

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

July 25, 2003

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, July 25, 2003 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chairperson Reilly called the meeting to order at 9:06 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Sheryl Ainsworth
Mike Keogh
Dennis Norton
Emily Reilly
Ex-Officio Wes Scott
Pat Spence
Marcela Tavantzis

DIRECTORS ABSENT

Jeff Almquist
Jan Beautz
Michelle Hinkle
Ana Ventura Phares
Mike Rotkin

STAFF PRESENT

Bryant Baehr, Operations Manager
Mark Dorfman, Asst. General Manager
Margaret Gallagher, District Counsel
Steve Paulson, Paratransit Administrator

Elisabeth Ross, Finance Manager
Judy Souza, Base Superintendent
Tom Stickel, Fleet Maint. Manager
Les White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

Heather Boerner, *Sentinel*
Michael Bradshaw, CCCIL
Scott Bugental, Sr. Council
Kasandra Fox, MASTF
Jenna Glasky, SEA
Gary Klemz, SEIU
Paul Marcelin-Sampson, Metro Riders Union

Manny Martinez, PSA
Jeff North, UTU
Will Regan, VMU
Joe Sampson, Metro Riders Union
Sam Storey, Community Bridges
Jim Taylor, UTU
Amy Weiss, Spanish Interpreter

2. ORAL AND WRITTEN COMMUNICATION

Written:

- a. Peter M. Cipolla, VTA
- b. R. Paul Marcelin-Sampson

RE: Highway 17 Service
RE: Input on Advisory Groups

- c. Tony Madrigal, SEIU RE: Budget Accountability Act
Note: A video on the Budget Accountability Act is available
for perusal at the Administration office of METRO

Oral:

Les White explained that the Board had previously endorsed a resolution supporting the Budget Accountability Act. Mr. Madrigal of SEIU is asking that the Board sponsor this Act in order to have it placed on the ballot as a referendum to the voters. Gary Klemz spoke to this issue and asked that the Board pass a resolution that would include METRO as an endorser of this Act. Mr. White asked the Board to allow staff to put the resolution into the METRO format and bring it back to them in August for consideration.

R. Paul Marcelin-Sampson of the Metro Riders Union spoke to remind the Board that he made several requests and has received no response. He also expressed concern about the Cabrillo passes not being valid on Sundays. Les White apologized for not responding to Mr. Marcelin's letter and stated that he would respond next week to all concerns except the distribution of literature at transit centers as this will need to be approved by the Board; this item will be agendaized for the Board's August meeting. Mr. White also addressed the Cabrillo bus pass issue and stated that staff would continue to strongly encourage Cabrillo to allow the pass to be used 7 days a week.

Jill Bates, Recreation Supervisor with the City of Santa Cruz, oversees the children's day camp program. Ms. Bates submitted a letter of appreciation for Bryant Baehr for his exceptional customer service.

Adam Tomaszewski represents the seniors at Via Pacifica Gardens and submitted two letters of appreciation to the Board from the administrator of Via Pacifica. One letter was for METRO bus service and the other for Lift Line service. Mr. Tomaszewski recently was recertified into the ParaCruz program and found that the process was professional and complete.

Joe Sampson, a Cabrillo student, spoke regarding the exclusion of Sundays on the Cabrillo College bus pass program. He indicated that he will also speak with Cabrillo's staff in this regard.

Director Spence spoke regarding a letter to the Editor of the Santa Cruz *Sentinel* from Jeff LeBlanc. Mr. LeBlanc responded to a previous letter entitled "Who does Metro Serve?" Director Spence requested that the Board Chair write a letter of acknowledgement to Mr. LeBlanc.

3. LABOR ORGANIZATION COMMUNICATIONS

Jeff North, Vice Chair of UTU, spoke regarding bringing the paratransit service in-house. He stated that UTU is in favor of bringing this service in-house as soon as possible. UTU will work with management to determine the best way to do this.

4. METRO USERS GROUP (MUG) COMMUNICATIONS

Nothing to report at this time.

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

Kasandra Fox read the following Motion from MASTF's July 17th meeting:

MASTF approves the report submitted by Bob Yount on this date (July 17, 2003) and requests that the METRO Board take proper action to enforce the decisions made on July 19, 1996 as to the No Smoking Policy.

Ms. Fox read the motions which, according to Mr. Yount, were passed by the Board on July 19, 1996. Staff was directed to agendize this issue for a future Board Meeting and to check with other cities to see if they have Ordinances regarding smoking.

