

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

January 23, 2004

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 23, 2004 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chairperson Reilly called the meeting to order at 9:02 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

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

Mike Rotkin
Dale Skillicorn
Ex-Officio Wes Scott
Pat Spence
Mark Stone
Marcela Tavantzis

STAFF PRESENT

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

Steve Paulson, Paratransit Administrator
Elisabeth Ross, Finance Manager
Tom Stickel, Fleet Maint. Manager
Les White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

Sharon Barbour, MASTF
Michael Bradshaw, CCCIL
Scott Bugental, Seniors Commission
Bart Cavallaro, Bus Rider
Marlene Connor, Urbitran
Kasandra Fox, MASTF
Chris Hrones, Urbitran
Kathleen Johnson, Ombudsman Advocate
Gary Klemz, SEIU
Jeff LeBlanc, MASTF
Paul Marcelin-Sampson, Metro Riders Union

Manny Martinez, PSA
Ian McFadden, SEA
Bonnie Morr, UTU
Brad Neily, Calif. For Disability Rights
Jeff North, UTU
Larry Paegler, UCSC
Karena Pushnik, SCCRTC
Link Spooner, Lift Line
Sam Storey, Community Bridges
Will Regan, VMU
Candace Ward, UCSC
Bob Yount, MASTF

2. ORAL AND WRITTEN COMMUNICATION

Written:

- | | | |
|----|-------------------------------------|--------------------------------------|
| a. | Michael Molesky, E&D TAC | RE: Paratransit Summit |
| b. | Camille Pierce | RE: MASTF |
| c. | <u>B. Jefferson LeBlanc</u> | <u>RE: MASTF Support</u> |
| d. | <u>Sharon Barbour, MASTF</u> | <u>RE: MASTF</u> |
| e. | <u>Jukka Naukkarinen</u> | <u>RE: Talking Bus/ADA</u> |
| f. | <u>Beau Kayser</u> | <u>RE: Operations Manager</u> |

Oral:

Paul Marcelin-Sampson of the Bus Riders Union offered thanks to Tom Hiltner, Mark Dorfman and Les White for the acquisition of funding for the new Highway 17 buses that are being unveiled today. He stated that this represents a new kind of service that is the future of transit agencies.

Michael Posner who rides the bus twice a week spoke regarding trains and bus service. He stated that he hopes the Board will take a leadership role in the train and bus systems so they will eventually mesh together.

Sharon Barbour, Chair of MASTF, read the letter submitted under Written Communications as Item 2-d regarding Cam Pierce.

3. LABOR ORGANIZATION COMMUNICATIONS

Bonnie Morr, Chair of UTU Local 23 welcomed the new Board members. She talked about the bus stops that were discussed several months ago around the university area, specifically, Empire Grade Road and High Street. She asked for information on when these stops would be improved. She also asked for assistance from the Board and from UCSC regarding getting some gates moved back to better facilitate UCSC and METRO buses getting through. Les White responded that counts are being taken of these stops that might require work from UCSC in the form of gravel in order to be usable or whether or not they should be decommissioned. He added that the Board would hear recommendations from the consultants who conducted the UCSC traffic study and that he and Ms. Morr would meet on Monday to further discuss this.

CHAIRPERSON REILLY INTRODUCED NEW BOARD MEMBERS DALE SKILLICORN AND MARK STONE.

**DIRECTOR SPENCE ASKED THAT ITEM #16 BE DISCUSSED AFTER ITEM #7.
CHAIRPERSON REILLY ADDED THAT ITEM #20 WOULD BE TAKEN AS THE FIRST ITEM ON THE REGULAR AGENDA AND THAT ITEMS #10 AND 11 WOULD BE MOVED TO THE CONSENT AGENDA.**

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

SECTION I:

OPEN SESSION:

ADD TO ITEM #2

ORAL AND WRITTEN COMMUNICATION

- c. B. Jefferson LeBlanc RE: MASTF Support
- d. Sharon Barbour, MASTF RE: MASTF
- e. Jukka Naukkarinen RE: Talking Bus/ADA
- f. Beau Kayser RE: Operations Manager

(Add new Written Communication)

CONSENT AGENDA:

ADD TO ITEM #5-3

ACCEPT AND FILE DECEMBER 2003 RIDERSHIP REPORT

(Insert Page One of Ridership Report)

ADD TO ITEM #5-5

ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF JANUARY 15, 2004 AND THE MINUTES OF THE DECEMBER 18, 2003 MEETING

(Add Agenda and Minutes)

REGULAR AGENDA:

DELETE ITEM #9

PRESENTATION OF RESOLUTION OF APPRECIATION FOR THE SERVICE OF JEFF ALMQUIST AS A MEMBER OF THE BOARD OF DIRECTORS

(Action taken at the January 9, 2004 Board Meeting)

DELETE ITEM #12

CONSIDERATION OF REQUESTING THAT THE CITY OF SANTA CRUZ SUBSTITUTE 25 YEARS FOR THE CURRENT 30 DAYS IN THE REVOCATION SECTION OF THE ENCROACHMENT PERMIT FOR THE PROPERTY LOCATED AT 1200 RIVER STREET

(Deleted pending further information)

ADD TO ITEM #13

CONSIDERATION OF PARACRUZ TRANSITION PLAN TO TAKE OPERATIONS IN-HOUSE FROM COMMUNITY BRIDGES

(Add Staff Report and Supplemental Information from Link Spooner requested at the January 9, 2004 Board Meeting)

ADD TO ITEM #15

PUBLIC HEARING FOR CONSIDERATION OF AUTHORIZING THE APPLICATION AND EXECUTION OF AN FTA GRANT FOR URBANIZED AREA FORMULA FUNDS FOR FY 2004

(Add Staff Report)

ADD TO ITEM #16

CONSIDERATION OF ACCEPTANCE OF THE IMPLEMENTATION STATUS REPORT FOR THE METRO ADVISORY COMMITTEE (MAC)

(Add Staff Report)

ADD TO ITEM #17

CONSIDERATION OF LOWERING THE COST TO OPERATE THE CITY OF WATSONVILLE'S "FREE SHOPPER SHUTTLE" BY \$396.00

(Add Staff Report)

ADD TO ITEM #18

CONSIDERATION AND APPROVAL OF CONTRACT WITH EVERGREEN OIL, INC. TO PROVIDE TRANSPORTATION AND DISPOSAL SERVICES OF DISTRICT'S HAZARDOUS WASTE

(Add Staff Report)

ADD TO ITEM #19

CONSIDERATION OF CALL STOP REPORT

(Add Staff Report)

ADD TO ITEM #20

CONSIDERATION OF REPORT ON UCSC COMPREHENSIVE TRANSIT STUDY BY URBITRAN ASSOCIATES, INC.

(Add Staff Report)

- ADD TO ITEM #21** **CONSIDERATION OF AMENDING THE POLICY ON FREE BUS PASSES TO PROVIDE FOR ANNUAL PASSES UPON REQUEST FOR BOARD MEMBERS HAVING SERVED FOUR YEARS, RETIREES AND THEIR SPOUSES/SURVIVORS, AND THE SURVIVORS OF BOARD MEMBERS AND EMPLOYEES WHO DIE WHILE IN ACTIVE SERVICE AT METRO AND FOR THOSE INJURED ON THE BUSES, WHEN IT IS IN METRO'S BEST INTERESTS**
(Add Staff Report)

Additional handouts were: A letter from Bill Comfort supporting Director Spence's reappointment to the Regional Transportation Commission and a letter from Gail Stevens of E&D TAC regarding Les White, General Manager, and the paratransit issue. Copies of these letters are attached to the Minutes.

CONSENT AGENDA

- 5-1. **APPROVE REGULAR BOARD MEETING MINUTES OF DECEMBER 12 AND DECEMBER 19, 2003**
- 5-2. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**
- 5-3. **ACCEPT AND FILE DECEMBER 2003 RIDERSHIP REPORT**
- 5-4. **CONSIDERATION OF TORT CLAIMS: Brian Neal Patrovsky, Claim #03-0032; Ramona Diaz, Claim #03-0031**
- 5-5. **ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF JANUARY 15, 2004 AND THE MINUTES OF THE DECEMBER 18, 2003 MEETING**
- 5-6. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR NOVEMBER 2003, AND APPROVAL OF BUDGET TRANSFERS**
- 5-7. **ACCEPT AND FILE PARACRUZ STATUS REPORT FOR OCTOBER 2003**
- 5-8. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR NOVEMBER 2003**
- 5-10. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**
- 5-12. **ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION REGARDING THE FOLLOWING CLAIMS ON THE DATES INDICATED: CLAIMS OF FRANK COUSINS, GARY BRIERLY, NEIL BAILEY AND ROBERT GOUVEIA**
- 5-13. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A THREE-YEAR LEASE FOR KIOSK #5 AT THE WATSONVILLE TRANSIT CENTER TO LETICIA LEDESMA AND TOMAS SANCHEZ FOR A ONE-CHAIR BEAUTY SALON TO BEGIN FEBRUARY 1, 2004**
(Moved to Consent Agenda at the January 9, 2004 Board Meeting. Staff report retained original numbering as Item #9)
- 10. **CONSIDERATION OF PRESENTATION BY RNL DESIGN REGARDING THE STATUS OF THE METROBASE PROJECT**
- 11. **CONSIDERATION OF ACCEPTANCE OF THE FINANCIAL FEASIBILITY AND IMPACT REPORT FOR POTENTIAL PROPERTIES TO BE USED FOR A PHASE 2 METROBASE PROJECT**

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Approve the Consent Agenda.

Motion passed with Directors Skillicorn and Stone abstaining from approval of the Minutes.

REGULAR AGENDA

6. DELETED – ACTION TAKEN AT THE JANUARY 9, 2004 BOARD MEETING

ITEM #20 WAS TAKEN OUT OF ORDER AT THIS TIME.

20. CONSIDERATION OF REPORT ON UCSC COMPREHENSIVE TRANSIT STUDY BY URBITRAN ASSOCIATES, INC.

Summary:

Mark Dorfman introduced Marlene Connor and Christopher Hrones of Urbitran who presented the UCSC Comprehensive Transit Study Final Report. The presentation involved a series of recommendations on how to move people better around the UC campus. Mr. Hrones stated that both short-term and long-term recommendations were made and some regarding capital, given the nature of the growth being predicted by the university. A copy of the slide presentation is attached to these Minutes.

Discussion:

Questions were answered regarding why specific routing was recommended, whether the growth in students has been considered, capacity for bikes on buses, UCSC shuttles, and express routes from Aptos to campus. Michael Posner commented that the increased cost of operating cars and the congestion were not included in the study. Paul Marcelin-Sampson stated that the university service comes close to paying for itself. He went on to cite the revenues received per ride from the general public, from UCSC and from Cabrillo students.

Les White expressed appreciation to Wes Scott and the UC staff for working closely with METRO staff on this study and for allowing METRO staff to participate in the study. He also stated that that the study was excellent and visionary and thanked the Urbitran representatives.

ITEMS 18 AND 21 WERE TAKEN OUT OF ORDER AT THIS TIME.

18. CONSIDERATION AND APPROVAL OF CONTRACT WITH EVERGREEN OIL, INC. TO PROVIDE TRANSPORTATION AND DISPOSAL SERVICES OF DISTRICT'S HAZARDOUS WASTE

21. CONSIDERATION OF AMENDING THE POLICY ON FREE BUS PASSES TO PROVIDE FOR ANNUAL PASSES UPON REQUEST FOR BOARD MEMBERS HAVING SERVED FOUR YEARS, RETIREES AND THEIR SPOUSES/SURVIVORS, AND THE SURVIVORS OF BOARD MEMBERS AND EMPLOYEES WHO DIE WHILE IN ACTIVE SERVICE AT METRO AND FOR THOSE INJURED ON THE BUSES, WHEN IT IS IN METRO'S BEST INTERESTS

ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR HINKLE

Approve Items 18 and 21 without discussion.

#18 – Authorize the General Manager to execute a one-year contract for transportation and disposal services of District’s hazardous waste with Evergreen Oil, Inc. for an amount not to exceed 12,000.

#21 – Amend the current policy regarding free bus passes to provide for annual passes upon request for former Board Members having served four years, retirees and their spouses/survivors, and the survivors of Board Members and employees who die while in active service at METRO and for those injured on buses, when it is in the METRO’s best interest.

Director Rotkin asked what the fundamental change was to Item #21. Les White informed him that it has always been an administrative policy on the bus passes and never adopted by the Board. The current policy indicates that lifetime bus passes for Board members would be given after a Director completes one full term of office. The change would convert the time frame to four years of accumulated service on the Board rather than one full term.

DIRECTOR KEOGH LEFT THE MEETING.

Motion passed unanimously with Director Keogh being out of the room.

7. CONSIDERATION OF ELECTION OF DIRECTORS TO SERVE AS BOARD OFFICERS FOR THE YEAR 2004 AND ON THE TRANSPORTATION COMMISSION

Summary:

In December the directors, in accordance with the bylaws, nominated Chairperson Reilly to continue as Chair and Vice Chair Michael Keogh to continue in this position. The bylaws state that the Chair of the Board nominates directors for the appointments of representatives and alternates to the Regional Transportation Commission. Chairperson Reilly indicated how she would present two slates of candidates.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Re-elect Emily Reilly as Chair; Re-elect Mike Keogh as Vice Chair.

DIRECTOR KEOGH RETURNED TO THE MEETING.

Motion passed unanimously.

Chairperson Reilly presented two slates of nominees for the RTC representatives and the three alternates:

Directors Keogh, Reilly and Spence as RTC representatives.
Directors Tavantzis as 1st alternate, Rotkin as 2nd and Hinkle as 3rd alternates

If the first slate did not garner six affirmative votes, the second slate would be the following: Directors Keogh, Spence, Tavantzis with Directors Reilly as 1st alternate, Rotkin as 2nd and Hinkle as 3rd alternate.

Discussion:

Director Beautz directed staff to add a Consent Agenda item to the Board agendas which would inform the Board as to how the METRO representatives to the RTC vote at each meeting and would include a sentence or two about the item and why the appointee voted the way they did. This would inform the Board as to how METRO is being represented by its appointees.

Director Norton stated that he felt that the appointees to the RTC should be elected officials since they have accountability to the Board and public; Director Beautz disagreed and stated that at large appointees represent METRO in a different way and bring a broader view. Director Keogh stated that he would support a South County representative on the RTC next year. Director Tavantzis stated her case for being appointed to the RTC and gave a brief history of her background and why she would be valuable as the Board's appointee to the RTC.

Public input included Ian McFadden of SEA stating that he would like the RTC budget discussions to take place at the METRO Board meeting so union representatives have input.

Michael Posner representing the Campaign for Sensible Transportation and several other groups also spoke and stated that he would like to see how the appointees vote since he doesn't think the voting always represents the ridership of METRO. He stated that he is concerned about "at large" appointees being manipulated by elected officials and that it is an integrity issue of METRO to have as many elected members as possible. Director Keogh took exception to these comments. Mr. Posner added that the issue of the Highway 1 widening is something that he is not sure the bus riders want but that he would do a poll in the community.

Paul Marcelin-Sampson stated his support for Director Tavantzis being an appointee to the RTC since she is from Watsonville and has an appreciation of issues related to the Watsonville-Santa Cruz corridor. He added that on the Highway 1 widening issue the benefits to the bus rider should to be looked at to validate a measure to raise taxes. Director Rotkin wanted to reiterate that the City of Santa Cruz never took a position on the widening of Highway 1. The City had views on the particular committee that was being created but took a clear position that residents had the right to vote on the widening. Director Skillicorn stated that he supports Director Tavantzis being appointed to the RTC. He added that if only elected officials were considered then Director Spence would not be on the RTC.

ACTION: VOTE ON APPOINTMENTS TO THE REGIONAL TRANSPORTATION COMMISSION (RTC)

Appoint Directors Keogh, Reilly and Spence to the RTC with Directors Tavantzis, Rotkin and Hinkle as 1st, 2nd and 3rd alternates, respectively.

Appointments were approved by a vote of 7 ayes and 4 noes.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ROTKIN

Put abbreviated report on the Consent Agenda each month on how the members voted at the RTC meetings.

ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR ROTKIN

Direct staff to submit a report on funds from the RTC that are available to METRO.

Motion passed unanimously.

ITEM #16 WAS TAKEN OUT OF ORDER AT THIS TIME.

16. CONSIDERATION OF ACCEPTANCE OF THE IMPLEMENTATION STATUS REPORT FOR THE METRO ADVISORY COMMITTEE (MAC)

Summary:

Les White reported that the staff report reflects the status of implementing the Metro Advisory Committee (MAC). He added that signs soliciting applications were placed on all buses in addition to sending out information to MASTF and MUG participants and other community groups. Once a number of applications are received, staff would solicit input from the Board members. Applications will be sent to the Directors in February for consideration in making their appointments. The initial meeting of MAC will take place in March.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Accept the implementation status report on MAC.

Michael Bradshaw of CCCIL asked if a certain percentage of the MAC membership would be comprised of seniors and disabled members as discussed a few months ago. He was informed that there is a 1/3 requirement for people with disabilities to be on MAC but no stipulation as to seniors. Director Spence mentioned the appointment to the ParaCruz Appeals Panel and Mr. White informed her that this appointment would be made from MASTF. She requested a copy of the minutes where this was approved. Director Spence asked that there be a future agenda item to discuss the possibility of having alternates ex officio members on MAC.

Motion passed unanimously.

8. CONSIDERATION OF PROVISION OF SUPPORT SERVICES TO THE METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF)

Summary:

Mr. White reported that this item is to clarify issues after action was taken on October 24, 2003. As a result of the Board actions, new responsibilities would take affect in April. The issues of a secretary to take MASTF minutes and the assignment of staff were brought back due to

interpretation questions from either MASTF or staff. Attached to the staff report are Mr. White's understanding of the Board actions.

Discussion:

Discussions included the keys to the file cabinet for MASTF and it was noted that MASTF would have control of the keys. Director Spence asked that the following wording be included in the District Bylaws pertaining to MASTF: 14.01 (ii) (b) "The District shall help in the preparation, distribution, **and posting** of meeting notices and agendas." 14.01 (ii) (a) "The MASTF is an independent volunteer organization that **advises provides advice** to the SCMTD Board of Directors...." She further recommended that the Administrative Services Coordinator be given the authority to determine which attachments should be included with the MASTF agenda packet.

Sharon Barbour was authorized by MASTF to submit a letter to the Board stating her concerns about recent Board actions. A copy of this letter is attached to these minutes. Ms. Barbour read the following motions that were made at MASTF's January meeting:

- 1) MASTF requests that METRO provide copies of the MASTF packet.
- 2) That the Accessible Services Coordinator continue in the traditional role/relationship with MASTF.
- 3) That the Accessible Services Coordinator remain the telephone liaison for MASTF.

Kasandra Fox read a letter to the Board protesting any changes in the status, management and financing of MASTF. A copy of this letter is attached to these minutes.

Jeff LeBlanc read his letter to the Board which is a part of the agenda packet as Item #2-c.

Scott Bugental of E&D TAC and the Seniors Council is in favor of continued support by METRO for MASTF in the form of photocopying MASTF's agenda packet and retaining the Accessible Services Coordinator's (ASC) role in MASTF.

Michael Bradshaw of CCCIL expressed concern about the seven support services that METRO would provide to MASTF. He urged the Board to retain the ASC's role with MASTF.

Brad Neily, Californians for Disability Rights, questioned fair treatment between MAC and MASTF. He stated that the level of support should be equal between the two entities. He added that there is no need to restrict access to MASTF's records since these are public documents. He stated that MASTF's independent status is misunderstood and is meant to preserve its objectivity. He added that the ASC's role should continue with MASTF.

Paul Marcelin-Sampson of Metro Riders Union supports METRO staff's intended action regarding MASTF. He outlined the cost savings measures his union takes on photocopying, postage, etc.

Director Rotkin ended this discussion by reiterating that MASTF has complete control of its bylaws with no input by the METRO Board. Any funds given to MASTF would be a "gift of public funds".

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ

Accept Les White’s interpretation of the Board’s earlier actions. If there is some way METRO could provide reproduction of the agenda packet at a cheaper rate, staff could help accommodate the reproduction by allowing MASTF staff to utilize METRO’s copying facilities and MASTF would be billed by METRO at the cheaper reproduction rate. It is within the General Manager’s authority to determine which staff member will attend MASTF meetings.

Director Spence confirmed with Les White that since the creation of the ASC position in 1988, there has not been any reference to being the MASTF support person in this job description.

Motion passed unanimously.

9. MOVED TO CONSENT AGENDA AS ITEM #5-11

12. DELETED – PENDING FURTHER INFORMATION

ITEM #17 WAS TAKEN OUT OF ORDER AT THIS TIME.

17. CONSIDERATION OF LOWERING THE COST TO OPERATE THE CITY OF WATSONVILLE’S “FREE SHOPPER SHUTTLE” BY \$396.00

Discussion:

Director Rotkin stated that when the City of Santa Cruz was short of funds for the First Night volunteers’ bus passes, City representatives went out to raise funds for this service. He asked if it was a misunderstanding that was mutual as far as the shortfall of funds for Watsonville’s Free Shopper Shuttle. Mr. Baehr responded that the misunderstanding was, in fact, mutual.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR AINSWORTH

Approve request of the City of Watsonville to lower the bill for the provision of the “Free Watsonville Shopper Shuttle” by \$396.00

Motion passed unanimously.

ITEM #19 WAS TAKEN OUT OF ORDER AT THIS TIME.

19. CONSIDERATION OF CALL STOP AUDIT REPORT

ACTION: MOTION: DIRECTOR KEOGH SECOND: ROTKIN

Move this item to the February 13, 2004 Board meeting. Extend today’s meeting beyond 12:00 noon. Take Item #15 next and take immediate action.

Motion passed unanimously.

ITEM #15 WAS TAKEN OUT OF ORDER AT THIS TIME.

15. **PUBLIC HEARING FOR CONSIDERATION OF AUTHORIZING THE APPLICATION AND EXECUTION OF AN FTA GRANT FOR URBANIZED AREA FORMULA FUNDS FOR FY 2004**
PUBLIC HEARING WILL BE HELD AT 9:00 A.M.

Discussion:

The Chair opened the public hearing and invited the public to address the Board on this issue. There was no public input on this item.

The public hearing was closed.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ROTKIN

Adopt the Program of Projects and authorize an application for Federal Transit Administration Urbanized Area Formula Funds.

Motion passed unanimously.

DIRECTOR SPENCE LEFT THE MEETING.

ITEM #14 WAS TAKEN OUT OF ORDER AT THIS TIME.

14. **CONSIDERATION OF APPROVAL OF THE REVISED FORMATION AGREEMENT FOR THE HIGHWAY 1 WIDENING/HOV HCA/JOINT POWERS AUTHORITY**

Summary:

Director Beautz reiterated that the only changes in the agreement are the amount of funds from other jurisdictions. Otherwise, it is the exact same agreement the Board approved in the past with no participation from the City of Santa Cruz.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR AINSWORTH

Approve the revised Formation Agreement for the Highway 1 Widening/HOV HCA/Joint Powers Authority.

Discussion:

Director Rotkin stated that he would be voting no on this agreement since it is an inappropriate time for such a committee.

Motion passed with Director Rotkin voting no and Director Spence being absent.

ITEM #13 WAS TAKEN OUT OF ORDER AT THIS TIME.

13. CONSIDERATION OF PARACRUZ TRANSITION PLAN TO TAKE OPERATIONS IN-HOUSE FROM COMMUNITY BRIDGES

Summary:

Bryant Baehr gave a brief history of this issue and a slide presentation. He cited the following costs of the three scenarios for the paratransit service: Staying with Community Bridges at the current rate - \$2,636,204; bringing the service in-house - \$2,720,760; and blended operations - \$2,504,000. He proceeded to give the breakdown of in-house costs.

DIRECTOR SPENCE RETURNED TO THE MEETING.

He clarified that the blended operations would be 80% METRO and 20% sub-contracted out. This blended service would add on 13 new positions at METRO.

DIRECTOR SKILLICORN LEFT THE MEETING.

Mr. Baehr showed a slide on the Community Bridges percentage of revenues and stated that METRO's contribution is approximately 17% to Community Bridges. If the service was brought in-house, the only change to the customer would be a phone number. He referred to the Task 14 from the MultiSystems report done in FY 99/00 and stated that since that report, certain criteria have changed.

Discussion:

Discussion involved whether current METRO employees would be given priority for the 13 new positions, whether non-union subcontractors would be utilized, and the advantages and limitations of brokering out the service vs. having it in-house. Mr. Baehr stated that the brokerage model would provide maximum flexibility. Director Rotkin asked if staff looked at capacity for taking over the other Community Bridges operations and was informed that METRO is already doing 48% of it and it would be up to the Board as to whether METRO took over the balance of the services.

DIRECTOR KEOGH LEFT THE MEETING.

The MediCal cuts of 40% were discussed and Director Beutz mentioned that now any MediCal rides needs to be verified prior to authorization. The Stroke Center rides are not covered by MediCal since they are considered educational.

Sam Story confirmed that the reimbursement rate for MediCal rides was reduced by 40% and that a new administrative procedure to approve these rides has been in place since November 1, 2003. Implementation of this procedure resulted in 3,000 rides in October vs. 2,000 in November and 2,400-2,500 rides in December where it should level off. Additional reasons why there is a reduction in MediCal rides would be that the number of destinations have been refined, such as changes in rides to pharmacies. Les White added that the co-mingling issue would come back to the Board in February.

Public Input:

Sam Story stated that Bryant Baehr has done a good job but he assured the Board that if METRO takes paratransit in-house, Community Bridges would continue with their other services. Mr. Story gave a background on the 11/6/03 and 11/19/03 letters that Bryant Baehr referred to and clarified that the two options given were not the only options presented but they were the reality at the time. He is glad that the Board will wait until after the February 5th Paratransit Summit meeting to make any decisions. Mr. Story stated that an integrated system with one infrastructure that could provide a level of efficient service and is efficient to access from all users would be best. Mr. Story is also concerned with METRO consolidating other types of service when he has heard many times that METRO is not a social service provider.

Bonnie Morr thanked Director Spence for recognizing some labor issues. UTU represents bus operators and she stated that the staff report presented is difficult to deal with. She is working with Sam Story to help contain his costs. UTU is representing the low wage earners who are currently with Lift Line and UTU would like to maintain the ability to represent Lift Line workers.

CHAIRPERSON REILLY LEFT THE MEETING; DIRECTOR AINSWORTH ASSUMED THE CHAIRPERSON ROLE AT THIS TIME.

Bob Yount, Vice Chair of MASTF, asked the Board to wait until after the February 5th summit meeting to make any decisions.

Joe Keffer of SEIU Local 415 stated that this issue not only impacts METRO employees but also the Community Bridges child care workers that they represent as well. When he met with the District two months ago, he was only aware of the options of remaining with Community Bridges or bringing it in-house. He just found out about the Blended option. He is concerned that if the service is brought in-house at METRO, that there are UTU jobs at stake at Community Bridges and that the Community Bridges operation could become a non-union operation. He addressed the question of whether jobs created by bringing this service in-house would be UTU or SEIU and he thinks the unions have worked out the jurisdiction issue by themselves. He asked that the Board look at all these issues before making a final decision.

EX OFFICIO DIRECTOR SCOTT LEFT THE MEETING.

Bart Cavallaro had been a 19-year member of the METRO Board and RTC. He is also a member of Santa Cruz County and stated that cost is what brought this issue to the forefront. He stated that METRO has been more of a forerunner in assisting the disabled community than most of the country. He addressed the issue of Community Bridges needing an additional \$450,000 and the fact that they are saying that they are supporting ADA but if ADA is taken away, they would need money to keep present functions going. Mr. Cavallaro stated that the Board needs to be compassionate but at the same time METRO needs to spend its funds wisely.

Scott Bugental is happy that the Board will wait until after the summit to make any decisions. He encouraged the Board to look at MultiSystems' Task 14 and the Executive Summary. He asked that the Board remember seniors and the disabled since they have the biggest stake in this decision.

Michael Bradshaw of CCCIL is also happy about the decision waiting until after the summit and for Director Rotkin's opinions of keeping all services under one phone number and location. He hopes the summit will produce a good quality system that will maintain the level of service that Santa Cruz is used to.

Kathleen Johnson, Ombudsman Advocate, supports holding action off until after the summit. She listed the location and time of this summit and encouraged the community to participate. She stated that it would be very confusing to the consumer to take a consolidated system and splice off parts of it.

Public Comment Closed

Director Spence reminded the Board that METRO invested \$350,000 in consultant studies in order to see what to do to meet ADA requirements. Numerous public meetings resulted in the Customers Guide and Policy and Procedures. The ADA system is working fine right now. She is not in favor of putting off any progress made in order to wait for the summit since she sees the summit as rehashing the same issues. She is opposed to changing the way METRO delivers the service.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ

Direct Staff to continue refining costs and organizational issues involved in future paratransit in terms of three options looked at. Reiterate former direction to staff to attend the summit and represent METRO's interests and answer questions. Postpone the decision about how we will structure provision of paratransit services to the first meeting following the summit. Schedule a closed session to begin discussions of items listed regarding labor decisions.

Director Beautz stated that she is not willing to pay more to Community Bridges while waiting for the summit. Director Tavantzis will not be at the summit but requested the following information: 1) quantify startup costs of options recommended. 2) provide more information on the timeline for training on Trapeze Software for scheduling. She is concerned about the timing for hiring and training. She wants to discuss the closed session items in more details prior to making a decision to change the system.

Director Ainsworth would like more information on the potential of sharing a phone number with Community Bridges even if the service is split. Director Stone asked if there were ways to mitigate the issues of operations, impact on workforce, subcontracting the services out. He stated if METRO would be outsourcing a lot of this service, there might be a better way to fiscally manage this.

Motion passed unanimously.

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

Margaret Gallagher stated that it was not necessary to take the closed session items today.

ADJOURN

There being no further business, Director Ainsworth adjourned the meeting at 1:11 p.m.

Respectfully submitted.

Dale Carr
Administrative Services Coordinator