

**REVISED**  
**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

**Minutes- Board of Directors**

**May 12, 2006**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, May 12, 2006 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice Chair Tavantzis called the meeting to order at 9:02 a.m.

**SECTION 1: OPEN SESSION**

**1. ROLL CALL:**

**DIRECTORS PRESENT**

Jan Beautz (arrived after roll call)  
Dene Bustichi  
Michelle Hinkle  
Kirby Nicol  
Emily Reilly (arrived after roll call)  
Mike Rotkin  
Dale Skillicorn  
Pat Spence  
Mark Stone  
Marcela Tavantzis

**DIRECTORS ABSENT**

Mike Keogh  
Ex-Officio Wes Scott

**STAFF PRESENT**

Mark Dorfman, Assistant General Manager  
Margaret Gallagher, District Counsel  
Steve Paulson, Paratransit Administrator  
Elisabeth Ross, Finance Manager

Robyn Slater, Human Resources Manager  
Judy Souza, Acting Operations Manager  
Tom Stickel, Maintenance Manager  
Les White, General Manager

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

Paul Marcelin-Sampson, MAC  
Bonnie Morr, UTU  
Emery Ross, Mgmt Retiree

Paul Schraeder, Mgmt Retiree  
Bob Yount, MAC

**2. ORAL AND WRITTEN COMMUNICATION**

Written:

None.

Oral:

Paul Marcelin-Sampson reported there are some real problems with METRO's Customer Service that he encountered while attempting to plan his trip to attend the second meeting of the Transportation Funding Task Force (TFTF), which was held at the Felton Community Hall. Because *Headways* does not label streets on Route 35, he called Customer Service, who projected an unhelpful attitude, and were unwilling to look online at a site like MapQuest for the address that he provided. Mr. Marcelin-Sampson pointed out that METRO is turning away business with this practice and requested that it be looked into.

**DIRECTOR REILLY ARRIVED**

Mr. Marcelin-Sampson reported that there were still persistent misconceptions about METRO's service at the second meeting of the TFTF with no one from METRO there to respond. METRO's Technical Advisor attended and participated extensively in the first meeting, but did not attend the second meeting. The staff member that did attend did not participate or offer corrections.

Chair Rotkin responded that Staff would be sending a letter to clear up the misconceptions. Les White added that METRO was very clear with the RTC in the beginning about its staff limitations regarding the TFTF. METRO said at the time that there was no staff available to cover this and that METRO was not financially equipped to hire another staff person just to participate in the TFTF.

**DIRECTOR BEAUTZ ARRIVED**

Emery Ross, Management Retiree, spoke about the retiree medical rates and distributed a letter to the Board, dated November 22, 2000 from Paul Chandley to Kent Hicklin, which is attached to the file copy of these Minutes. The letter references the Board authorizing reimbursement to retirees of CalPERS medical premiums that exceed the District's contribution cap. Mr. Ross informed the Board that this is a very urgent matter for retirees as it is a big cut out of their pay.

Chair Rotkin replied that the Board realizes this needs to be addressed and will be discussing it in Closed Session on May 26<sup>th</sup> as there are legal issues and contract questions involved.

**3. LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr, UTU, stated that she would like to "ditto" support for the retiree medical issue.

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

**CONSENT AGENDA**

**5-1. APPROVE REGULAR BOARD MEETING MINUTES OF MARCH 10 AND MARCH 24, 2006 AND SPECIAL MINUTES OF MARCH 17, 2006**

March 24<sup>th</sup> Minutes will be included in the May 26, 2006 Board Packet.  
No questions or comments.

**5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF APRIL 2006**

No questions or comments.

**5-3. ACCEPT AND FILE APRIL 2006 RIDERSHIP REPORT**

Pages 1 & 4 of the Ridership Report will be included in the May 26, 2006 Board Packet.  
No questions or comments.

**5-4. CONSIDERATION OF TORT CLAIMS: DENY THE CLAIMS OF KATHY LAMOTHE, CLAIM #06-0007, AND S. REDDAN, CLAIM #06-0009, AND BARBARA FREDERICK, CLAIM #06-0010**

No questions or comments

**5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR MAY 17, 2006**

No questions or comments.

**5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2006 AND APPROVAL OF BUDGET TRANSFERS**

Will be included in the May 26, 2006 Board Packet.  
No questions or comments.

**5-7. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR FEBRUARY 2006**

Will be included in the May 26, 2006 Board Packet.  
No questions or comments.

**5-8. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF FEBRUARY 2006**

**Discussion:**

Chair Rotkin stated that the chart on page #5-8.2 indicates that METRO is doing well in terms of providing service and questioned the fluctuation of the Excessively Late / Missed Trips. Steve Paulson responded that there are many variables, including: anytime METRO arrives 60 minutes after a requested pick-up time it is counted as a missed trip; delays are also caused by construction, locating passengers, and no-shows.

Paul Marcelin-Sampson suggested that Staff provide a summary of causes of late and missed trips. Chair Rotkin replied that only if the numbers of excessively late or missed trips increase significantly, should Staff begin to document them.

**5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF FEBRUARY 2006**

No questions or comments.

**5-10. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE APRIL 2006 MEETINGS**

No questions or comments.

**5-11. ACCEPT AND FILE METROBASE STATUS REPORT**

Will be included in the May 26, 2006 Board Packet.

No questions or comments.

**5-12. ACCEPT AND FILE PROGRESS REPORT ON THE STATUS OF METRO'S WORKERS' COMPENSATION PROGRAM ONE YEAR AFTER METRO'S TRANSITION TO ITS CURRENT THIRD PARTY ADMINISTRATOR**

Will be included in the May 26, 2006 Board Packet.

No questions or comments.

**5-13. ACCEPT AND FILE RIDERSHIP STATUS REPORT ON ROUTES 12A AND 32**

**Discussion:**

Chair Rotkin stated that Route 12A should be a priority to reinstate in the future when service could be expanded.

**5-14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A RENEWAL OF CONTRACT WITH COUNTY OF SANTA CRUZ FOR PAYROLL SERVICES**

No questions or comments.

**5-15. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXTEND THE CONTRACT WITH PAT PIRAS CONSULTING FOR EVALUATION OF DISTRICT'S ADA/504 PROGRAMS & ACTIVITIES TO REFLECT PREVIOUSLY APPROVED EXTENSION OF REVIEW DEADLINE**

No questions or comments.

## REVISED

**5-16. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A RENEWAL OF CONTRACT WITH FOLGER GRAPHICS FOR GRAPHIC DESIGN SERVICES FOR HEADWAYS**

No questions or comments.

**5-17. CONSIDERATION OF REQUEST FOR SHUTTLE SERVICE RECEIVED FROM THE CITY OF WATSONVILLE**

No questions or comments.

**5-18. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A RENEWAL OF CONTRACT WITH DRIVER ALLIANT INSURANCE SERVICES, INC. FOR INSURANCE BROKER SERVICES AND CONTINUING THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY JOINT POWERS AGREEMENT IN ORDER TO ACCESS EXCESS WORKERS' COMPENSATION INSURANCE**

No questions or comments.

**5-19. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR THREE POSITION BICYCLE CARRIERS TO SPORTWORKS NORTHWEST, INC.**

No questions or comments.

### REGULAR AGENDA

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

This presentation will take place at the May 26, 2006 Board meeting.

**7. PUBLIC HEARING ON FY 06-07 AND FY 07-08 DRAFT FINAL BUDGET**

Public Hearing will take place at 9:00 a.m. at the May 26, 2006 Board meeting

#### Summary:

Elisabeth Ross stated that the union budget workshop has been set for Monday, May 22<sup>nd</sup> from 1:00 –3:00 p.m. in the Encinal Conference Room. Gary Klemz had asked that it be rescheduled, but since he was the only one that could not be there, another separate meeting will be scheduled to review the budget with the SEIU Negotiating Team. The budget review with Union representatives will be to answer any questions line by line and the public will have an opportunity to comment at the Public Hearing on May 26<sup>th</sup>. Staff will return to the Board for approval of the Final Budget in June.

Ms. Ross added that she had prepared the budget documents with the actual figures through January, rather than through March, which she normally has by this time, so the numbers may change in June.

**Discussion:**

Chair Rotkin asked when the revenue-based salary increase for UTU would take effect. Ms. Ross replied that the final sales tax numbers are usually verified by the auditors in August, and if there is an increase over a certain number, which there appears there will be, the pay increase would be effective September 1 and would be retroactive if the auditors verify the figures at a subsequent date.

**8. CONSIDERATION OF A RESOLUTION AUTHORIZING AN APPLICATION TO THE AIR DISTRICT FOR FY2007 AB 2766 FUNDS TO OPERATE PUBLIC TRANSIT SERVICE ON HOLIDAYS**

Paul Marcelin-Sampson stated that MAC member Stuart Rosenstein has been asked to attend the May 26<sup>th</sup> Board meeting as he had brought forward the holiday service request, which is the basis for the Air District application.

**9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE CONTRACT FOR AUCTIONEER SERVICES**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR NICOL**

**Move this Item to the Consent Agenda**

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

**10. CONSIDERATION OF WHETHER TO CONTINUE TO UTILIZE THE AUDIT SYSTEMS THAT ARE CURRENTLY IN PLACE TO DETERMINE WHETHER THE CALL STOP ANNOUNCEMENT SYSTEM IS OPERATING IN ACCORDANCE WITH METRO POLICY AND THE AMERICANS WITH DISABILITIES ACT REGULATIONS**

**Summary:**

Margaret Gallagher reported that the Board had continued this matter from its April meeting in order to obtain additional information related to utilizing outside investigators, rather than security guards, to audit the external announcements at the transit centers. Staff believes very strongly that the monitoring should continue in order to have independent evidence that METRO is in compliance with the call stop legal requirements and METRO policy. Staff concurred with UTU's suggestion to utilize outside auditors and recommends that the Board authorize Staff to engage an outside investigation firm 3-5 hours per week at \$50 - \$75 per hour at a maximum of \$250 per week or \$12,000 per year.

**Discussion:**

Director Beautz asked about the possibility of utilizing a different type of firm to conduct the external auditing and Ms. Gallagher replied that she could contact other agencies regarding that.

Bonnie Morr, UTU, reported that there is a serious need for a security guard in Watsonville. Ms. Morr suggested that the external auditing may only be needed for 6 months and that UTU would like bus operators involved in the training of the external announcement auditing.

Several Directors stated their support of the Staff recommendation and Chair Rotkin suggested re-evaluating the situation in 1 year to determine if the auditing frequency can be reduced.

Vice Chair Tavantzis added that posting a security guard at the Watsonville Transit Center could be discussed at a future meeting.

11. **CONSIDERATION OF A RESOLUTION OF APPRECIATION AND REMEMBRANCE OF COLLEEN CROSBY FOR HER SERVICE AND DEDICATION TO SANTA CRUZ COFFEE ROASTING COMPANY, LESSEE OF SANTA CRUZ METRO**

No questions or comments.

12. **CONSIDERATION OF SERVICE REVISIONS FOR SUMMER 2006**

**Summary:**

Mark Dorfman reported that these are minor, small cost changes for Summer 2006.

**Discussion:**

Paul Marcelin-Sampson suggested that the 46-day memo be presented at least 1 month early to allow for public comment. Mark Dorfman replied that that these are minor changes and that major changes always have public hearings.

13. **CONSIDERATION OF AUTHORIZING A CHANGE ORDER IN THE CONTRACT WITH NEW FLYER OF AMERICA FOR THE PURCHASE TWO 40 FOOT COMPRESSED NATURAL GAS BUSES**

**Summary:**

Mark Dorfman reported that METRO utilized a piggy-back order for these buses using an existing contract from Culver City to save the costs of bidding a separate contract for a small order. Staff recently met with New Flyer and determined that revisions to the Culver City specifications required to make the buses similar to the buses METRO currently operates would cost \$54,147.40 for the two buses.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR NICOL**

**Authorize the General Manager to issue a Change Order in the contract with New Flyer of America for the purchase of two (2) 40 foot compressed natural gas buses ~~in the~~ for an additional amount of \$54,147.40**

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

**14. ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR MAY 26, 2006 – CAPITOLA CITY COUNCIL CHAMBERS, 420 CAPITOLA AVE, CAPITOLA, CA**

Vice Chair Tavantzis announced that the May 26, 2006 Board meeting will be held at the Capitola City Council Chambers at 420 Capitola Avenue.

**15. 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 SEIU, Local 415, and UTU, Local 23, ParaCruz Division, and the Board would be continuing the Public Employee Performance Evaluation of the General Manager.

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

None.

**SECTION II: CLOSED SESSION**

Vice Chair Tavantzis adjourned to Closed Session at 9:56 a.m. and reconvened to Open Session at 11:18 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**17. REPORT OF CLOSED SESSION**

Chair Rotkin reported that the Board took no reportable action in Closed Session.

**ADJOURN**

There being no further business, Vice Chair Tavantzis adjourned the meeting at 11:18 a.m.

Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator