As a separate issue, Mr. Montesino voiced concerns about there having been more retirees than anticipated and unaddressed corrections to the contract, bidding, etc.

Ms. Olivia Martinez, Union representative for SEIU-SEA members, expressed her concern over the retirements of METRO's General Counsel and Human Resources Manager. She hopes the Board will support the transition to hire an HR Manager with labor relationship and meet and confer process experience.

Mr. Michael Rios, Transit Supervisor, introduced himself, saying he is assuming the Union role vacated by the retirement of Mr. Manny Martinez.

### **8 ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS**

Chair Rotkin announced the following items were distributed to Board Members and are available at the back of the room for public viewing:

- Item 9-03A, September 23, 2016 METRO Board of Director Meeting Minutes, corrected page 9-03A.3. Corrected to reflect the correct dollar amount in Item 9-07 on page 9-03A.3.
- Item 13, Oral COA Update: 2 pages of additional documentation to accompany Barrow Emerson's oral presentation
- News clips of interest

## CONSENT AGENDA

- 9-01 APPROVE: RECOMMENDED ACTION ON TORT CLAIMS
- 9-02 ACCEPT AND FILE: PRELIMINARY APPROVED CHECK JOURNAL DETAIL FOR THE MONTH OF SEPTEMBER 2016
- 9-03 ACCEPT AND FILE: MINUTES OF THE SANTA CRUZ METRO BOARD OF DIRECTORS MEETING OF SEPTEMBER 23, 2016
- 9-04 ACCEPT AND FILE: MINUTES OF THE SANTA CRUZ METRO BOARD OF DIRECTORS CAPITAL PROJECTS STANDING COMMITTEE MEETING OF SEPTEMBER 20, 2016
- 9-05 ACCEPT AND FILE: MINUTES OF THE SANTA CRUZ METRO BOARD OF DIRECTORS PERSONNEL/HUMAN RESOURCES STANDING COMMITTEE MEETING OF SEPTEMBER 21, 2016
- 9-06 APPROVE: CONSIDERATION OF AUTHORIZING THE CEO TO EXECUTE A 2ND LEASE AMENDMENT WITH WAVE CREST DEVELOPMENT FOR SOIL REMEDIATION, INCREASING THE CONTRACT TOTAL BY \$75,203
- 9-07 APPROVE: CONSIDERATION OF AUTHORIZING THE CEO TO EXECUTE A 2ND AMENDMENT EXTENDING THE CONTRACT WITH COASTAL LANDSCAPING, INC. FOR LANDSCAPING MAINTENANCE AND SERVICES, INCREASING THE CONTRACT TOTAL BY \$40,000
- 9-08 APPROVE: CONSIDERATION OF AWARD OF CONTRACT TO ALANIZ CONSTRUCTION, INC. FOR RESEALING AND RESTRIPIING PARKING LOTS, NOT TO EXCEED \$55,000
- 9-09 ACCEPT AND FILE: RATIFY THE SEVENTH AMENDEMENT FOR A ONE-YEAR EXTENSION OF THE MEMORANDUM OF UNDERSTANDING FOR THE HIGHWAY 17 CONSOLIDATED TRANSIT SERVICE
- 9-10 APPROVE: CONSIDERATION OF A CONTRACT AMENDMENT WITH THE LAW FIRM OF HANSON BRIDGETT IN AN AMOUNT NOT TO EXCEED \$150,000
- 9-11 APPROVE: CONSIDERATION OF AUTHORIZING THE CEO TO EXECUTE A COOPERATIVE AGREEMENT FOR TRANSPORTATION COORDINATOR SERVICES WITH CABRILLO COLLEGE – **PULLED FROM AGENDA BY CHAIR ROTKIN**

### Public comment:

Mr. John Bartholomew, referring to Item 9-06, asked what soil is being remediated and at what cost.

CEO Clifford referred Mr. Bartholomew to Section IV of the board report. Additional soil remediation was required, the total amount is approximately \$125K, and, the property referred to is where we previously parked the buses.

Mr. Montesino, referring to Item 9-05, expressed his concern about possible management wage increases.

**ACTION: MOTION TO ACCEPT THE CONSENT AGENDA, WITHOUT ITEM 9-11, AS PRESENTED.**

**MOTION: DIRECTOR BUSTICHI**

**SECOND: DIRECTOR LANE**

**MOTION PASSED WITH 8 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Lane, McPherson and Rotkin.) Directors Friend, Hagen, and Leopold were not present.**

## **REGULAR AGENDA**

### **10 PRESENTATION OF EMPLOYEE LONGEVITY AWARDS FOR EFRAIN HERNANDEZ, MARIA P. HERNANDEZ AND ROBYN SLATER**

Chair Rotkin recognized the following retirees in their absence, noting all employees are important:

- Efrain Hernandez, Vehicle Service Worker II, 15 years of service with METRO
- Maria P. Hernandez, Customer Service Representative, 20 years of service with METRO

Vice Chair Dutra presented Robyn Slater, Human Resources Manager, with her certificate for 15 years of service with METRO. Ms. Slater thanked the assembly and said it was nice to have spent 15 years with METRO.

### **11 ORAL STATE LEGISLATIVE UPDATE**

Mr. Josh Shaw, Shaw Yoder and Antwih, provided a brief summary of some of the legislative efforts, successes and failures of the past year as he and his team have worked to frame legislation to access state cap and trade funds.

He thanked METRO and the Board for their support of SB824 (Beall) which allowed agencies to bank their annual allocation for up to four years toward the funding of larger programs and allowed for reimbursement of local funds, paving a path to planning a four-year capital need program.

Ongoing efforts include a comprehensive multimodal transportation proposal (Beall and Frazier); however, it seems to be on hold until after the November elections. There is a chance it may be successful during a lame duck session. They are also looking into rates paid to utilities as the State requires public transportation to move to zero emission vehicles.

### **12 ORAL FEDERAL LEGISLATIVE UPDATE**

Mr. Chris Giglio, Capital Edge, provided a look back at 2016. A year in which Congress passed a five-year reauthorization of transit funding under the FASTAct. It doesn't come close to meeting all the funding needs with its average of 2% increases every year over the life of the bill. We will continue to look for better funding sources. METRO was victorious in receiving a LoNo Emissions Grant for electric buses.

He thanked Chair Rotkin, Vice Chair Dutra and Director McPherson for their visit to DC. Educating the legislators on the State of Good Repair was fruitful and good for them to see small to medium size transportation system issues. APTA and others tend to be dominated by the needs of larger systems. It was helpful to learn that local communities which help themselves are rewarded with government funding. The successful passing of Measure D will demonstrate this.

Both presidential candidates have expressed interest in funding infrastructure in the early months of their terms. We are not sure if Congress will go for this; but, talking about infrastructure investment will be important next year. METRO should be ready with a list of projects to be funded.

Senator Boxer and Assemblyman Farr's transportation support will be missed when they retire. We will need to educate our new representatives in terms of our priorities early and often.

### **13 ACCEPT: ORAL COA UPDATE**

Mr. Barrow Emerson, Planning and Development Manager, provided an update on the September 2016 service changes and referenced two pages which had been distributed to the Board members and available to the public at the back of the room:

- Page 1: Route By Route Effect of Service Changes
- Page 2: Fall Ridership by Route (includes 6 weeks' UCSC usage and 8 weeks' elsewhere); will be distributed monthly

Changes have been made to address on-time performance and missed connections in the upcoming Winter bid. All changes will be available on the website in advance of the paper edition of the "Headways".

Chair Rotkin was impressed with the changes made to accommodate peak and off-peak trips serving UCSC.

Vice Chair Dutra thanked Mr. Emerson and team for their efforts and noted the bonus addition of five trips after the implementation of the initial service changes. He was surprised to learn that Watsonville is second in ridership after UCSC. It is important for the public to know how important Measure D is in terms of moving people throughout Santa Cruz County.

Director McPherson added that the importance of Measure D cannot be overstated. It is necessary for Santa Cruz County's stance as a self-help county and to METRO to sustain what we have and hopefully provide additional service.

Public comment:

Ms. Beverly Stumbaugh, Aptos resident, expressed her concerns regarding Route 71 and the relocation of the Aptos Village bus stop. There is not enough parking and visibility is poor. Chair Rotkin said Mr. Emerson would look into this.

Mr. Bartholomew expressed his opinions about various routes: 69, 10, 34, etc. He suggested Route 34 be cut and that Operator reassigned to Route 10.

Mr. Montesino responded that Route 34 is needed for Paratransit; they cannot be without the services. METRO continues to work and meet weekly to deal with the relatively few complaints and issues.

Vice Chair Dutra requested that Mr. Emerson's report include Cabrillo ridership going forward. Mr. Emerson replied that Cabrillo will be fully addressed at the November meeting.

**14 APPROVE: BUS STOP SIGNAGE BRANDING REDESIGN WITH UNIQUE 4-DIGIT STOP ID**

Harlan Glatt, Sr. Database Administrator, introduced Jaron West, the newest member of the IT Department. He then circulated vinyl copies of the bus stop stickers (pages 14A.2 and 14A.3 of the board packet) to the Board members and provided commentary to the report. He also provided a live demonstration of the website, featuring the many improvements.

Chair Rotkin thanked Mr. Glatt and Mr. West for their work saying he was very impressed with the navigation and accessibility.

Director Lane echoed his appreciation and asked if we would be able to track the number of system users.

Mr. Glatt responded yes. We also have the ability to track stops by popularity, etc.

Director Bottorff asked if there is a way we would know if an approaching or next bus would be full and, if not, what technology would be required to do this.

Mr. Glatt responded the work done to date lays the foundation for Automatic Vehicle Location (AVL) and Automatic Passenger Counting (APC). With these combined resources, we would know when we reach capability and could provide that information to dispatch. We are striving to acquire an AVL system, but they are expensive.

Chair Rotkin added AVL also opens up the possibility for next bus technology.

Director Chase said knowing that METRO has the in-house skills and talent to develop this is exciting and she appreciates the attention to detail. This is a move to increasing ridership, accessibility and exciting the public about transit.

Mr. Glatt noted that this has also been tested with users of assisted devices. They can now use this service.

Public comment:

Unidentified female public citizen, ham radio operator, voiced her support of the information and suggested METRO look into AVRS, a system used to track vehicle location. She suggested METRO contact Rosemary Anderson at the EEOC for more info. She expressed her concerns with the physical height of the signs saying it is not always easy for non-standing riders to read.

Mr. Isaac Holly, METRO's IT Manager, asked if she would speak with him today regarding the software ideas. He also thanked his staff, management, SEIU, UTU and others involved in the project for making this possible.

Mr. Glatt added that our stops are all very different. There may be more than one plate per stop, dependent upon how many routes that particular stop serves. This affects the height considerations.

Mr. John Bartholomew asked if there would be more than one sign per bus stop.

Chair Rotkin responded yes.

Mr. Montesino said we are going in the right direction. He is excited about the changes.

CEO Clifford thanked Mr. Glatt, Mr. West and Mr. Holly for their efforts, adding METRO is on a journey to bring recommendations to the Board to discontinue stickers at bus stops due to cost and physical labor required each time a service change is made.

**ACTION: MOTION TO APPROVE THE BUS STOP SIGNAGE BRANDING REDESIGN WITH UNIQUE 4-DIGIT STOP ID AS PRESENTED.**

**MOTION: DIRECTOR DUTRA**

**SECOND: DIRECTOR CHASE**

**MOTION PASSED WITH 8 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Lane, McPherson and Rotkin.) Directors Friend, Hagen, and Leopold were not present.**

**15 APPROVE: APPROVAL OF REVISED CLASS SPECIFICATIONS & RETROACTIVE WAGE SCALES FOR POSITIONS WITHIN THE FINANCE, FLEET AND OPERATIONS DEPARTMENTS**

Robyn D. Slater, Human Resources Manager, asked that Items 15 and 16 be combined due to their similar natures. Chair Rotkin approved this request.

**16 APPROVE: RECLASSIFICATION OF ADMINISTRATIVE ASSISTANT WITHIN THE PURCHASING DEPARTMENT TO ADMINISTRATIVE SPECIALIST**

Robyn D. Slater, Human Resources Manager, asked that Items 15 and 16 be combined due to their similar natures. Chair Rotkin approved this request.

Ms. Slater went on to provide a bit of history and commentary to the reports. She thanked Ms. Suzanne Silva, Assistant HR Manager, and SEIU for their support and contributions to the process.

Public comment:

Ms. Olivia Martinez, expressed concerns regarding the length of time this process took. She stressed the importance of the next HR Manager understanding PERP, negotiations and bargaining with SEIU. She asked that the Board take the benchmark results (which show many members below market) into consideration as they move forward with the class and compensation study. This affects the retirement of the SEIU members.

Mr. Bartholomew asked who would receive a salary adjustment and if they were union. He asked that the Board remember him when the contract comes around.

Chair Rotkin, referring to the staff report, said yes, they are union members within the Finance, Fleet and Operations Departments.

**ACTION: MOTION TO APPROVE THE REVISED CLASS SPECIFICATIONS & RETROACTIVE WAGE SCALES FOR POSITIONS WITHIN THE FINANCE, FLEET AND OPERATIONS DEPARTMENTS AS PRESENTED.**

**MOTION: DIRECTOR BUSTICHI**

**SECOND: DIRECTOR LANE**

**MOTION PASSED WITH 8 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Lane, McPherson and Rotkin.) Directors Friend, Hagen, and Leopold were not present.**

**ACTION: MOTION TO APPROVE THE RECLASSIFICATION OF ADMINISTRATIVE ASSISTANT WITHIN THE PURCHASING DEPARTMENT TO ADMINISTRATIVE SPECIALIST AS PRESENTED.**

**MOTION: DIRECTOR BUSTICHI**

**SECOND: DIRECTOR LANE**

**MOTION PASSED WITH 8 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Lane, McPherson and Rotkin.) Directors Friend, Hagen, and Leopold were not present.**

**17 APPROVE: REQUEST TO ISSUE A FORMAL REQUEST FOR PROPOSALS FOR CONTRACTED LEGAL SERVICES FOR GENERAL COUNSEL AND OTHER LEGAL SUPPORT SERVICES**

***Julie Sherman, Esq. left room for the duration of this discussion.***

Chair Rotkin, Legal Services Board Ad Hoc Committee Chair, provided a brief history of this agenda item noting that the Ad Hoc Committee met and looked at various models to determine how they handle their legal services. All of the surveyed agencies contract out their legal services; none have in-house counsel. The model they devised is reflected in the staff report. He asked CEO Clifford to provide additional information.

CEO Clifford said he had surveyed 15 small to mid-size California transit agencies, spending 45-60 minutes with each CEO asking questions such as: How much do you spend and budget for legal services? What is your total budget? Response ranged from 0.13% to 1.44% of their total budget. The properties with lower labor issues had lower costs while higher labor issues resulted in higher specialized labor costs. There was also some variance due to scheduled work which was presented to their respective law firm(s).

Chair Rotkin noted the report includes detailed information provided by Leslyn Syren, METRO's District Counsel. He believes METRO will receive 3-4 responses to the RFP which will provide real alternatives.

Director Dutra urged sensitivity to the staff within the department.

CEO Clifford responded the scope of work mandates the chosen firm work with METRO's Paralegal.

Director Dutra went on to ask, without getting into specifics, for an example of when staff had been directed differently.

Chair Rotkin answered that there were no major crises; it was a different sense of contract intention. It worked out in every case.

Director Cervantez asked that the chosen firm have experience with labor negotiations.

Public comment:



Mr. Montesino said the current system has worked with in-house counsel. He didn't see any consideration given to a model similar to the RTC/County arrangement.

Chair Rotkin said the Ad Hoc Committee did consider the RTC/County arrangement. RTC legal needs are different. The Ad Hoc Committee felt this was the best route to go at this time.

**ACTION: MOTION TO APPROVE THE REQUEST TO ISSUE A FORMAL REQUEST FOR PROPOSALS FOR CONTRACTED LEGAL SERVICES FOR GENERAL COUNSEL AND OTHER LEGAL SUPPORT SERVICES AS PRESENTED WITH THE ADDITION OF 3.3.6: PUBLIC AGENCY LABOR RELATIONS**

**MOTION: DIRECTOR LANE**

**SECOND: DIRECTOR ROTKIN**

**MOTION PASSED WITH 8 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Lane, McPherson and Rotkin.) Directors Friend, Hagen, and Leopold were not present.**

**18 CONSIDERATION OF A RESOLUTION TO ESTABLISH THE BOARD OF DIRECTORS' MEETING SCHEDULE AND LOCATIONS FOR 2017**

Alex Clifford, CEO/General Manager, provided brief commentary to the staff report.

**ACTION: MOTION TO APPROVE THE CONSIDERATION OF A RESOLUTION TO ESTABLISH THE BOARD OF DIRECTORS' MEETING SCHEDULE AND LOCATIONS FOR 2017 PRESENTED.**

**MOTION: DIRECTOR BOTTORFF**

**SECOND: DIRECTOR ROTKIN**

**MOTION PASSED WITH 8 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Lane, McPherson and Rotkin.) Directors Friend, Hagen, and Leopold were not present.**

**19 CEO ORAL REPORT**

Alex Clifford, CEO/General Manager, acknowledged the outstanding work of METRO's Bus Operator who pulled the bus over and got everyone off in a safe fashion with public assistance during a recent bus fire. A commendation is planned for the Operator. The bus is a total loss; it had been scheduled to be retired upon the acquisition of one of our three electric buses. Mechanics, investigating the fire, determined the cause to be a worn electrical cable. They are now in the process of investigating all the buses of this type to ensure this metal to insulation contact/friction won't happen going forward.

**20 REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

Julie Sherman, Esq. for Leslyn Syren, General Counsel, announced the closed session item below and said they would return with an announcement.

**21 ANNOUNCEMENT OF NEXT MEETING: FRIDAY, NOVEMBER 18, 2016 AT 8:30AM, WATSONVILLE CITY COUNCIL CHAMBERS, 275 MAIN STREET, WATSONVILLE, CA**

Chair Mike Rotkin announced the next meeting as above.

**22 RECESS TO CLOSED SESSION**

Chair Mike Rotkin recessed the meeting at 10:48AM to the Closed Session.

## **SECTION II: CLOSED SESSION**

- 23 CONFERENCE WITH LEGAL COUNSEL - POTENTIAL LITIGATION** (Government Code Section 54956.9(b) – 1 case

## **SECTION III: RECONVENED TO OPEN SESSION AT 11:08AM**

- 24 REPORT OF CLOSED SESSION ITEMS**  
Julie Sherman, Esq. for Leslyn Syren, General Counsel, announced there was no reportable action taken during the closed session.
- 25 ADJOURNMENT**  
Chair Rotkin adjourned the meeting at 11:09AM.

Respectfully submitted,

Gina Pye  
Executive Assistant