6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

SECTION I:

CONSENT AGENDA:

ADD TO ITEM #2

ORAL AND WRITTEN COMMUNICATION

b. R. Paul Marcelin-Sampson RE: Input on Advisory Groups

c. Tony Madrigal, SEIU RE: Budget Accountability Act

ADD TO ITEM #7-3

ACCEPT AND FILE JUNE 2003 RIDERSHIP REPORT

(Insert Page 1 of Ridership Report)

ADD TO ITEM #7-4

CONSIDERATION OF TORT CLAIMS: Deny the claim of: Anita Herzog, Claim #03-0022

(Add Claim)

ADD TO ITEM #7-17

CONSIDERATION OF CALL STOP AUDIT REPORT

(Add Staff Report)

ADD TO ITEM #7-18

ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION

(Add Staff Report)

REGULAR AGENDA:

ADD TO ITEM #9A

CONSIDERATION OF ANNUAL REVIEW OF PARACRUZ PROGRAM:

A. CONSIDERATION OF ONE-YEAR REVIEW OF PARACRUZ RECERTIFICATION

(Add Supplemental Staff Report)

B. CONSIDERATION OF METRO PARACRUZ ONE-YEAR OPERATIONAL REVIEW AND COSTS ASSOCIATED WITH THE POTENTIAL DIRECT OPERATION OF PARATRANSIT SERVICES

(Add Supplemental Staff Report)

ADD TO ITEM #14

CONSIDERATION AND APPROVAL OF CONTACT WITH RNL INTERPLAN, INC., D.B.A. RNL DESIGN FOR ARCHITECTURAL & ENGINEERING SERVICES FOR THE METROBASE PROJECT

(Will be delivered under separate cover)

CONSENT AGENDA

- 7-1. APPROVE REGULAR BOARD MEETING MINUTES OF JUNE 13 AND JUNE 27, 2003
- 7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
- 7-3. ACCEPT AND FILE JUNE 2003 RIDERSHIP REPORT
- 7-4. CONSIDERATION OF TORT CLAIMS: Deny the claim of: Anita Herzog, Claim #03-0022
- 7-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF JULY 17, 2003 AND THE MINUTES OF THE JUNE 19, 2003 MEETING
- 7-6. ACCEPT AND FILE AGENDA FOR THE MUG COMMITTEE MEETING OF (NO MUG MEETING IN JULY) AND THE MINUTES OF THE JUNE 18, 2003 MEETING
- 7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR MAY 2003; APPROVAL OF BUDGET TRANSFERS
- 7-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR APRIL 2003
- 7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR MAY 2003
- 7-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE
- 7-11. ACCEPT AND FILE METROBASE STATUS REPORT
- 7-12. CONSIDERATION OF AUTHORIZATION TO RENEW AGREEMENT WITH SANTA CRUZ COUNTY FOR ACQUISITION AND RELOCATION ASSISTANCE SERVICE
- 7-13. A. CONSIDERATION OF GRANTING A BUILDING RESTRICTED RIGHT-OF-WAY TO PG&E TO ACCESS A TRANSFORMER TO BE LOCATED AT VIA DEL MAR, THE TRANSIT-ORIENTED COMMUNITY LOCATED ADJACENT TO THE WATSONVILLE TRANSIT CENTER
B. CONSIDERATION OF GRANTING A LICENSE TO ALLOW VIA DEL MAR JOINT USE OF THE WATSONVILLE TRANSIT CENTER'S TRASH ENCLOSURE ON GARBAGE DAYS AND ALLOW THE RECYCLING COLLECTION TRUCKS ACCESS TO VIA DEL MAR'S RECYCLING RECEPTACLES VIA THE WATSONVILLE TRANSIT CENTER PROPERTY

Director Keogh recommended that the elevations of the proposed development and a map of the Watsonville transit center showing the location of the easements be brought before the Board for public review.

- 7-14. CONSIDERATION OF AMENDING THE CONTRACT WITH PAIGE'S SECURITY SERVICES INC.
- 7-15. CONSIDERATION OF RESPONSE TO GRAND JURY 2002/2003 FINDINGS AS THEY RELATE TO SANTA CRUZ METRO
(Moved to Consent Agenda at the July 11, 2003 Board Meeting. Staff report retained original numbering as Item #10)
- 7-16. CONSIDERATION OF SERVICE ADJUSTMENTS FOR FALL 2003
(Moved to Consent Agenda at the July 11, 2003 Board Meeting. Staff report retained original numbering as Item #12)
- 7-17. CONSIDERATION OF CALL STOP AUDIT REPORT
- 7-18. ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR REILLY

Approve the Consent Agenda

Motion passed with Directors Almquist, Beautz, Hinkle, Phares, Rotkin being absent.

REGULAR AGENDA

8. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

These employees were not present at the Board meeting to accept their longevity awards. However, Chairperson Reilly requested that these awards be carried over to the August 22nd Board meeting to allow the employees an opportunity to accept their awards at that meeting.

9. CONSIDERATION OF ANNUAL REVIEW OF PARACRUZ PROGRAM:

A. CONSIDERATION OF ONE-YEAR REVIEW OF PARACRUZ RECERTIFICATION

Summary:

Bryant Baehr reported that at the April 25, 2003 Board meeting, the Board asked staff to conduct a review of the certification and recertification programs. To date, 2,177 people have gone through the certification/recertification program with 51 appeals being submitted. Of the 51 appeals, 44 decisions were upheld by the Appeals Panel.

Staff hosted a meeting on May 27, 2003 to collect input from users, advocates, care facilities, etc. Responses to input received are included in the staff report. Staff recommended to the Board that minor clarifications be made but no major changes to the process or structure.

Staff was directed to provide further information to the Board regarding skilled nursing facilities and the percentage of their residents who were (re)certified. Figures were provided to the Board who requested that the total number of residents be included in the table of information.

Discussion:

There was discussion as to whether staff at the skilled nursing facilities should be given the responsibility of performing the (re)certification process on its residents; or, whether all residents in a skilled nursing facility should be given automatic (re)certification until such time as they leave the facility. There were further discussions regarding the need to track residents' departures from these facilities if all were automatically (re)certified, the need to pay Ortho personnel for assessments whether they perform them or nursing facility staff does.

Mr. Baehr explained "immediate need" determinations, which are unscheduled, unannounced, devastating events. This determination would allow immediate access to the paratransit service until the problem resolves itself. Staff will work with the various care providers and advocates to clarify this determination and assist in how to use it effectively.

Mr. Baehr discussed how the recertification process is streamlined down to a paper review once a qualified candidate has been initially certified. This entails a phone call by a staff member to determine if anything has changed since certification that would disqualify them from recertification.

There was discussion regarding extensions being obtained by a case manager in the event the applicant is unable to complete the initial steps of the process in the specified timeframe or in the event they do not have a case worker to assist them until after the specified timeframe expires.

Public Comment:

Brenda Moss, Executive Director of Senior Network Services: Ms. Moss stated that she provided three hours of input at the public meeting of May 27th and the response did not address her concerns. Ms. Moss reiterated some of the points outlined in her May 2003 “Concerns About Paratransit Certification Process”, which was included in the staff report as an attachment.

Director Reilly asked staff to provide applicants with information regarding advocates in the initial letter that is being sent out.

Scott Bugental, Associate Director of Seniors Council: Mr. Bugental agreed with comments made by Brenda Moss. He asked that the Board reconsider allowing the skilled nursing facilities to do the (re)certifications. Regarding the “immediate need” designation, Mr. Bugental recommended that people in this situation be allowed service for all trips, not just medical appointments. Director Keogh asked Mr. Bugental if other facilities, such as nursing homes, are knowledgeable and up-to-date on ADA qualifications and he responded “no”.

Adam Tomaszewski, Via Pacific Gardens: Mr. Tomaszewski reiterated that the (re)certification process was professional and complete. He added that the public confuses Lift Line with paratransit service and recommended that this be clarified. He further added that the medical requirement could be signed by a medical specialist.

Public Comment was closed at this time.

Bryant Baehr confirmed that advocate information would be given to the applicant at the beginning of the process going forward. Mr. Baehr expressed his concern with authorizing skilled nursing facilities to (re)certify its residents. He did confirm that Orthopaedic Hospital staff does on-site assessments when needed. He also confirmed that “immediate need” trips can be used for errands other than medical appointments, however, each individual trip would need to be approved. Les White stated that staff would look into the criteria for “immediate need” trips (i.e. allowing “immediate need” to be for a period of time rather than trip-by-trip). Staff will also look at the contract with Orthopaedic Hospital to determine if they would receive compensation for (re)certifications that were done by a skilled nursing facility. Director Spence expressed concern that people living in their homes but with the same level of incapacity as one living in a skilled nursing home would still need to attend a (re)certification session and that would not be fair simply based on where the person lives.

Director Spence distributed revised language for Section 9.02 and 9.03. Les White stated that staff would like the opportunity to review impacts and bring this back to the Board with recommendations in September.

Staff will return to the Board with the following information:

- 1) Information regarding on-site assessments for larger groups
- 2) Review of Orthopaedic Hospital contract to determine if they would receive compensation if (re)certifications were conducted by skilled nursing facilities in some instances.
- 3) Review criteria for “immediate need” designations, including authorizing for a period of time rather than on a trip-by-trip basis.
- 4) Include information on advocates in the initial letter sent to the applicant.
- 5) Consider allowing advocate to request an extension to the 30-day response time.
- 6) Make the proposed changes to the language as presented by staff and by Director Spence.
- 7) Add in total number of residents to the chart of care facility residents who were (re)certified.

B. CONSIDERATION OF METRO PARACRUZ ONE-YEAR OPERATIONAL REVIEW AND COSTS ASSOCIATED WITH THE POTENTIAL DIRECT OPERATION OF PARATRANSIT SERVICES

Summary:

Steve Paulson discussed the one-year review of operational statistics and rider demand. He expressed concern regarding on-time performance, which has a minimum standard of 92%. Performance for this period is 90.88% trips performed in the ready window. Excessively late or missed trips for this period – 62%. Scheduling continues to be an issue. The contractor is not utilizing the software that would assist with the scheduling. A report on the status of this software installation will be presented to the Board in September.

Mr. Paulson reviewed the summary of costs involved in bringing the paratransit service in-house. To mitigate this cost, Mr. White stated that it would take 1-4 routes being cut. However, he reminded the Board of the \$300,000 contingency fund that could be used.

Discussion:

There was discussion on the positions that would be needed, their union affiliation and a possible two-tiered system of drivers in UTU. Director Spence expressed concern about integrating the paratransit customer service in with the regular METRO customer service.

Paul Marcelin-Sampson stated that he is concerned about escalating costs of METRO services and questioned if the current bus operator wages are reasonable. He asked the Board to compare METRO bus operator wages with those in private enterprise. He also suggested automating the phone system to reduce manual customer service duties.

Sam Storey of Community Bridges referred to the performance numbers and to bringing the service in-house. He stated that Lift Line’s on-time performance is 90.9%. Of that percentage,

3.4% were early pickups performed at the convenience of the client. Lift Line continues to work on improving the 94.2% late rides. Mr. Story spoke of the Trapeze software issue and confirmed that Lift Line is going towards line scheduling within sixty days. He also spoke of bringing the service in-house and added that it is not a cost effective approach to run a dual paratransit service and it would further confuse seniors who are already confused about the various types of paratransit programs. Mr. Story asked that if the ADA paratransit service is brought in-house, that current Lift Line individuals be given priority to be placed in any new positions that might be created at METRO.

Les White stated that staff would continue to analyze bringing this service in-house and the issue of a completely integrated system.

10. **MOVED TO CONSENT AGENDA AS ITEM #7-15**

11. **DELETED**

12. **MOVED TO CONSENT AGENDA AS ITEM #7-16**

13. **DELETED**

14. **CONSIDERATION AND APPROVAL OF CONTRACT WITH RNL INTERPLAN, INC., D.B.A. RNL DESIGN FOR ARCHITECTURAL & ENGINEERING SERVICES FOR THE METROBASE PROJECT**

Summary:

Mark Dorfman stated that staff is requesting authorization for the General Manager to enter into a contract with RNL Design in an amount not to exceed \$2,530,761 to design and engineer the MetroBase project. A draft of the contract is included in the agenda packet. RNL agreed to utilize Raymundo Engineering as their consultant for the alternate fuel system as they are familiar with it and would give METRO some continuity in this phase of the project. RNL also agreed that Project Manager Chuck Boxwell would not be reassigned to another project without METRO's explicit permission.

Discussion:

Director Tavantzis stated that she has not had time to review the materials on this issue and asked for postponement of the decision until the first meeting in August. Director Norton, a member of the interview panel, supports staff's position. He added that RNL Design's experience far exceeded that of the other applicants. Mr. White suggested that the Board approve the contract today so staff could give Notice to Proceed, which is critical; any action the Board would take today could be reviewed at a later date subject to the termination for convenience clause in the contract. Director Tavantzis has no problem with giving the Notice to Proceed, however, she would like to see a final signed contract at the August 8th Board meeting.

There was discussion of state funding and STP funding from the Regional Transportation Commission, which will hopefully be brought back to this project in 2006. This award of contract was deferred to the August Board meeting for approval.

Staff requested that the Board add Watsonville's request for shuttle service to the Monterey Bay Strawberry Festival to the agenda as there is a need to take action that arose after the Board agenda was posted.

ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR REILLY

Add the request from Watsonville to provide shuttle service to the Monterey Bay Strawberry Festival to today's agenda since the need to act arose after the posting of the agenda and action is needed prior to the next Board meeting.

Motion passed with Directors Almquist, Beautz, Hinkle, Phares and Rotkin being absent.

Director Tavantzis pointed out that the request entails full payment of the service by the City of Watsonville with no cost to METRO.

ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR AINSWORTH

Approve the request for shuttle service for Saturday and Sunday to the Monterey Bay Strawberry Festival.

Motion passed with Directors Almquist, Beautz, Hinkle, Phares and Rotkin being absent.

ADJOURN

There being no further business, Chairperson Reilly adjourned the meeting at 11:35 a.m.

Respectfully submitted.

Dale Carr
Administrative Services Coordinator