

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**April 11, 2008**

---

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, April 11, 2008 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice Chair Bustichi called the meeting to order at 9:03 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Jan Beautz  
Dene Bustichi  
Donald Hagen  
Michelle Hinkle  
Kirby Nicol  
Emily Reilly  
Mike Rotkin  
Dale Skillicorn  
Pat Spence  
Marcela Tavantzis  
Ex-Officio Donna Blitzer (arrived after roll call)

#### **DIRECTORS ABSENT**

Mark Stone

#### **STAFF PRESENT**

Ciro Aguirre, Operations Manager  
Angela Aitken, Finance Manager  
Wally Brondstatter, Acting Paratransit Super.  
Frank Cheng, MetroBase Project Manager  
Mark Dorfman, Assistant General Manager  
Mary Ferrick, Fixed Route Superintendent

Margaret Gallagher, District Counsel  
Debbie Kinslow, Asst Finance Manager  
Robyn Slater, Human Resources Manager  
Tom Stickel, Maintenance Manager  
April Warnock, Acting Asst. Paratransit Super.  
Les White, General Manager

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

Erich Friedrich, SCCRTC  
Bonnie Morr, UTU

Karena Pushnik, SCCRTC  
Bob Yount, MAC

### **2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS**

Written:

None.

Oral:

Karena Pushnik, SCCRTC, introduced Planning Intern Erich Friedrich who will be working at the SCCRTC for six months and then at METRO for another six months under a grant from the Monterey Bay Unified Air Pollution Control District.

**3. LABOR ORGANIZATION COMMUNICATIONS**

None.

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

None.

**CONSENT AGENDA**

**5-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF MARCH 2008**

No questions or comments.

**5-2. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2008**

No questions or comments.

**5-3. CONSIDERATION OF TORT CLAIMS:  
DENY THE CLAIM OF VERNA CARTER, CLAIM #08-0010;  
DENY THE CLAIM OF RHONDA CARTER, CLAIM #08-0011**

No questions or comments.

**5-4. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR APRIL 16, 2008 AND MINUTES OF FEBRUARY 20, 2008**

No questions or comments.

**5-5. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF JANUARY 2008**

No questions or comments.

**5-6. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR DECEMBER 2007**

No questions or comments.

**5-7. ACCEPT AND FILE FEBRUARY 2008 RIDERSHIP REPORT**

Director Tavantzis asked why the Dropped Service labeled “No Operator” on page #5-7.5 was so high. Ciro Aguirre replied that it is a combination of operators taking different types of leaves, operators calling in sick, and a shortage of operators, and that all are currently being addressed. Les White explained that the Dropped Service numbers are very high on Monday mornings and Friday afternoons, with virtually none on Tuesdays through Thursdays.

Bonnie Morr, UTU, commented that the Annual Leave calendar and sick leave hours have been average for several years and that BTT trainings have been held on Fridays and Mondays and that dropped service occurs for a number of reasons including scheduling defaults or running late. Les White clarified that these particular reasons are included in the “Other” category, which is only 3.43 hours.

**EX-OFFICIO DIRECTOR BLITZER ARRIVED**

Les White offered to bring a detailed analysis to the Board regarding this issue.

**5-8. ACCEPT AND FILE METROBASE PROJECT STATUS REPORT**

No questions or comments.

**5-9. CONSIDERATION OF RECOMMENDATION TO APPROVE ASSESSMENTS FOR COOPERATIVE RETAIL MANAGEMENT DISTRICT**

No questions or comments.

**5-10. REVIEW AND CONSIDER DIFFERENT DISTRIBUTION METHODS FOR CALL STOP AUDITS AND SELECT METHOD THAT IS THE MOST EQUITABLE**

Director Tavantzis noted that the staff recommendation was to utilize method #2 which bases the Call Stop Audit distribution by bus stop usage, which seems the most equitable.

**5-11. ACCEPT AND FILE METRO’S NOMINATION OF PARACRUZ OPERATOR AURORA TRINIDAD FOR RED CROSS WORKPLACE HERO AWARD**

Director Tavantzis noted that this employee had diffused a volatile situation in a very professional manner.

**REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS:**

This presentation will take place at the April 25, 2008 Board meeting.

**7. CONSIDERATION OF INFORMATION REGARDING SHAW VS. CHIANG/GENEST LAWSUIT**

**Summary:**

Les White explained that a lawsuit against the State of California by the California Transit Association (CTA) had been filed, with METRO as a party. Mr. White said the lawsuit was heard in the Sacramento Superior Court, which ruled that only \$409 million out of approximately \$1.259 billion in diverted transit money be restored from the General Fund back into the Public Transportation Fund. Both parties have appealed the judge's decision and the funds were actually re-diverted 48 hours later back into the General Fund and then into a newly created fund for Home to School Transportation.

Mr. White said that the CTA voted to formally appeal the judge's decision arguing that it was the intention of the voters to direct revenue to the Public Transportation Fund and not the General Fund, rendering the actions illegal. On the other hand, the State is also appealing the decision and asserts that the funds are interceptable until distributed.

The CTA is now in the process of preparing amicus briefs and is seeking support from member agencies and other interested parties.

**Discussion:**

Chair Beautz said that a letter should be sent to other jurisdictions to request their support.

Bonnie Morr reported that a labor coalition has been formed supporting CTA's position.

Director Rotkin suggested running an article in the *Sentinel*, as well as the larger newspapers around the state such as the *LA Times* and the *Sacramento Bee*, educating the public on the issue.

**8. CONSIDERATION OF AUTHORIZATION TO OPERATE A SHUTTLE FOR THE UNITED TRANSPORTATION UNION (UTU) SENIOR DINNER**

Les White reported that the date of the event was actually May 24, 2008 and that the staff report would be revised to correct the date and add the location.

**9. CONSIDERATION OF REVIEWING, REVISING, AND PRIORITIZING THE LIST OF UNMET TRANSIT AND PARATRANSIT NEEDS TO BE CIRCULATED TO THE METRO ADVISORY COMMITTEE AND SUBMITTED TO THE SCCRTC**

Les White reported that the SCCRTC adopts an annual list of unmet transit needs pursuant to the State of California Transportation Development Act funding requirements.

The Board reviewed last year's list and made six revisions. In two weeks, the Board will review the list again along with MAC's input and a Public Hearing would be held at that time. After receiving input, the Board would then finalize the list to be submitted to the SCCRTC.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN**

Revise the list of unmet transit and paratransit needs to change the priority of #7 to “M”, add the words “and potential childcare facilities” to #20, change the word “place” to “replace” in #30, delete #31, change to words “Farebox Magnetic” to “Smart” in #48, and change the priority of #53 to “L”

Motion passed unanimously with Director Stone being absent.

**10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH VEHICLE MAINTENANCE PROGRAM FOR BUS AIR, FUEL AND OIL FILTERS**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN**

Authorize the General Manager to execute a contract renewal with Vehicle Maintenance Program, Inc. for bus air, fuel and oil filters

Motion passed unanimously with Director Stone being absent.

**11. CONSIDERATION OF ADOPTING RESOLUTIONS AUTHORIZING THE GENERAL MANAGER TO SUBMIT GRANT APPLICATIONS AND SIGN NECESSARY AGREEMENTS FOR FEDERAL FUNDING IN THE JOB ACCESS REVERSE COMMUTE AND NEW FREEDOM PROGRAMS**

**Summary:**

Mark Dorfman reported that METRO proposes to submit an application for JARC funds to add fixed-route service between Watsonville and Santa Cruz to assist low income workers and an application for NF funds to enhance the ParaCruz ride reservation system.

**ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR NICOL**

Adopt resolution authorizing the General Manager to submit applications to Caltrans and to execute necessary agreements for grant funds from the Job Access and Reverse Commute and New Freedom programs

Motion passed unanimously with Director Stone being absent.

**12. CONSIDERATION OF ADOPTION OF REVISED RESOLUTION AUTHORIZING APPLICATION FOR PROPOSITION 1B TRANSIT SECURITY FUNDS**

**Summary:**

Mark Dorfman reported that the Board had previously adopted this resolution last month, however, the California Office of Homeland Security issued a memo on April 2<sup>nd</sup> requiring applicants to include specific language in the resolution.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HAGEN**

**Adopt revised resolution authorize staff to submit applications through the SCCRTC to the California Office of Homeland Security and to execute grant agreements to obligate California Transit Security Program funds for METRO security projects**

**Motion passed unanimously with Director Stone being absent.**

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

Margaret Gallagher reported that the Board would have a conference with its Labor Negotiators regarding UTU, Local 23, Fixed Route, and a conference with its Real Property Lease Negotiator regarding property located at 115 Dubois Street, Santa Cruz.

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

Bonnie Morr commented that she found the drumming exercise helpful and she is hopeful that negotiations are productive in a timely manner.

**SECTION II: CLOSED SESSION**

Vice Chair Bustichi adjourned to Closed Session at 10:01 a.m. and reconvened to Open Session at 11:00 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**15. REPORT OF CLOSED SESSION**

Margaret Gallagher reported that the Board took no reportable action in Closed Session.

**ADJOURN**

There being no further business, Vice Chair Bustichi adjourned the meeting at 11:00 a.m.

Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator