

REVISED

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

October 22, 2004

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, October 22, 2004 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chair Reilly called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz (arrived after roll call)
Michelle Hinkle
Mike Keogh
Dennis Norton
Emily Reilly
Mike Rotkin
Dale Skillicorn
Pat Spence
Mark Stone

DIRECTORS ABSENT

Sheryl Ainsworth
Marcela Tavantzis
Ex-Officio Wes Scott

STAFF PRESENT

Bryant Baehr, Operations Manager
Frank Cheng, MetroBase Project Manager
Mark Dorfman, Assistant General Manager
Marilyn Fenn, Assistant Finance Manager
Margaret Gallagher, District Counsel
Steve Paulson, ParaCruz Administrator

Elisabeth Ross, Finance Manager
Robyn Slater, Human Resources Manager
Judy Souza, Base Superintendent
Tom Stickel, Fleet Maintenance Manager
Les White, General Manager

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

Caroline Bliss-Isberg, Stroke Center
Genevieve Bookwalter
Chuck Boxwell, RNL Design
Scott Bugental, Seniors Commission
Jeff Le Blanc, MASTF
Paul Marcelin-Sampson, Metro Riders Union
Pat McKelvey, RNL Design

Bonnie Morr, UTU
Pat **Path** Star, Stroke Center
Nicole Steel, JWA
Mike Tomasee
Amy Weiss, Spanish Interpreter
Bob Yount

Chair Reilly announced that the Board meeting would be interrupted briefly at 10:00 a.m. to hold the annual meeting of the Santa Cruz Civic Improvement Corporation.

2. ORAL AND WRITTEN COMMUNICATION

Written:

- | | | | |
|----|------------------------|-----|----------------------------|
| a. | Graciela Vega Carbajal | Re: | Bus Service in Watsonville |
| b. | James W. Lewis | Re: | Bus Service in Live Oak |
| c. | Mr. & Mrs. Daniel Ross | Re: | Bus Service in Live Oak |

Les White distributed a memo from MAC, which is attached to these minutes, regarding MAC's opposition to Measure J.

Oral:

Jeff LeBlanc, acting Vice Chair of MASTF, reported that MASTF had passed a motion at its October 21, 2004 meeting recommending that the Talking Bus systems be programmed to announce route numbers 4 times prior to departing METRO Center.

3. LABOR ORGANIZATION COMMUNICATIONS

None.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

SECTION I:

OPEN SESSION:

CONSENT AGENDA:

- | | |
|--------------------------|--|
| ADD TO ITEM #5-3 | ACCEPT AND FILE SEPTEMBER 2004 RIDERSHIP REPORT
(Insert Page 1 of the Ridership Report) |
| REPLACE ITEM #5-8 | ACCEPT AND FILE PARACRUZ STATUS REPORT FOR JULY 2004
(Insert REVISED Staff Report) |
| INSERT ITEM #5-9 | ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR AUGUST 2004
(Insert Report) |
| INSERT ITEM #5-19 | CONSIDERATION OF REVISION TO DRUG AND ALCOHOL POLICY TO ADD PARATRANSIT SAFETY SENSITIVE POSITIONS
(Insert Staff Report) |
| DELETE ITEM #5-20 | CONSIDERATION OF APPROVAL OF PARATRANSIT CLASS SPECIFICATION (JOB DESCRIPTION) FOR PARATRANSIT CLERK III
(Action taken at the October 8, 2004 Board Meeting) |
| DELETE ITEM #5-21 | CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF FOUR (4) CHAMPION BUSES AND ASSOCIATED PARTS INVENTORY
(Action taken at the October 8, 2004 Board Meeting) |

- DELETE ITEM #5-23** CONSIDERATION OF SERVICE MODIFICATIONS FOR WINTER 2004
(Action taken at the October 8, 2004 Board Meeting)
- ADD ITEM #5-24** CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF FIVE (5) NEW FLYER BUSES
(Insert Staff Report)
- REGULAR AGENDA:**
- DELETE ITEM #8** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR WORKERS COMPENSATION CLAIMS ADMINISTRATIVE SERVICES
(STAFF RECOMMENDS DEFERRING TO NOVEMBER DUE TO ONGOING NEGOTIATIONS)
- INSERT ITEM #9** CONSIDERATION OF PARACRUZ TRANSITION STATUS REPORT
(Insert Staff Report)
- INSERT ITEM #10** CONSIDERATION OF REQUEST FROM THE CITY OF SANTA CRUZ FOR ADDITIONS TO THE METROBASE PROJECT
(Insert Staff Report)
- DELETE ITEM #11** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A LEASE AMENDMENT WITH ALI GHARAHGOZLOO AND JESSICA HSU TO ALLOW THE TENANTS TO CANCEL THEIR TERM OF THE LEASE IN DECEMBER OF 2004 FOR THE GROCERY STORE LEASE
(Action taken at the October 8, 2004 Board Meeting)
- ADD ITEM #12** CONSIDERATION OF INFORMATION PREPARED IN RESPONSE TO QUESTIONS RAISED BY MEMBERS OF THE BOARD OF DIRECTORS REGARDING THE METROBASE PROJECT
(Insert Staff Report)
- ADD ITEM #13** CONSIDERATION OF AESTHETIC TREATMENT OPTIONS FOR THE MAINTENANCE BUILDING FOR THE METROBASE PROJECT
(Insert Staff Report)
- ADD ITEM #14** CONSIDERATION OF CONTRACT RENEWAL WITH LESLIE R. WHITE TO SERVE AS GENERAL MANAGER FOR THE PERIOD OF DECEMBER 1, 2004 THROUGH DECEMBER 31, 2009
(Insert Staff Report)
- ADD ITEM #15** CONSIDERATION OF CALL STOP AUDIT REPORT
(Insert Staff Report)
- ADD ITEM #16** CONSIDERATION OF SALE OF SURPLUS FAREBOXES TO METRO EMPLOYEES AND OTHER INTERESTED PARTIES
(Insert Staff Report)

A Staff Report was distributed as additional documentation for Item #9.

CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF SEPTEMBER 10 AND SEPTEMBER 24, 2004 AND THE SPECIAL MEETING MINUTES OF SEPTEMBER 24, 2004
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
- 5-3. ACCEPT AND FILE SEPTEMBER 2004 RIDERSHIP REPORT
- 5-4. CONSIDERATION OF TORT CLAIMS: ALLOW THE CLAIM IN FULL OF: UNIVERSITY OF CA, SANTA CRUZ, CLAIM #: 04-0018
- 5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR OCTOBER 20, 2004 AND MINUTES OF AUGUST 18, 2004
- 5-6. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF OCTOBER 21, 2004 AND THE MINUTES OF THE SEPTEMBER 16, 2004 MEETING
- 5-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JULY AND AUGUST 2004 AND CONSIDERATION OF BUDGET TRANSFERS
- 5-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR JULY 2004
- 5-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY 2004
- 5-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE
- 5-11. ACCEPT AND FILE METROBASE STATUS REPORT
- 5-12. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE AUGUST MEETINGS
- 5-13. CONSIDERATION OF CONTRACT RENEWAL WITH DIXON AND SON, INC. FOR REVENUE AND NON-REVENUE TIRES
- 5-14. CONSIDERATION OF CONTRACT RENEWAL WITH CLASSIC GRAPHICS FOR VEHICLE PAINT AND BODY REPAIRS
- 5-15. CONSIDERATION OF CONTRACT RENEWAL WITH FOLGER GRAPHICS FOR THE PRINTING OF HEADWAYS
- 5-16. CONSIDERATION OF CONTRACT RENEWAL WITH DRIVER ALLIANT FOR BROKER SERVICES FOR EXCESS WORKERS COMPENSATION INSURANCE
- 5-17. CONSIDERATION OF APPROVAL OF BOARD OF DIRECTORS REGULAR MEETING SCHEDULE FOR 2005
- 5-18. CONSIDERATION OF REPORT REGARDING PASSENGERS AND OPERATING COST FOR THE CITY OF SANTA CRUZ BEACH SHUTTLE FOR 2004
- 5-19. CONSIDERATION OF REVISION TO DRUG AND ALCOHOL POLICY TO ADD PARATRANSIT SAFETY SENSITIVE POSITIONS
- 5-20. DELETED (Action taken at the October 8, 2004 Board Meeting)
- 5-21. DELETED (Action taken at the October 8, 2004 Board Meeting)
- 5-22. CONSIDERATION OF OWNED AND LEASED PROPERTY INVENTORIES TO DETERMINE IF THERE IS ANY PROPERTY IN EXCESS OF SANTA CRUZ METROPOLITAN TRANSIT DISTRICT'S FORESEEABLE NEEDS
- 5-23. DELETED (Action taken at the October 8, 2004 Board Meeting)
- 5-24. CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF FIVE (5) NEW FLYER BUSES

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Approve the Consent Agenda

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

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

DIRECTOR BEAUTZ ARRIVED AT THIS TIME

The following employees were awarded with longevity certificates for their years of service:

FIFTEEN YEARS

Diane L. Meyer, Bus Operator

THIRTY YEARS

Sylvia E. Rogers, Payroll & Benefits Coordinator

Director Reilly suggested contacting the Sentinel to run a story on long-term METRO employees.

As an additional Oral Communication, Director Norton suggested providing free bus service to children age 14 and under, meaning Junior High and Elementary school age.

Direction: Agendize “free bus service for children age 14 and under” sometime after January 1, 2005.

Director Rotkin commented that this would not be free service and that it would cost the District money it does not have.

7. CONSIDERATION OF RECEIPT OF REPORT REGARDING THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION’S PARATRANSIT COORDINATION TASK FORCE (PCTF) AND FINAL MINUTES OF SEPTEMBER 15, 2004

Director Spence reported that there would be two more meetings, possibly more if the work plan cannot be completed by the January deadline. Director Spence clarified the first paragraph on page 7.8 by stating that 7,000 people were not lost, but that many were duplicates, moved away or are deceased.

Paul Marcelin-Sampson was thanked for his presentation he made at the Task Force meeting and he offered to forward it to the Board.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Accept the report of the Paratransit Coordination Task Force and final minutes of the September 15, 2004 meeting.

Motion passed unanimously with Directors Ainsworth and Tavantzis being absent.

8. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR WORKERS COMPENSATION CLAIMS ADMINISTRATIVE SERVICES

Staff recommended that this item be deferred to the November meeting due to ongoing negotiations.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN

Defer item to the November Board Meeting.

Motion passed unanimously with Directors Ainsworth and Tavantzis being absent.

9. CONSIDERATION OF PARACRUZ TRANSITION STATUS REPORT

Summary:

Bryant Baehr reported on what Staff has accomplished over the past two months and went over the final transition steps to be taken next week, and said METRO is ready to provide service on November 1st. ParaCruz ID lanyards were distributed to the Board. These are currently being mailed to customers and are designed to hold pre-paid coupons or cash fares as well as IDs.

Mr. Baehr then reported that an issue came up at the last Paratransit Task Force meeting regarding Lifeline's current practice of accepting cash from Stroke Center staff for ParaCruz rides taken by their students when they are dropped off at the Center. METRO staff was unaware of this practice and has heard it may also be happening at Twin Lakes Church. Existing policy is that fares are paid in cash or pre-paid tickets when a customer enters the vehicle.

Discussion:

There was a lengthy discussion regarding the Stroke Center purchasing pre-paid tickets for specific clients of theirs and the District providing the tickets directly to those clients.

Pat Star and Caroline Bliss-Isberg of the Stroke Center both commented that using the ID lanyards is humiliating and having their students responsible for their own tickets is an added barrier.

Director Spence said that she had been a 4-year student of the Stroke Center and her experience was that 80 – 90% of the students are fine mentally and challenged physically.

Ms. Bliss-Isberg agreed that pre-paid coupons could be mailed to the Stroke Center for specific students to be distributed to some of the students directly, and some paid to the drivers by staff.

Scott Bugental spoke in favor of the pre-paid coupon system currently being discussed.

Jeff Le Blanc spoke in favor of keeping Lift Line's arrangement with the Stroke Center the way it currently is and changing District Policy to reflect that.

Paul Marcelin-Sampson suggested not using coupons at all, just having pre-payments recorded on file and monitored internally by METRO. This would avoid the legal risk of discrimination of allowing some to pay at their destination and others having to pay at the time of boarding. Bryant Baehr said that is the system VTA uses.

Bryant Baehr recommended that Staff investigate VTA's system, which utilizes a pre-payment accounting system, and in the interim, working with the Stroke Center to find something that works within District Policy, for the Board, the General Manager and Staff while working with District Counsel to develop a comprehensive pre-payment plan to be brought to the Board for approval within 30 – 60 days.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Direct Staff to work with District Counsel to develop an interim program regarding trips to the Stroke Center, which may include modifying the current practice for the short term, and Staff to investigate the possibilities of a pre-paid system and report back to the Board within 60 – 90 days with a recommendation.

~~Director Spence suggested including in the motion that somebody put the customer's name and ID number on each ticket.~~

Director Spence asked "Could the motion include that somebody put the name and number on the tickets so they can't be switched between people?"

Directors Rotkin and Reilly rejected the addition to the motion, explaining that District Counsel would ensure meeting all legal requirements.

Jeff Le Blanc suggested that if prepaid accounts became too low for a ride, the ride would not be denied, but rather the customer could pay cash.

Motion passed unanimously with Directors Ainsworth and Tavantzis being absent.

Director Rotkin, on behalf of the Board, thanked Staff for their extraordinary work on the rapid transition, and Sam Storey and Community Bridges for their cooperation throughout the process.

Scott Bugental echoed Director Rotkin's comments, then expressed concern for people whose wheelchairs to not conform to ADA standards being denied rides. The larger vehicles could be used for these rides and he would like this addressed in the next mailing.

Director Spence reported that there was less of a parking problem at the new ParaCruz facility than anticipated and encouraged Board members to go see the facility.

CHAIR REILLY RECESSED THE BOARD MEETING AT 10:30 A.M. FOR THE ANNUAL MEETING OF THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION AND RECONVENED TO THE BOARD MEETING AT 10:35 A.M.

10. CONSIDERATION OF REQUEST FROM THE CITY OF SANTA CRUZ FOR ADDITIONS TO THE METROBASE PROJECT

Summary:

Frank Cheng reported on September 23, 2004, the City of Santa Cruz sent METRO comments and requests regarding the MetroBase Project. Attachment A is a spreadsheet of those comments and the responses from RNL.

Discussion:

Director Spence stated that the sidewalks in Item #2 must have 36” of unobstructed width, including no tree grates within that space.

The following items were clarified for Director Spence:

#4 refers to lights on the back of the building; #6 is referring to a “curb cut” and sidewalk improvements would happen in Phase II; #11 is referring to upsizing the storm drain to accommodate for drainage not associated with MetroBase which would be a cost-sharing project with the City in Phase II; #16 refers to access for District employees to enter the premises through a gate from the bike path.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR REILLY

Approve recommendations of the RNL Design Team and METRO Staff, developed in response to questions raised with regard for components of Phase I of the MetroBase Project.

Motion passed unanimously with Directors Ainsworth and Tavantzis being absent.

11. DELETED (Action taken at the October 8, 2004 Board Meeting)

12. CONSIDERATION OF INFORMATION PREPARED IN RESPONSE TO QUESTIONS RAISED BY MEMBERS OF THE BOARD OF DIRECTORS REGARDING THE METROBASE PROJECT

Summary:

Frank Cheng reported that this Staff Report addresses questions raised by the Board at its August 27, 2004 meeting regarding the MetroBase Project. Demolition materials will be disposed of in a manner consistent with US Green Building Council guidelines; rainwater from

rooftops can be returned to the earth rather than discharged into storm sewers by using leach trenches; photovoltaic collectors can be used on the new Maintenance building in the future, and lastly, funds are not available for a larger balcony off the Driver's Room.

Discussion:

Discussion centered on whether or not to invest in the larger balcony, which is one of the items that had been cut from the original plans to reduce costs. Les White added that there is an outdoor memorial garden for employees with a patio and seating near the river included in the current plans. Some of the Directors expressed agreement that the larger balcony was too expensive and may not be the most important item to add back into the project. Mr. Tomasee commented that money should not be wasted on the larger balcony.

Mr. White then explained that the construction bid would possibly be for the Maintenance and Service buildings for LNG, with the OPS building as an add-on due to funds not being available.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ

Approve recommendations of the RNL Design Team and METRO Staff, developed in response to questions raised with regard for components of Phase I of the MetroBase Project.

Motion passed unanimously with Directors Ainsworth and Tavantzis being absent.

13. CONSIDERATION OF AESTHETIC TREATMENT OPTIONS FOR THE MAINTENANCE BUILDING FOR THE METROBASE PROJECT

Pat McKelvey, Chuck Boxwell and Nicole Steel of the RNL Design Team presented information to the Board including current renderings of the buildings and landscape options.

DIRECTOR NORTON LEFT THE MEETING AT THIS TIME

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ

Approve recommendations of the RNL Design Team and METRO Staff, developed in response to questions raised with regard for components of Phase I of the MetroBase Project.

Motion passed unanimously with Directors Ainsworth, Norton and Tavantzis being absent.

14. CONSIDERATION OF CONTRACT RENEWAL WITH LESLIE R. WHITE TO SERVE AS GENERAL MANAGER FOR THE PERIOD OF DECEMBER 1, 2004 THROUGH DECEMBER 31, 2009

Director Rotkin reported that the Board had recently conducted a performance evaluation of the General Manager. The Board is very pleased with his services and wishes to give Mr. White a clear sense that the Board wants him to continue as General Manager for the next five years.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Authorize the Chair to execute a contract renewal with Leslie R. White to serve as General Manager for the period of December 1, 2004 through December 31, 2009.

Paul Marcelin-Sampson, speaking on behalf of the Metro Riders Union, expressed support in continuing the stability and excellent service of Mr. White. Mr. Tomasee stated that Mr. White is doing a great job. Bonnie Morr expressed support in Mr. White continuing as General Manager.

Motion passed unanimously with Directors Ainsworth, Norton and Tavantzis being absent.

15. CONSIDERATION OF CALL STOP AUDIT REPORT

Bryant Baehr reported that this is a quarterly report and went over the figures for the most recent audit of July – September 2004.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Accept the Call Stop Audit Report

Director Keogh inquired about Jeff Le Blanc's earlier comment regarding the number of times a route number is announced prior to the bus departing METRO Center. Mr. Baehr explained that the issue is a combination of both the METRO Center design and the cognitive abilities of the passengers.

Directors Rotkin and Beautz commented that they both had heard announcements with the volume set too high.

Motion passed unanimously with Directors Ainsworth, Norton and Tavantzis being absent.

16. CONSIDERATION OF SALE OF SURPLUS FAREBOXES TO METRO EMPLOYEES AND OTHER INTERESTED PARTIES

Summary:

Mark Dorfman reported that in order to determine a fair market value for the old fareboxes, one was listed on E-Bay. The winning bid was for \$51.00 plus \$60.00 for handling.

Paul Marcelin-Sampson suggested offering them for \$1.00 or for free to recent retirees or current employees.

Ian McFadden stated that his wife is soon to be a 25-year METRO employee and would like a farebox for her anniversary award rather than choosing from what is normally offered.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Authorize Staff to sell surplus fareboxes at a price of \$51 and advertise to current and past Staff and the public that they are available. Further authorize to liquidate the remaining fareboxes through E-Bay and other negotiations after approval by District Counsel.

Motion passed unanimously with Directors Ainsworth, Norton and Tavantzis being absent.

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

Margaret Gallagher reported that the Board would have a conference with Legal Counsel regarding the Worker's Compensation case of Laura Harrell, have a conference with Labor Negotiator regarding a matter with UTU, Local 23 and also with SEIU, Local 415, and a conference with Legal Counsel to discuss 2 anticipated litigation cases.

18. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

Oral:

Bonnie Morr, UTU, Local 23 requested the repeated and loud volume of the Talking Bus call stops be mitigated prior to the completion of the investigation that would determine an appropriate volume. Ms. Morr also noted that Mr. White's benefits are attached to SEIU and suggested benefits being under a Master Agreement so fair treatment does occur for different employees on different levels.

SECTION II: CLOSED SESSION

Chair Reilly adjourned to Closed Session at 11:34 a.m. and reconvened to Open Session at 12:28 p.m.

SECTION III: RECONVENE TO OPEN SESSION

19. REPORT OF CLOSED SESSION

Margaret Gallagher had nothing to report at this time.

ADJOURN

There being no further business, Chair Reilly adjourned the meeting at 12:28 p.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator