

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**November 17, 2006**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, November 10, 2006 at the Watsonville City Council Chambers, 250 Main Street, Watsonville, CA.

Chair Rotkin called the meeting to order at 9:01 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

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

#### **DIRECTORS ABSENT**

Ex-Officio Wes Scott

#### **STAFF PRESENT**

Ciro Aguirre, Operations Manager  
Mark Dorfman, Assistant General Manager  
Terry Gale, IT Manager  
Margaret Gallagher, District Counsel  
Steve Paulson, Paratransit Administrator

Elisabeth Ross, Finance Manager  
Robyn Slater, Human Resources Manager  
Tom Stickel, Maintenance Manager  
Les White, General Manager

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

Donna Canales, Cust. Svc. Coord.  
George Dondero, SCCRTC  
Scott Galloway, Mgmt Retiree  
Norm Hagen, MAC  
Maria Hernandez, Cust. Svc. Rep.  
Gary Klemz, SEIU Field Representative

Ian McFadden, SEA  
Paul Marcelin-Sampson, MAC  
Bonnie Morr, UTU  
Steve Ponzio, Gilroy Soc. Security  
Sylvia Rogers, Payroll & Benefits Coord.  
Amy Weiss, Spanish Interpreter

## **2. ORAL AND WRITTEN COMMUNICATION**

### Written:

- |    |                    |                                      |
|----|--------------------|--------------------------------------|
| a. | David G. Eselius   | Re: Diesel vs. CNG                   |
| b. | Jan van Boeschoten | Re: 1211 River Street                |
| c. | Taqueria El Torito | Re: Watsonville Transit Center Lease |

Margaret Gallagher stated that Written Communications #2b and #2c had been referred to today's Closed Session.

### Oral:

Paul Marcelin-Sampson reported that MAC was involved in initiating the experimental police coverage at Watsonville Transit Center (WTC) and he also asked the Board to consider the adequacy of transit service to the new Cabrillo campus in Scotts Valley which opens in February 2007.

Norm Hagen thanked the Board for meeting in Watsonville and thanked Vice Chair Tavantzis, Watsonville Chief of Police Terry Medina for their efforts in the increased police presence at WTC, which Mr. Hagen feels has resulted in less loitering and a safer environment already.

## **3. LABOR ORGANIZATION COMMUNICATIONS**

Ian McFadden, SEA, submitted a letter to the Board, which is attached to the file copy of these Minutes, requesting that the Board authorize Labor Negotiations to remove the following language contained in the current SEIU Labor Agreement regarding medical insurance: *"The premiums paid for retirees will be subject to change consistent with any premium contribution changes made for active employees."* Mr. McFadden asked that the Board consider this issue as soon as possible.

Sylvia Rogers, Payroll & Benefits Coordinator, stated that she planned to retire soon and asked the Board to consider removing the language in the current SEIU contract that ties retirees' medical benefits to active employees' benefits in order for retirees to have guaranteed medical coverage.

Gary Klemz, SEIU, stated that when the Board passed the Resolution in August 2006 to cover past retirees at the benefit level they retired under, he had a very strong concern that future retirees should be addressed by the Board as well. It was his understanding at that time that the Board was going to approve negotiations to address future employees to be covered the same as past retirees, otherwise he would have objected. Mr. Klemz asked the Board to authorize the removal of the subject language, possibly through a side agreement.

Margaret Gallagher stated that this issue would be included on the next Closed Session Agenda.

Bonnie Morr, UTU, stated that UTU agreed with SEIU's statements regarding the retiree medical issue because it concerns UTU as well. Ms. Morr also stated that UTU would be filing a grievance against METRO regarding on-time performance.

Vice Chair Tavantzis, explained that a request for a new bus stop for the new Social Security building location had been received at the last minute, but METRO staff had been able to accommodate the request. She thanked METRO Staff for their quick work on the issue.

Steve Ponzio, Manager of the Gilroy Social Security office, thanked Vice Chair Tavantzis and METRO staff for their efforts in accommodating the bus stop request so quickly.

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

##### SECTION I: OPEN SESSION:

##### CONSENT AGENDA:

- DELETE ITEM #5-1** APPROVE REGULAR BOARD MEETING MINUTES OF OCTOBER 13 & 27, 2006  
**(Deleted: Will be included in the December 2006 Board Packet)**
- ADD TO ITEM #5-3** ACCEPT AND FILE SEPTEMBER 2006 RIDERSHIP REPORT  
**(Insert Page 1)**
- REVISE ITEM #5-4** CONSIDERATION OF TORT CLAIMS  
**(Delete Claim #06-0030: Action taken at the November 10, 2006 Board Meeting)**
- INSERT ITEM #5-6** ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR August 2006 AND APPROVAL OF BUDGET TRANSFERS  
**(Insert Staff Report)**
- INSERT ITEM #5-7** ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR AUGUST 2006  
**(Insert Report)**
- INSERT ITEM #5-9** ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF SEPTEMBER 2006  
**(Insert Staff Report)**

