

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**October 20, 2000**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, October 13, 2000 at the City Hall Council Chambers, 809 Center Street, Santa Cruz, California.

Chairperson Beautz called the meeting to order at 8:36 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Sheryl Ainsworth  
Bruce Arthur  
Jan Beautz  
Katherine Beiers  
Tim Fitzmaurice  
Bruce Gabriel  
Michelle Hinkle  
Mike Keogh  
Mike Rotkin  
Ex Officio Director Burch

#### **DIRECTORS ABSENT**

Jeff Almquist  
Oscar Rios (arrived at 8:46 a.m.)

#### **STAFF PRESENT**

Mark Dorfman, Asst. General Manager  
Margaret Gallagher, District Counsel  
Leslie R. White, General Manager

### **2. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

District Counsel Margaret Gallagher reported that discussion will take place regarding existing litigation of Gay, Wagemann & LaCombe and a liability claim of Amy Howder RE: Chelsea Thompson.

## **SECTION II: CLOSED SESSION**

Chairperson Beautz adjourned to Closed Session at 8:37 a.m. and reconvened to Open Session at 8:51 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**DIRECTORS PRESENT**

Sheryl Ainsworth  
Bruce Arthur  
Jan Beautz  
Katherine Beiers  
Tim Fitzmaurice  
Bruce Gabriel  
Michelle Hinkle  
Mike Keogh  
Oscar Rios  
Mike Rotkin  
Ex Officio Director Burch

**DIRECTORS ABSENT**

Jeff Almquist

**STAFF PRESENT**

Bryant Baehr, Operations Manager  
Paul Chandley, Human Resource Manager  
Kim Chin, Planning & Marketing Manager  
Mark Dorfman, Asst. General Manager  
Marilyn Fenn, Asst. Finance Manager  
Terry Gale, IT Manager

Margaret Gallagher, District Counsel  
David Konno, Facilities Maint. Manager  
Elisabeth Ross, Finance Manager  
Judy Souza, Base Superintendent  
Tom Stickel, Fleet Maintenance Manager  
Leslie R. White, General Manager

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

Sharon Barbour, MUG  
Michael Boyd, SEA  
Debbie Hale, SCCRTC  
Jeff LeBlanc, MASTF

Manny Martinez, PSA  
Ian McFadden, UTU  
Marion Taylor, League of Women Voters

**1. REPORT OF CLOSED SESSION:**

There was nothing to report from Closed Session.

**THE FOLLOWING ITEMS WERE TAKEN OUT OF ORDER UNTIL ORAL AND WRITTEN COMMUNICATIONS COULD BE ADDRESSED AT 9:00 A.M.**

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

**SECTION III**

**CONSENT AGENDA:**

**ADD TO ITEM #7-4**

CONSIDERATION OF TORT CLAIMS: DENY THE CLAIM OF:  
Amy Howder  
(add claim)

**REGULAR AGENDA:**

- DELETE ITEM #8** PRESENTATION OF RESULTS OF SURVEY CONDUCTED ON BEHALF OF THE CITIZENS FOR IMPROVED TRANSPORTATION  
(Presentation given at October 13, 2000 meeting)
- ADD TO ITEM #11** CONSIDERATION OF ADOPTION OF RESOLUTION REVISING FY 2000/2001 BUDGET  
(Replace first page of staff report)
- DELETE ITEM #12** CONSIDERATION OF APPOINTMENT OF DIRECTORS TO THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION BOARD  
(Action taken at October 13, 2000 meeting)
- DELETE ITEM #17** CONSIDERATION OF APPROVAL OF A DISTRICT INTERNAL REVENUE CODE SECTION 125 CAFETERIA PLAN  
(Action taken at October 13, 2000 meeting)
- DELETE ITEM #21** CONSIDERATION OF AWARD OF CONTRACT FOR REPOWERING OF 42 DIESEL ENGINE ASSEMBLIES  
(Staff needs to work with manufacturer and CARB staff to include installation of particular traps in the bid process.)
- DELETE ITEM #23** CONSIDERATION OF APPROVAL OF CALPERS RESOLUTIONS TO FIX THE DISTRICT'S MEDICAL PREMIUM CONTRIBUTION RATES
- ADD ITEM #24** CONSIDERATION OF AWARD OF RFP #00-04 FOR FEDERAL LEGISLATIVE SERVICES  
(Add Staff Report)

**ADD AGENDA ITEM BECAUSE METRO STAFF BECAME AWARE OF ISSUE AFTER AGENDA WAS POSTED AND THERE IS A NEED TO TAKE ACTION:**

Consideration of Acquisition of up to Fifteen Used Buses from Foothill Transit

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR FITZMAURICE**

**Add Staff Report on emergency basis as Item #25.**

**Motion passed unanimously with Director Almquist absent.**

**13. CONSIDERATION OF AMENDING AWARD OF CONTRACT FOR FURNISHING ONE CNG PASSENGER VAN**

**Summary:**

Staff recommends that the Board authorize the General Manager to enter into an amended contract with Lasher Auto Center for purchase of one CNG Passenger Van. The amendment to the contract is to include the price of the CNG engine which had been previously omitted due to a mistake. Even with the addition of the cost of the CNG engine, Lasher is still the low bid. Price was obtained from State Contract Price rates.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEIERS**

**Authorize the General Manager to enter into an amended contract with Lasher Auto Center for the purchase of one CNG Passenger Van.**

**Motion passed unanimously with Director Almquist absent.**

**CONSENT AGENDA**

**REVIEW CONSENT AGENDA ITEMS 7-1 THROUGH 7-15**

- 7-1. APPROVE REGULAR BOARD MEETING MINUTES OF 9/15/00**
- 7-2. ACCEPT AND FILE PRELIMINARY APPROVED CLAIMS**
- 7-3. ACCEPT AND FILE PASSENGER LIFT REPORT FOR SEPTEMBER 2000**
- 7-4. CONSIDERATION OF TORT CLAIMS: Deny the claims of: Antonio Arroyo Ayala; Mary Ann Hickey**
- 7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 9/14/00**
- 7-6. THE MUG MEETING OF 9/13/00 WAS CANCELLED DUE TO LACK OF QUORUM**
- 7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORTS FOR JULY AND AUGUST 2000, APPROVAL OF BUDGET TRANSFERS**
- 7-8. CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF ASSETS**
- 7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR AUGUST 2000**
- 7-10. ACCEPT AND FILE STATUS REPORT ON ADA PARATRANSIT PROGRAM FOR AUGUST 2000**
- 7-11. CONSIDERATION OF WORKERS' COMPENSATION EXCESS INSURANCE CONTRACT RENEWAL**
- 7-12. ACCEPT AND FILE MONTHLY SERVICE DEFAULT REPORT**
- 7-13. MOVED TO REGULAR AGENDA AS ITEM #26**
- 7-14. CONSIDERATION OF APPROVAL OF LEASE FOR WATSONVILLE METRO CENTER KIOSK FOR TAQUERIA EL DANDY AND DIRECTION TO STAFF REGARDING OUTDOOR IMPROVEMENTS FOR THE TAQUERIA**
- 7-15. CONSIDERATION OF APPROVAL OF LEASE FOR WATSONVILLE METRO CENTER KIOSK #6 FOR FLOR BELLA**

Director Burch asked that Item 7-13 be pulled from the Consent Agenda for discussion. This item will become #26 under the Regular Agenda.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ARTHUR**

**Approve the Consent Agenda, except for Item 7-13.**

**Motion passed unanimously with Director Almquist absent.**

**THE BOARD RETURNED TO ORAL AND WRITTEN COMMUNICATIONS:**

**2. ORAL AND WRITTEN COMMUNICATIONS**

- |    |   |                       |
|----|---|-----------------------|
| a. | George Chatterton                         | RE: MetroBase         |
| b. | Vincent Goglia, Temple Beth El            | RE: Bus Shelter       |
| c. | Bob Bullard, Monte Vista Christian School | RE: Bus Shelter       |
| d. | Patricia Spence                           | RE: Paratransit Audit |

**3. LABOR ORGANIZATION COMMUNICATIONS**

None

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

Sharon Barbour reported that there was discussion at the last MUG meeting regarding the Cabrillo bus pass situation as it relates to ridership, funding and the pay system. MUG passed a resolution recommending that the Chair of MUG write a letter to the President of the Student Union at Cabrillo to set up a meeting with themselves, Metro staff and Cabrillo staff to discuss the Bus Pass Program.

MUG also approved a Motion to recommend approval of funding for the purchase of fareboxes.

MUG Chairperson Gabriel will compose a letter to the Cabrillo Student Union President regarding this proposed meeting.

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

Chairperson LeBlanc reported that the quality of service provided by the local cab company for people with disabilities is poor. Mr. LeBlanc cited a recent incident where accessible service was needed for a wheelchair passenger and the caller was told there were no drivers available who were trained to use the lift equipment. The caller, Mr. Eldridge, and members of the MASTF Committee will approach the Santa Cruz City Council to have the local cab ordinance amended to insure that handicap vehicles and drivers are available 24 hours a day, 7 days a week. MASTF recommends that the Board of Directors, in all future ADA Paratransit contracts, require an accessible cab be available during times when regular cabs are available. MASTF requests the Board's support on this.

Les White added that the initial information received from the auditors of the paratransit confirmed that these types of incidences occur frequently. Staff will be looking at all paratransit schedules. Staff also will be recommending at a later Board meeting that the current Lift Line contract be extended to give the Board time to work on the design of the paratransit program. Mr. White stated that included in their extension, could be a clause requiring Lift Line to ensure

that their subcontractors have accessible service available. A workshop meeting will be held the afternoon of November 17<sup>th</sup> to discuss the paratransit audit findings. Director Beiers requested that the new Board members be invited to this workshop meeting as well.

**9. CONSIDERATION OF ADOPTION OF A RESOLUTION EXPRESSING APPRECIATION TO SENATOR BRUCE MC PHERSON**

**Summary:**

Staff is proposing a Resolution of Appreciation to Senator Bruce McPherson for his outstanding representation of the needs of the Transit District.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR GABRIEL**

**Approve the Resolution of Appreciation to Senator Bruce McPherson**

**Motion passed unanimously with Director Almquist absent. The passing of this Motion substitutes for a roll call vote with unanimous consent.**

**10. CONSIDERATION OF ADOPTION OF A RESOLUTION EXPRESSING APPRECIATION TO ASSEMBLYMAN FRED KEELEY**

**Summary:**

Staff is proposing a Resolution of Appreciation to Assemblyman Fred Keeley for his outstanding service and leadership in representing the Transit District.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR RIOS**

**Approve the Resolution of Appreciation to Assemblyman Fred Keeley**

**Motion passed unanimously with Director Almquist absent.**

**11. CONSIDERATION OF ADOPTION OF RESOLUTION REVISING FY 00/01 BUDGET**

**Summary:**

Elisabeth Ross requested Board consideration to adopt a resolution revising the budget for the current year. Revisions are due to a substantial increase in fuel prices, grant-funded studies and year-to-date adjustments for operating expense and revenue. Ms. Ross also revised the Capital Improvement Program (CIP) amount for the engine repower project for a new total of \$3,037,000. An additional \$107,000 was taken out of reserves to fund the project increase.

**Discussion:**

Ian McFadden stated that VTA would utilize "back attack" ads beginning on March 19, 2001 to promote the Yield-to-Bus program. Mr. White added that the METRO would do its own advertising, however, the format for the advertising effort needs to be the same for all

demonstration properties. At the close of the demonstration project, a report must be made back to the State.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR RIOS**

**Adopt resolution revising FY 00/01 budget.**

**Motion passed unanimously with Director Almquist absent.**

12. DELETED

14. CONSIDERATION OF AMENDED AWARD OF CONTRACT FOR FURNISHING PORTABLE VEHICLE HOISTS

**Summary:**

Tom Stickel reported that the hoists that were delivered had optional lights installed. These were not a part of the original order. However, staff found the lights to be very useful. Staff recommends that the Board approve amending the contract to include this lighting option at a discounted price.

**ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR BEIERS**  
**Amend contract for furnishing portable vehicle hoists**

**Motion passed unanimously with Director Almquist absent.**

15. CONSIDERATION OF CONTRACT EXTENSION WITH BAY EQUIPMENT AND REPAIR (98-17)

**Summary:**

Tom Stickel reported that this is the final year of the contract with the body repair and paint vendor, Bay Equipment. Bay Equipment offered good service at a competitive price.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR KEOGH**

**Extend contract with Bay Equipment and Repair.**

**Motion passed unanimously with Director Almquist absent.**

16. CONSIDERATION OF CONTRACT EXTENSION WITH DEVCO OIL, INC. (97-08)

**Summary:**

Staff recommends that the Board approve an amendment to the contract with Devco Oil, Inc. for diesel and unleaded gasoline fuels to extend the contract for an additional one year period.

**ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR RIOS**

**Extend the contract with Devco Oil, Inc. for an additional one-year period.**

**Motion passed unanimously with Director Almquist absent.**

**17. DELETED**

**18. CONSIDERATION OF PURCHASE OF YIELD-TO-BUS SIGNS**

**Summary:**

Mark Dorfman reported that VTA went out to bid for the Yield-to-Bus signs. Staff is requesting approval to award contract to Energy Control Group, Inc. in the amount of \$55,721.94 for the purchase of Yield-to-Bus signs subject to vendor's acceptance of all federal procurement clauses.

Les White added that the District's goal for commencement of the Yield-to-Bus program would be April 2001. Public information and advertising is required in advance of program commencement. Staff anticipates that this information will be out after the first of the year.

Ex Officio Director Burch recommended that staff work with TAPS to send notices to all parking pass holders on the UCSC campus.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR RIOS**

**Award contract to Energy Control Group, Inc. in the amount of \$55,721.94 for purchase of Yield-to-Bus signs, subject to vendor's agreement to honor all required federal procurement clauses.**

**Motion passed unanimously with Director Almquist absent.**

**19. CONSIDERATION OF AMENDMENT TO CONTRACT WITH GIRO FOR SCHEDULING SOFTWARE**

**Summary:**

Mark Dorfman stated that a change to the contract is required due to the absorption of the Highway 17 service. Giro charges based on the number of peak hour buses. This amendment relates to both the license fee and the annual maintenance contract for the software.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR FITZMAURICE**

**Approve the amendment to contract with Giro for scheduling software.**

**Discussion:**

Director Keogh spoke with Caltrans regarding work on Highway 17 and informed the Board that no more daylight work would take place on Highway 17. Chairperson Beautz asked if the



Transportation Commission communicates with Caltrans regarding work on Highway 17, such as tree trimming. Mr. White stated that he will relay this communication to the "Safe on 17" committee. This committee discusses Highway 17 operational issues. Debbie Hale added that the Transportation Commission works closely with Caltrans on large projects but stated that it is a good idea for the "Safe on 17" committee to work with Caltrans on one-day projects.

**Motion passed unanimously with Director Almquist absent.**

**20. CONSIDERATION OF AWARD OF CONTRACT FOR FAREBOX SYSTEM**

**Summary:**

Staff recommends that the Board enter into a purchase agreement for acquisition of 108 electronic registering fareboxes with GFI Genfare. Bryant Baehr reported that pre-qualification tests verified the manufacturer claims on their fareboxes. Of the eight letters sent to farebox manufacturers, there were three responses, one of which ultimately dropped out due to their product being manual. GFI Genfare was invited to bid on the procurement. The vendor requested that the payment schedule be modified to reflect that the sale took place by year-end 2000 and offered \$64,124 worth of add-on equipment as incentive for the payment modification. The modification would be: 85% on delivery, 10% on installation, and 5% on acceptance. With Board approval, the fareboxes would be ordered immediately. All equipment would be on site by December 31, 2000 with installation taking place in January 2001.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR RIOS**

**Authorize the General Manager to enter into an agreement with GFI Genfare for the purchase of fareboxes, including a \$50,000 contingency.**

**Discussion:**

Les White reported that typically there is a 10% retainer, with the balance being paid upon delivery of the equipment. In this instance, the installation and acceptance payments would be a warranty to ensure satisfaction if there is a problem with the equipment.

**Discussion:**

Ian McFadden offered accolades to Bryant Baehr for his efforts in the farebox acquisition. Mr. McFadden further asked the Board to find an extra \$375,000 for the Ticket Receipt Issuing Machine (TRIM) unit which will enable the drivers to issue instant transfers and day passes to passengers. This unit will also be able to handle the SMART card with some modifications.

Jeff LeBlanc also offered praise to Mr. Baehr not only for the farebox acquisition but also for the talking buses.

**Motion passed unanimously with Director Almquist absent.**

**21. DELETED**

**22. CONSIDERATION OF ADOPTION OF ANNUAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION RATE OF 15% FOR FEDERALLY-FUNDED PROCUREMENTS IN FY 2001**

**Summary:**

Mark Dorfman reported that this is an annual goal setting process. The rules have changed recently and as a result, the District adopted a new plan. Staff is recommending the adoption of an annual DBE participation rate of 15% for federally-funded procurements. Security services at the Metro Center were recently awarded to a DBE firm which puts the District in good standing for the rate of 15%.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR FITZMAURICE**

**Approve adoption of annual DBE participation rate of 15% for federally-funded procurements in FY 2001.**

**Motion passed unanimously with Director Almquist absent.**

**23. DELETED**

**24. CONSIDERATION OF AWARD OF RFP #00-04 FOR FEDERAL LEGISLATIVE SERVICES**

**Summary:**

Mr. White reported that nine proposals were received from firms in Washington, DC in response to the Request for Proposal for Federal legislative services. Staff reviewed the proposals and reduced them to the three who ranked the highest. An interview panel consisting of four Board members conducted telephone interviews of the three candidates. Staff recommends the contract be awarded to Carolyn Chaney & Associates for an amount not to exceed \$45,000 per year plus up to \$4,000 for expenses.

**Discussion:**

Les White added that Carolyn Chaney & Associates has established a good working relationship with Congressman Sam Farr and his staff and, prior to this relationship, was willing to obtain sequential earmarks of discretionary bus funds year after year. This firm also has knowledge of Santa Cruz issues and understands the plight of systems under 200,000. Director Rotkin pointed out that the cost of this firm is one-half of the other candidates' bids. Mr. White added that with this difference in the cost of legislative services, there would be funds available for additional lobbying power, if necessary.

**ACTION: MOTION: DIRECTOR GABRIEL SECOND: DIRECTOR ROTKIN**

**Authorize the General Manager to enter into a contract with Carolyn C. Chaney & Associates, Inc. for Federal Legislative Services in an amount not to exceed \$45,000 per year plus up to \$4,000 for expenses.**

**Motion passed unanimously with Director Almquist absent.**

**25. CONSIDERATION OF ACQUISITION OF UP TO FIFTEEN USED BUSES FROM Foothill Transit**

Mark Dorfman stated that at the September Board meeting staff requested approval to search for used buses. Staff contacted all districts that were due for replacement buses and contacted several transit systems at the recent APTA meeting. Foothill Transit is declaring numerous buses as surplus. Action by the Board at this meeting would allow staff to send the necessary paperwork to the Federal Government. Federal interest in these buses would be transferred to the District from Foothill Transit, however, Foothill Transit will require reimbursement of \$5,000 per vehicle plus \$1,000 per vehicle for remaining mileage on the tires.

**ACTION: MOTION: DIRECTOR RIOS SECOND: DIRECTOR ROTKIN**

**Approve the acquisition of up to fifteen used buses from Foothill Transit.**

**Discussion:**

Mr. Dorfman stated that the traditional replacement cycle for buses is 12 years or 1/2 million miles. Parking of these buses would be in the Harvey West area for fueling purposes.

Several Directors commended Mr. Dorfman for his efforts in locating used buses in smaller districts.

**Motion passed unanimously with Director Almquist absent.**

SENATOR BRUCE MCPHERSON ARRIVED AT 9:55 A.M. Chairperson Beautz thanked him for his efforts in acquiring \$4.75M for bus acquisitions and Metro Center renovations. Senator McPherson stated that due to the foresight of the Board and Staff, this District will be a model in providing increased public transportation in an environmentally sensitive way by utilizing low emission vehicles. Senator McPherson added that it was equally important to correct an error in a piece of legislation which cut back on opportunities for the disabled to travel "over the hill" to San Jose. This correction will more than quadruple the opportunities for the disabled in this regard.

**26. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE STATUS REPORT**

**Discussion:**

Ex Officio Burch questioned the reliability of the numbers provided for this report. Bryant Baehr responded that the numbers were from the databases and were double verified. He added that next month's figures will be compared to the current figures and that the numbers reflect only the billable number of trips to the UCSC campus. Mr. Baehr asked that he be included in the communications loop with UCSC. Director Fitzmaurice assured Mr. Baehr that he will keep him informed of any communications in this regard.

**ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR BEIERS**

**Accept and File University of California, Santa Cruz Service Status Report.**

**Motion passed unanimously with Director Almquist absent.**

**ADJOURN**

There being no further business, Chairperson Beautz adjourned the meeting at 10:04 a.m.

Respectfully submitted,

DALE CARR  
Administrative Services Coordinator