

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**January 12, 2001**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 12, 2001 at the District Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Chairperson Beautz called the meeting to order at 8:38 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Sheryl Ainsworth  
Jan Beautz  
Tim Fitzmaurice  
Bruce Gabriel  
Michelle Hinkle  
Mike Keogh  
Christopher Krohn  
Rafael Lopez  
Dennis Norton  
Emily Reilly  
Ex-Officio Mike Rotkin

#### **DIRECTORS ABSENT**

Jeff Almquist (arrived at 8:41)

#### **STAFF PRESENT**

Bryant Baehr, Operations Manager  
Paul Chandley, Human Resource Manager  
Kim Chin, Planning & Marketing Manager  
Mark Dorfman, Asst. General Manager  
Terry Gale, IT Manager  
Margaret Gallagher, District Counsel

David Konno, Facilities Maint. Manager  
Elisabeth Ross, Finance Manager  
Judy Souza, Base Superintendent  
Tom Stickel, Fleet Maintenance Manager  
Leslie R. White, General Manager

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

Scott Bugental, E&D TAC  
Debbie Hale, SCCRTC  
Patti Korba, SEA  
Jim Larsen, PG&E  
Manny Martinez, PSA  
Ian McFadden, UTU

John Mellon, VMU  
Bonnie Morr, UTU  
Carolyn O'Donnell, TMA  
Sam Storey, **Food and Nutrition**  
Marion Taylor, League of Women Voters  
Peggy Weaver, SEIU

**2. SWEARING IN CEREMONY FOR NEW DIRECTORS**

Superior Court Judge Richard Kessell, Retired, performed the swearing in ceremony for Directors Fitzmaurice, Lopez, Norton and Almquist.

Chairperson Beautz reported that Mike Rotkin would be returning to the Board as the Ex-Officio representative from the University of California, Santa Cruz.

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

Margaret Gallagher reported that there will be a conference with the Labor Negotiator, Paul Chandley, regarding labor negotiations with the United Transportation Union (UTU).

**THE CONSENT AGENDA WAS TAKEN OUT OF ORDER.**

**CONSENT AGENDA**

**10-1. APPROVE REGULAR BOARD MEETING MINUTES OF 12/8/00 and 12/15/00**

No questions or comments.

**10-2. ACCEPT AND FILE PRELIMINARY APPROVED CLAIMS**

No questions or comments.

**10-3. PASSENGER LIFT REPORT FOR DECEMBER 2000**

The Usage by Route report was placed at each Director's spot for insertion into their Agenda Packet.

**10-4. CONSIDERATION OF TORT CLAIMS: Deny the claim of: Lee Akamichi**

No questions or comments.

**10-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 12/14/00**

No questions or comments.

**10-6. ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF 12/13/00**

No questions or comments.

**10-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORTS FOR NOVEMBER 2000, APPROVAL OF BUDGET TRANSFERS**

Elisabeth Ross reported that the District is on budget. However, revenue projections are ahead of budget. Ex-Officio Director Rotkin inquired as to why revenue is ahead of budget and expenses are under budget and was informed that the sales tax revenue is ahead of schedule

by \$80,000 year-to-date. Interest Income is running high. There are several personnel vacancies which would account for the expenses being under budget. Mr. White added that the TDA funds are sales tax driven. The Service Review Board is being asked for their recommendations for service implementation utilizing the TDA and sales tax income funds.

Les White further added that if the Governor's budget is adopted for next year, the capital fund will increase by 87%. All recurring revenues will be utilized for service improvements, while one-time revenues will go towards capital projects.

In response to Director Fitzmaurice's questions regarding an armory shuttle, Bryant Baehr stated that the Service Review Committee would return to the Board in February with recommendations.

**10-8. CONSIDERATION OF ADOPTION OF RESOLUTION INCREASING PETTY CASH FUND FOR ADMINISTRATION**

No questions or comments.

**10-9. CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF VEHICLE #804**

No questions or comments.

**10-10. CONSIDERATION OF ADOPTION OF RESOLUTION AMENDING FY 00-01 BUDGET**

No action was taken on this item at last month's Board meeting.

**10-11. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR NOVEMBER 2000**

Ridership on the Highway 17 Express route is up by 12.7% and continues to increase. This route will be a target point for new equipment.

**10-12. ACCEPT AND FILE STATUS REPORT ON ADA STATUS REPORT FOR NOVEMBER 2000**

Kim Chin reported that there has been a leveling off of usage of the paratransit system, however, registrants have increased by 27.4%. This needs to be reviewed in the area of recertification. Paratransit rides have decreased in November 2000 compared to November 1999 and it was questioned as to whether this is a reflection of trip denials. If paratransit trips have reached their plateau or leveled off, this would affect the five-year projection in the budget.

**Chairperson Beautz returned to Oral and Written Communications at this time.**

**5. ORAL AND WRITTEN COMMUNICATIONS: (Not Prior to 9:00 a.m.)**

Written:

- |                                |                                    |
|--------------------------------|------------------------------------|
| a. Goodwill Industries         | RE: MetroBase                      |
| b. Kenneth Burch, UCSC         | RE: Board Resignation              |
| c. Scott Bugental, E&D TAC     | RE: ADA Contract Svcs. Percentages |
| d. John Mellon, SEIU Local 415 | RE: Parts Personnel Petition       |

- e. Bruce Arthur, Capitola City Council RE: Board Resignation

Oral:

Bonnie Morr stated that she would like the City, County and Transit District to combine funds to support a shuttle from the Homeless Resource Center to the armory.

Chairperson Beautz asked that this item be agendaized for the January 19, 2001 meeting.

**10-13. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE STATUS REPORT**

Ex-Officio Director Rotkin commented that the variance in ridership in December 2000 as opposed to December 1999 is due to the fact that classes ended on December 1, 2000 vs. December 8, 1999. Bryant Baehr added that service remained the same and that faculty and staff were still riding during this period. Mr. Baehr will submit a like comparison for next week's meeting.

Mr. Baehr further noted that the Transportation Commission authorized up to five new bus stops on Western Drive. David Konno will be working on this. Director Fitzmaurice will look into the problems being experienced on High Street and will keep Mr. White informed.

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

No questions or comments.

**6. LABOR ORGANIZATION COMMUNICATIONS**

No questions or comments.

**7. METRO USERS GROUP (MUG) COMMUNICATIONS**

No questions or comments.

**8. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS**

No questions or comments.

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

The first page of the Passenger Lift Report was omitted in error. This page was distributed to the Directors at the meeting.

**REGULAR AGENDA**

**11. ELECTION OF DIRECTOR OFFICERS FOR THE YEAR 2001, TRANSPORTATION COMMISSION ASSIGNMENTS, AND METRO USERS GROUP (MUG) CHAIRPERSON**

**Summary:**

Elections will take place at the Board meeting of January 19, 2001.

**Discussion:**

Rafael Lopez will be removed from the list of nominees for alternate to the Transportation Commission.

**12. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

No questions or comments.

**13. CONSIDERATION OF INCREASING THE TORT LIABILITY SETTLEMENT AUTHORITY OF THE GENERAL MANAGER OR HIS/HER DESIGNEE AND DISTRICT COUNSEL TO \$10,000**

**Summary:**

Les White explained that this item and Item #14 go together. Staff is requesting that the Board raise the tort liability settlement limit that the District Counsel, with the approval of the General Manager, would be authorized to approve from \$2,500 to \$10,000. The \$10,000 limit would include both vehicular and personal injury compensation.

**Discussion:**

There was concern that \$10,000 is too high of a limit to be approved without the claim being reviewed by the Board. Margaret Gallagher commented that any claim exceeding \$10,000 would be brought before the Board in Closed Session. Director Keogh requested that Ms. Gallagher contact Valley Transportation Authority (VTA) and Monterey-Salinas Transit (MST) to inquire as to their staff's authority to settle. Mr. White stated that only claims where the District is at fault would be settled. Claims that have any gray areas would be brought before the Board prior to settlement. Ms. Gallagher will contact VTA and MST for further information and report this back to the Board.

**14. CONSIDERATION OF RESOLUTION AUTHORIZING THE SECRETARY/GENERAL MANAGER AND DISTRICT COUNSEL TO ALLOW, COMPROMISE, AND/OR SETTLE ANY WORKERS' COMPENSATION CLAIM OR CASE FILED AGAINST THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

**Summary:**

Les White explained that the District is self-insured and a third party administrator is utilized to process Workers' Compensation claims. The change to the current process would be to have all claims in the range of \$5,000 to \$25,000 approved by District Counsel and the General Manager (or his designee), in addition to consulting with the third party administrator. Any claims in excess of \$25,000 would be brought before the Board for direction. Staff is

recommending that the Board take an active role in regard to claims management in this program.

**Discussion:**

Director Keogh asked how many claims less than and greater than \$25,000 are anticipated in this fiscal year. Director Reilly requested a history of claims over the years. A report will be presented at the January 19, 2001 meeting.

**15. CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING TWO STAFF VEHICLES**

**Summary:**

Staff is requesting Board authorization for the General Manager to enter into a contract with S&C Ford for the purchase of two Ford Explorer vehicles.

**Discussion:**

Director Norton questioned the need for purchasing Sport Utility Vehicles (SUVs) when there are less expensive vehicles available. Tom Stickel reported that since the Transit Supervisors use their vehicles as a mobile office on their ten-hour shifts, the vehicles need to meet certain criteria. The Transit Supervisors surveyed other transit properties to determine what types of vehicles are being used in the industry. It was reported that many transit properties switched to SUVs because of the configuration. Several Directors asked for further information and requested that staff research compact SUVs and Hondas. Transit Supervisor Manny Martinez added that comfort is a consideration when purchasing buses; it should be a consideration for staff who utilize their vehicles for long shifts and different terrain. Director Almquist asked that the report from staff include which vehicles were tested and what specs were given to the dealers for the bidding process. A staff report will be supplied at next week's Board meeting.

**16. CONSIDERATION OF AWARD OF CONTRACT FOR PRINTING OF HEADWAYS**

**Summary:**

Les White reported that the District had a contract with Pizazz Printing for the printing of *Headways*. This vendor went bankrupt. Staff is recommending that the contract be awarded to Southwest Offset.

**17. CONSIDERATION OF AMENDING HAZARDOUS WASTE DISPOSAL CONTRACT WITH EVERGREEN ENVIRONMENTAL SERVICES**

No questions or comments.

**18. CONSIDERATION OF REPORT ON PASSENGER AMENITIES FOR HIGHWAY 17 BUSES**

**Discussion:**

Ex-Officio Director Rotkin inquired as to how the cost of a ride on the Highway 17 Express would change for a bus with and without a restroom. Bryant Baehr will arrange a survey of the riders to determine if they would be willing to pay an additional \$.25 for a bus that had a restroom. Les White quoted prices of various coaches that would accommodate restrooms. Director Almquist wondered what kind of marketing value restrooms would give staff access to for the future. Mr. Baehr also mentioned that rear door wheelchair lifts would be necessary if there were restrooms since a wheelchair could not fit down the center aisle. Also, laptop cords alone would cost \$5,000 per bus. Mr. Baehr will supply a breakdown of amenities and their costs by the next Board meeting.

**19. PRESENTATION AND CONSIDERATION OF TASK 14 OF THE COMPREHENSIVE OPERATIONAL AND FINANCIAL AUDIT (COFA) OF THE ADA PARATRANSIT CONTRACT - MULTISYSTEMS**

**Summary:**

Kim Chin reported that the purpose of this staff report is to present the Task 14 findings from MultiSystems.

**Discussion:**

Scott Bugental of the Elderly and Disabled Transportation Advisory Committee (E/D TAC) distributed a letter commenting on the Task 14 findings. This letter will be included in the add-on packet for next week's meeting. The Board received the report on the financial audit of the taxi companies. Director Almquist asked for information on how to eliminate the 70/30 split between rides allocated to taxi companies vs. Lift Line.

Debbie Hale of the Transportation Commission mentioned that their orientation is scheduled for February 22 at 9:00 a.m. New Transit District Board members may be interested in attending due to the relationship between the District and the Transportation Commission. Lunch will be provided.

**20. PRESENTATION AND CONSIDERATION OF RECOMMENDATIONS FROM THE ADA RECERTIFICATION STUDY - NELSON NYGAARD**

**Discussion:**

Director Ainsworth questioned whether Recommendation #6 should be an interview or an assessment. She is interested to know why Nelson Nygaard made that recommendation since it is unclear. Ex-Officio Rotkin referred to Recommendation #9 and asked about the structural basis that is in place and stated that it should be tied to the Transit District. Chairperson Beautz commented that the consultants should be prepared in writing to show how to control costs if they use outside people.

Scott Bugental mentioned that E/D TAC would address this report in February. The committee would like to offer additional input before the final decision is made. It was confirmed that the District would seek public input in February and make a decision in March.

Director Fitzmaurice inquired as to the District's cost for Recommendation #6 and was informed by Mr. Chin that the average cost for each functional assessment is approximately \$65.00. This assessment would involve an interview with a therapist who would evaluate the person from a functional standpoint. The consultant, Nelson Nygaard, will detail out some of these numbers for review at next week's Board meeting.

21. A. **CONSIDERATION OF UPDATED BUS FLEET PLAN**
- B. **STATUS REPORT WITH REGARD TO DISCUSSION WITH THE CALIFORNIA AIR RESOURCES BOARD (CARB) CONCERNING REVIEW OF URBAN TRANSIT BUS FLEET RULE TO REDUCE HARMFUL ENGINE AND FUEL AIR EMISSIONS FOR URBAN TRANSIT BUSES**
- C. **CONSIDERATION OF FUEL PATH SELECTION FOR THE CALIFORNIA AIR RESOURCES BOARD (CARB)**

**Summary:**

Mark Dorfman informed the Board that staff has been in numerous discussions with CARB and the District's request is now on the Executive Director's desk. The District is requesting permission to choose the diesel fuel path with the ability to convert to CNG at a later date. The reason for this is that the District has no facilities to fuel CNG buses at this time. Staff ran 15-year emission checks on this proposal and found that it reduces emissions. The Board will either need to make a decision on the path at the next Board meeting or choose the CNG path with a moratorium on bus purchases. If no decision is made at the 1/19/01 meeting, a special Board meeting could be held prior to January 31<sup>st</sup> to make this decision.

**Discussion:**

Mr. Dorfman reiterated that CARB staff, up to the Deputy Director, are in favor of the District's proposal. Jim Larson, Director of Clean Air Transportation Program, stated that he is guardedly optimistic about this approach. Mr. Larson offered his assistance in finding people to help bring a gas line in to the Harvey West area. He further stated that he is aware of turnkey providers available who can provide CNG or LNG. There would be no capital outlay by the District to provide this type of infrastructure. Les White commented that he and Mark Dorfman will attend the APTA conference in Phoenix and will view a LNG fueling facility. Director Keogh asked that PG&E evaluate the possibility of an interim fueling station somewhere in the county. Jim Larson of PG&E will come to next week's meeting with this cost. Ex Officio Director Rotkin mentioned that a storage facility for LNG would be a big issue in this County. Mr. White stated that the penalty for non-compliance by the January 31<sup>st</sup> deadline was reported by CARB staff to be approximately \$500 per day.



Mr. David Esmili of West Valley Community College offered his assistance. They are grant funded to assist organizations like the District to transition from traditional fuels to alternative fuels.

**22. CONSIDERATION OF EXTENDING THE PARATRANSIT CONTRACT WITH FOOD AND NUTRITION SERVICES FOR ONE YEAR WITH CPI ADJUSTMENT OF 4% AND OTHER TERMS**

**Discussion:**

Margaret Gallagher referred to Exhibit B of her staff report and stated that Food and Nutrition representatives have accepted most of the contract amendment language including Exhibit B as modified. Some modifications are needed to Exhibit C to incorporate recommendations from the consultants. Staff met with Sam Storey and Mark Hartunian of FNS who agreed with most of the language in Exhibit C. Additional language will be provided shortly by Mr. Storey and Mr. Hartunian for Exhibit C. Mr. Storey has been asked to provide staff with a proposal regarding the 70/30 split of ADA rides with taxicab companies. Information will also be included regarding items on taxi charge slips and how to process the information. Mr. White added that staff would either have information on the 70/30 split or request another month's extension in order to gather this information.

**SECTION II: CLOSED SESSION**

Chairperson Beautz adjourned to Closed Session at 10:25 a.m. and reconvened to Open Session at 11:17 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**DIRECTORS PRESENT**

Sheryl Ainsworth  
Jeff Almquist  
Jan Beautz  
Michelle Hinkle  
Mike Keogh  
Dennis Norton  
Emily Reilly

**DIRECTORS ABSENT**

Tim Fitzmaurice  
Bruce Gabriel  
Christopher Krohn  
Rafael Lopez

**STAFF PRESENT**

Bryant Baehr, Operations Manager  
Paul Chandley, Human Resource Manager  
Mark Dorfman, Assistant General Manager  
Margaret Gallagher, District Counsel  
Les White, General Manager

**1. REPORT OF CLOSED SESSION**

Margaret Gallagher stated that there was nothing to report from the Closed Session at this time.

**ADJOURN**

There being no further business, Chairperson Beutz adjourned the meeting at 11:17 a.m.

Respectfully submitted,

DALE CARR  
Administrative Services Coordinator

**NOTICE TO PUBLIC**

Members of the public may address the Board of Directors on a topic not on the agenda but within the jurisdiction of the Board of Directors or on the consent agenda by approaching the Board during consideration of Agenda Item #1 “Oral and Written Communications”, under Section I. Presentations will be limited in time in accordance with District Resolution 69-2-1.

Members of the public may address the Board of Directors on a topic on the agenda by approaching the Board immediately after presentation of the staff report but before the Board of Directors’ deliberation on the topic to be addressed. Presentations will be limited in time in accordance with District Resolution 69-2-1. When addressing the Board, the individual may, but is not required to, provide his/her name and address in an audible tone for the record.

The Santa Cruz Metropolitan Transit District does not discriminate on the basis of disability. The Encinal Conference Room is located in an accessible facility. If you wish to attend this meeting and require special assistance in order to participate, please contact Dale Carr at 426-6080 at least 72 hours in advance of the Board of Directors meeting.