##### REGULAR AGENDA:

- DELETE ITEM #7** CONSIDERATION OF ADOPTING A **RESOLUTION** ADDING TWO SIGNERS TO THE COMERICA DEPOSIT ACCOUNT FOR THE WORKERS' COMPENSATION TRUST FUND  
**(Deleted: Action taken at the November 10, 2006 Board Meeting)**
- DELETE ITEM #8** CONSIDERATION OF APPROVAL OF PLANNING INTERN CLASS SPECIFICATION  
**(Deleted: Action taken at the November 10, 2006 Board Meeting)**
- DELETE ITEM #9** ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR NOVEMBER 17, 2006 – WATSONVILLE CITY COUNCIL CHAMBERS, 250 MAIN STREET, WATSONVILLE  
**(Deleted: Action taken at the November 10, 2006 Board Meeting)**
- ADD ITEM #10** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR SECURITY GUARD SERVICES  
**(Insert Staff Report)**

**DIRECTOR BEAUTZ ARRIVED**

**CONSENT AGENDA**

- 5-1. **DELETED: WILL BE INCLUDED IN THE DECEMBER 2006 BOARD PACKET**  
(APPROVE REGULAR BOARD MEETING MINUTES OF OCTOBER 10 & 27, 2006)
- 5-2. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF OCTOBER 2006**
- 5-3. **ACCEPT AND FILE OCTOBER 2006 RIDERSHIP REPORT**
- 5-4. **CONSIDERATION OF TORT CLAIMS: DELETE CLAIM #06-0030: ACTION TAKEN AT THE NOVEMBER 10, 2006 BOARD MEETING**  
(DENY THE CLAIM OF ESTHER HERNANDEZ, CLAIM #06-0030);  
**DENY THE CLAIM OF CSAA (SUBRO. CHAVEZ), CLAIM #06-0032;**  
**DENY THE CLAIM OF ALAN R. TROTTER, CLAIM #06-0034;**  
**DENY THE CLAIM OF BRUCE L. PRATHER, CLAIM #06-0035**
- 5-5. **ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR NOVEMBER 15, 2006. (No Minutes – no September meeting due to lack of quorum)**
- 5-6. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR AUGUST 2006 AND APPROVAL OF BUDGET TRANSFERS**
- 5-7. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR AUGUST 2006**
- 5-8. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF AUGUST 2006**
- 5-9. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF SEPTEMBER 2006**
- 5-10. **ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE SEPTEMBER 2006 MEETING(S)**
- 5-11. **ACCEPT AND FILE METROBASE STATUS REPORT**
- 5-12. **ACCEPT AND FILE NOTIFICATION OF ACTION TAKEN IN CLOSED SESSION REGARDING CLAIM OF SCOTT TAKEHANA**
- 5-13. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH SHAW/YODER FOR STATE LEGISLATIVE SERVICES**
- 5-14. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH FOLGER GRAPHICS FOR PRINTING OF *HEADWAYS***
- 5-15. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH CLASSIC GRAPHICS FOR VEHICLE BODY REPAIR AND PAINTING SERVICES**

**ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR BEAUTZ**

**Approve the Consent Agenda**

**Motion passed unanimously with all Directors present.**

**REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

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

**TEN YEARS**

Maria P. Hernandez, Customer Service Representative

**TWENTY-FIVE YEARS**

Carolyn C. Conklin, Bus Operator

**10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR SECURITY GUARD SERVICES**

**Summary:**

Tom Stickel reported that the District has a need for security services at the METRO Center, Revenue Processing Center, and for farebox vault processing. The evaluation committee is recommending that the contract be awarded to NCLN20, Inc.

**Discussion:**

Director Keogh asked how NCLN20, Inc. plans to staff locally for this contract. Ciro Aguirre replied that the firm has provided a written commitment to establish a local office.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR STONE**

**Authorize the General Manager to execute a 3-year base contract (with 2 option years) with NCLN20, Inc. to provide security services**

**Motion passed unanimously with all Directors present.**

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

Margaret Gallagher reported that the Board would have a conference with its Real Property Negotiator regarding property located at 1211 River Street, Santa Cruz, CA; a conference with its Real Property Lease Negotiator regarding a kiosk lease at the Watsonville Transit Center; a conference with its Legal Counsel regarding two cases of anticipated litigation; and a conference with its Legal Counsel regarding deciding whether or not to initiate litigation.

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

Scott Galloway, Management Retiree, urged the Board to give him fair consideration regarding his separation agreement benefits and urged the Board to do whatever it takes to restore his vested benefits.

Paul Marcelin-Sampson spoke about the importance of the tenants at METRO's transit centers and urged the Board to find some solution to keep the businesses there.

## **SECTION II: CLOSED SESSION**

Chair Rotkin adjourned to Closed Session at 9:34 a.m. and reconvened to Open Session at 10:28 a.m.

## **SECTION III: RECONVENE TO OPEN SESSION**

### **13. REPORT OF CLOSED SESSION**

Margaret Gallagher reported that the Board has determined it will file a lawsuit against Ms. Martinez.

## **ADJOURN**

There being no further business, Chair Rotkin adjourned the meeting at 10:29 a.m.

Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator