

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

**Minutes- Board of Directors**

**July 12, 2002**

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, July 12, 2002 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice-Chairperson Reilly called the meeting to order at 9:04 a.m.

**SECTION 1: OPEN SESSION**

**1. ROLL CALL:**

**DIRECTORS PRESENT**

Tim Fitzmaurice  
Michelle Hinkle  
Dennis Norton  
Ana Ventura Phares  
Emily Reilly  
Pat Spence

**DIRECTORS ABSENT**

Sheryl Ainsworth  
Jeff Almquist (arrived after roll call)  
Jan Beautz  
Mike Keogh  
Ex-Officio Mike Rotkin  
Marcela Tavantzis

**STAFF PRESENT**

Bryant Baehr, Operations Manager  
Mark Dorfman, Asst. General Manager  
Margaret Gallagher, District Counsel

Ian McFadden, Transit Planner  
Elisabeth Ross, Finance Manager  
Tom Stickel, Fleet Maint. Manager  
Les White, General Manager

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

April Axton, Lift Line  
Linda Clayton, SEA  
Bonnie Morr, UTU  
Jeff North, UTU

Carolyn O'Donnell, TMA  
Karena Pushnik, SCCRTC  
Will Regan, VMU  
Candace Ward, UCSC

**DIRECTOR ALMQUIST ARRIVED.**

**2. ORAL AND WRITTEN COMMUNICATION**

- a. Central Coast Center for Independent Living RE: Personnel Issue

**3. LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr informed the Board that the new CNG bus was parked outside for viewing. She expressed concern about the height difference with the CNG tanks on top of the bus as it relates

to the 14' clearance on roadways. Ms. Morr asked for the Board's support to speak with the Public Works Departments in their jurisdictions and with Caltrans to make sure trees are trimmed up to the appropriate height to accommodate the CNG tanks.

Ms. Morr also discussed the PERS health care issue as it relates to the Santa Cruz Medical Center and how the legislation would eliminate the PERS members' ability to contract with an HMO in the Santa Cruz area to supply medical provisions. She asked the Directors to write to the legislators to address the issues with PERS and to ensure that rural communities are protected. Les White added that PERS will drop two HMO providers in January and will only retain Blue Shield. Staff is currently in discussions with the City and County in an attempt to get a large enough group together so it could be competitive to go out for services. Mr. White will meet with both SEIU and UTU on this issue later today.

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

Nothing to report at this time.

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

Director Spence informed the Board that there would be a demonstration of the recertification process at the MASTF meeting on July 18<sup>th</sup>. The recertification process should begin on August 1<sup>st</sup>. All MASTF meetings will now be held at the NIAC building, 333 Front St. This facility is completely accessible for wheelchairs and disabled individuals and is available at no cost.

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

2) ORAL AND WRITTEN COMMUNICATION

b. Susan Alford RE: Service Changes

10) CONSIDERATION OF AMENDMENT TO BLANKET PURCHASE ORDER WITH THERMOKING

Add Blanket Purchase Order

11) CONSIDERATION OF CHANGE ORDER TO CHANGE COACH IN. CONTRACT FOR CNG TROLLEY BUS

Add Contract Amendment

The above additional documentation was distributed to the Board and will also be included in the Add-On Packet for the July 26<sup>th</sup> Board meeting.

VICE-CHAIRPERSON REILLY TOOK THE ACTION ITEMS OUT OF ORDER.

**7-4. CONSIDERATION OF TORT CLAIMS: Deny the Claim of Peter Schiebel, Claim # 02-0014;  
ACTION REQUIRED AT JULY 12<sup>TH</sup> BOARD MEETING**

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR REILLY**

**Deny the Claim.**

**Motion passed unanimously with Directors Ainsworth, Beautz, Keogh and Tavantzis being absent.**

**Deny the Claims of: Sabine Garry, Claim #02-0021; Autoworld Sales & Leasing, Claim #02-0019; Theodore McLean, Claim #02-0022.**

No questions or comments.

**9. CONSIDERATION OF ADOPTION OF FINAL RESOLUTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE SECTION 21354.4 (2.5% @ 55 FULL FORMULA) AND SECTION 21022 (PUBLIC SERVICE CREDIT FOR PERIODS OF LAYOFF)  
ACTION REQUIRED AT JULY 12<sup>TH</sup> BOARD MEETING**

**Summary:**

Elisabeth Ross reported that this is the final step in the process to amend the CalPERS contract. She is asking the Board to adopt the final resolution that provides for the new 2.5% @ 55 formula and two years service credit. Eighty percent of the employees responded in favor of the changes to the contract. Several letters of retirement have been submitted already.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR FITZMAURICE**

**Adopt the final resolution to approve an amendment to the CalPERS contract to provide Section 21354.4 (2.5% @ 55 full formula) and Section 21022 (Public Service Credit for periods of layoff).**

**Motion passed by a roll call vote with Directors Ainsworth, Beautz, Keogh and Tavantzis being absent.**

**10. CONSIDERATION OF AMENDMENT TO BLANKET PURCHASE ORDER WITH THERMOKING  
ACTION REQUIRED AT JULY 12<sup>TH</sup> BOARD MEETING**

**Summary:**

Tom Stickel reported that the Thermoking blanket purchase order is to purchase services, parts and supplies for the air condition units on the buses. The costs have exceeded the purchase order; therefore, an amendment is needed.

**ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR FITZMAURICE**

**Authorize the General Manager to execute a revision to the blanket purchase order with Thermoking to add an additional \$5,806 to the blanket purchase order for expenditures during the month of June.**

**Motion passed unanimously with Directors Ainsworth, Beautz, Keogh and Tavantzis being absent.**

**11. CONSIDERATION OF CHANGE ORDER TO CHANCE COACH INC. CONTRACT FOR CNG TROLLEY BUS  
ACTION REQUIRED AT JULY 12TH BOARD MEETING**

**Summary:**

Mark Dorfman attended a pre-production meeting with Chance Coach and is requesting a change order, which would reduce the cost of the CNG trolley by approximately \$2,000.

**Discussion:**

Director Reilly would like to be included in any meetings to determine the route(s) where the trolley would run. Mr. Dorfman added that the manufacturer recommends that every three to four years the wood be replaced. The trolley would be sent back to the manufacturer for this to be done. The trolley should arrive in the beginning of October and will be deemed "advertising free".

**ACTION: MOTION: DIRECTOR PHARES SECOND: DIRECTOR ALMQUIST**

**Authorize the General Manager to execute a change order with Chance Coach for the production of one CNG trolley bus.**

**Motion passed unanimously with Directors Ainsworth, Beautz, Keogh and Tavantzis being absent.**

VICE-CHAIRPERSON REILLY RETURNED TO THE CONSENT AGENDA AT THIS TIME.

**CONSENT AGENDA**

**7-1. APPROVE REGULAR BOARD MEETING MINUTES OF JUNE 14 AND JUNE 21, 2002**

No questions or comments.

**7-2. APPROVE PRELIMINARILY APPROVED CLAIMS**

Mark Dorfman clarified two expenditures: \$71.98 for technical services in the IT Dept. and \$6,450 for assistance in setting up the Infuse System for the IT Dept.

**7-3. ACCEPT AND FILE JUNE 2002 RIDERSHIP REPORT**

No questions or comments.

**7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF JUNE 20, 2002**

No questions or comments.

**7-6. ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF JUNE 19, 2002**

No questions or comments.

**7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR MAY 2002, AND APPROVAL OF BUDGET TRANSFERS**

The UCSC revenue is 2% under budget due to the bi-directional service not bringing in as much revenue as anticipated. Les White added that staff is meeting with UCSC on July 19<sup>th</sup> to discuss new service in the fall and to evaluate the bi-directional service which is impacted by how much the on-campus shuttle is utilized.

**7-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR APRIL 2002**

No questions or comments.

**7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR MAY 2002**

No questions or comments.

**7-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**

No questions or comments.

**7-11. ACCEPT AND FILE METROBASE STATUS REPORT**

Les White stated that this report would be on the agenda each month and reflects the elimination of the Plantronics property from the proposed Phase 2 sites. He added that \$1,781,822 in federal earmarked funds would lapse on September 30, 2002 unless they are redirected to another project that could be obligated by that time. Also, another \$1.5 million would lapse if the MetroBase project cannot move forward by September 30, 2003.

VICE-CHAIRPERSON REILLY TOOK ITEM #18 OUT OF ORDER AT THIS TIME.

**18. CONSIDERATION OF DIRECTING 2000 FEDERAL CAPITAL EARMARK FUNDS TO BUS PROCUREMENT FROM THE METROBASE PROJECT**

**Summary:**

Mark Dorfman informed the Board that in order to retain the \$1,781,822 in federal funds that are currently earmarked for the MetroBase project, they would need to be moved into an approved grant project. Staff recommends replacing three of the old Champion buses. The remainder of the funds would be put into the purchase of paratransit vehicles. Of the twenty-two paratransit vehicles to be purchased, only five of them are replacement vehicles. The remaining vehicles are for expansion of the paratransit fleet and will be used for ADA paratransit service only.

Les White informed the Board about Congressman Sam Farr's visit on Saturday, July 20<sup>th</sup>, to meet with METRO and the Regional Transportation Commission. Mr. White added that an EIR for the MetroBase project needs to be certified no later than the December Board meeting, and the last date to transfer the \$1.5 million would be around May 2003 or these funds would be lost. Mr. White will supply the Board with the exact date.

**7-12 ACCEPT AND FILE QUARTERLY CALL STOP PROCEDURE UPDATE**

Bryant Baehr reported that operators are at 96% compliance for last quarter as it relates to calling out stops. The problem that created the 4% non-compliance has been handled. The next quarter's audit will begin within two weeks.

**REGULAR AGENDA**

**8. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

No questions or comments.

**12. CONSIDERATION OF CONTRACT AMENDMENT WITH ITT HARTFORD FOR EMPLOYEE LIFE AND ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE**

**Summary:**

Tom Stickel stated that the staff report and contract would be in the Add-On Packet for the July 26<sup>th</sup> Board meeting.

**13. CONSIDERATION OF AMENDMENT OF CONTRACT WITH VISION SERVICE PLAN FOR EMPLOYEE VISION CARE COVERAGE**

**Summary:**

Tom Stickel reported that the contract with Vision Service Plan (VSP) is a multi-year contract. VSP expressed interest in amending the contract for an additional two years with a 5.4% increase over the two-year period. Staff is recommending that the contract be amended.

**Discussion:**

Bonnie Morr asked if there would be an increase in the provisions, specifically, to provide glare coating on glasses or sunglasses. Mr. Stickel will discuss this with Robyn Slater, Interim Human Resource Manager. Mr. White added that no request has been made to add this provision to the contract and that there will need to be discussions on this.

**14. CONSIDERATION OF AMENDMENT TO COPIER LEASE WITH IKON OFFICE SOLUTIONS**

**Summary:**

Tom Stickel commented that the copy machine at the Operations Department has numerous maintenance issues. Ikon Office Solutions offered to replace it with a digital copier at the same lease price without entering into a new contract. The full contract will be included in the Add-On Packet for the July 26<sup>th</sup> Board meeting.

**ACTION: MOTION: DIRECTOR PHARES SECOND: DIRECTOR NORTON**

**Move to Items 12, 13 and 14 to the Consent Agenda for the July 26<sup>th</sup> Board meeting.**

**Motion passed unanimously with Directors Ainsworth, Beautz, Keogh and Tavantzis being absent.**

**15. CONSIDERATION OF AMENDING PARACRUZ CUSTOMER'S GUIDE AND ADOPTING AN ELIGIBILITY APPEALS PROCESS**

This staff report will be included in the Add-On Packet for the July 26<sup>th</sup> Board meeting.

**16. CONSIDERATION OF ADOPTION OF ACCESSIBILITY POLICIES AND PROCEDURES OF SANTA CRUZ METRO'S PROGRAMS, SERVICES AND ACTIVITIES, INCLUDING A GRIEVANCE PROCEDURE**

**Summary:**

Margaret Gallagher stated that this item was on past agendas, however, the advisory groups needed additional time to review the proposed Policies and Procedures. MUG and MASTF's comments were incorporated into the procedures. By adopting these Accessibility Policies and Procedure, METRO would be reaffirming its commitment to the Americans with Disabilities Act (ADA) and 504 procedures. The Board would review any alleged ADA/504 violations.

**Discussion:**

There was discussion regarding outside groups who could accept complaints in the event the complaint concerns a member of management. Ms. Gallagher explained provision 6.09 which would ensure that METRO retains all grievance documentation in order to review the history of improvements and commitment.

The following changes were either made by Ms. Gallagher or requested by the Board:

- a. Devise a side agreement with MASTF and CCCIL stating that they would convey those complaints to the Board. Further discussion reflected the desire to have all complaints come to District staff and the Board.\*
- b. Obtain a letter from MASTF and MUG confirming that each entity signed off on the Policies and Procedures.
- c. Ms. Gallagher confirmed that grievances would go before the Board in Open Session; however, the grievance could be referred to Closed Session for discussion.
- d. Add to the Policies and Procedures that the ~~grievant~~ **employee** would not be referred to by name in matters of personnel or litigation in order to maintain privacy.
- e. Designate the timeframe for response to the grievance as being either five days or the next Board meeting.
- f. The Complaint Form and the Notice Under the Americans with Disabilities Act will be printed together so the grievant can review the Notice when filing a complaint.
- g. Ms. Gallagher will ensure that the “retaliation” clause is consolidated with the “coercion” sentences.
- h. Add a line for the grievant's signature, date of complaint and to which organization the complaint was delivered. \*
- i. Devise a protocol as to how the other “receiving” organization would convey the complaint to staff. \*
- j. Remove the reference to “oral complaints” being accepted.
- k. Include date the grievance was received by METRO.
- l. Include on the complaint form what steps would be taken next so the grievant will know that the complaint is being addressed.

**\*All these items relate to whether complaints are submitted to District staff or to another entity.**

\*Director Phares asked Ms. Gallagher to consult the ADA assistant in Washington, DC regarding a grievant submitting a complaint to an outside agency.

#### **17. CONSIDERATION OF SERVICE CHANGES FOR FALL 2002**

##### **Summary:**

Mark Dorfman reported that these changes would return or modify approximately \$100,000 of service on the streets. Ian McFadden itemized some of the service returning and stated that the OATies service (Operations Action Team) would be listed on the UCSC schedule as permanent service. Staff will contact Susan Alford regarding her concerns on Route 91. There will be “rider alerts” regarding the improved UCSC service.



**19. CONSIDERATION OF DESIGNATING MEMBERS OF THE BOARD OF DIRECTORS TO PARTICIPATE IN THE PUBLIC OUTREACH PROCESS FOR THE SANTA CRUZ METRO CENTER DESIGN**

**Discussion:**

Director Reilly asked that this item be discussed when all Directors are present. Les White reported that there would be a series of public meetings beginning this fall to work with the stakeholders on the renovation of the Metro Center.

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

Ms. Gallagher reported that the Board would be discussing the Lane/Loya litigation in Closed Session.

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

None

**SECTION II: CLOSED SESSION**

Vice-Chairperson Reilly adjourned to Closed Session at 10:33 a.m. and reconvened to Open Session at 11:50 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**22. REPORT OF CLOSED SESSION**

There was nothing to report at this time.

**ADJOURN**

There being no further business, Vice-Chairperson Reilly adjourned the meeting at 11:51 a.m.

Respectfully submitted.

DALE CARR  
Administrative Services Coordinator