

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

July 25, 2008

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, July 25, 2008 at the Scotts Valley City Council Chambers, One Civic Center Drive, Scotts Valley, California.

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

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz
Dene Bustichi
Donald Hagen
Mike Rotkin (arrived after roll call)
Dale Skillicorn
Pat Spence
Marcela Tavantzis

DIRECTORS ABSENT

Michelle Hinkle
Kirby Nicol
Emily Reilly
Mark Stone
Ex-Officio Donna Blitzer

STAFF PRESENT

Ciro Aguirre, Operations Manager
Pat Aviles, Asst Human Resources Manager
Frank Cheng, Project Manager
Mark Dorfman, Assistant General Manager
Mary Ferrick, Fixed Route Superintendent
Margaret Gallagher, District Counsel

Shona Harper, Asst Paratransit Superintendent
Debbie Kinslow, Asst Finance Manager
Tom Stickel, Maintenance Manger
April Warnock, Paratransit Superintendent
Les White, General Manager

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

Ian McFadden, Transit Planner
Luis Mendez, SCCRTC
Bonnie Morr, UTU
Serafin G. Ruiz, Bus Operator

Russell B. Thomas, Fleet Maint. Mechanic II
Amy Weiss, Spanish Interpreter
Robert Yount, MAC

2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS

Written:

- | | | | |
|----|-----------------|-----|-------------------------------------------|
| a. | Richard Masoner | Re: | Bicycles Inside Hwy 17 Express Buses |
| b. | Natasha Castro | Re: | Bicycles Inside Hwy 17 Express Buses |
| c. | Darcy Horton | Re: | UTU, Local 23 Fixed Route Labor Agreement |

Oral:

None.

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 JUNE 2008**
- 5-2. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR MAY 2008**
- 5-3. **CONSIDERATION OF TORT CLAIMS:**
 - DENY THE CLAIM OF CHAD PEEVYHOUSE, CLAIM #08-0019;**
 - DENY THE CLAIM OF GARY HAROLD, CLAIM #08-0020**
 - DENY THE CLAIM OF THOMAS HILTNER, CLAIM #08-0021**
- 5-4. **ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) REVISED AGENDA FOR JULY 16, 2008 AND MINUTES OF MAY 21, 2008**
- 5-5. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF APRIL 2008**
- 5-6. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR MARCH 2008**
- 5-7. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH SUE CLARKE FOR AUDITING OF THE TALKING BUSES EXTERNAL ANNOUNCEMENTS AT THE BART CAVALLARO TRANSIT CENTER**
- 5-8. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR THE MONTH OF APRIL & MAY 2008**
- 5-9. **ACCEPT AND FILE APRIL 2008 RIDERSHIP REPORT**
- 5-10. **ACCEPT AND FILE METROBASE PROJECT STATUS REPORT**

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI

Approve Consent Agenda

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, and Stone being absent.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS:

The following employees were presented with longevity awards for their years of service:

TEN YEARS

Serafin G. Ruiz, Bus Operator
Sandra C. Lipperd, Bus Operator

TWENTY YEARS

Russell B. Thomas, Fleet Maintenance Mechanic II

7. **CONSIDERATION OF APPROVAL OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF BONNIE J. WILSON AS ADMINISTRATIVE ASSISTANT/SUPERVISOR FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

This item was continued to the August meeting.

8. **CONSIDERATION OF MAC RECOMMENDATION TO PROHIBIT FULL SIZE BICYCLES INSIDE OF HIGHWAY 17 BUSES**

Summary:

Ciro Aguirre reported that the Highway 17 Express service has experienced significant ridership growth including the increased presence of bicycles. Mr. Aguirre outlined the history of METRO allowing bikes in buses and reported that the issue has come up again because a Customer Service Report was presented to MAC at its April 16th meeting that referenced a complaint submitted by a Highway 17 passenger expressing concern that he and several other passengers were required to stand up the entire trip from Santa Cruz to San Jose due to bicycles inside the bus.

MAC recommends that the Board consider revising METRO's current policy to prohibit full-sized bicycles inside Highway 17 buses, however, staff recommends that the Board defer any action until after there has been an opportunity for staff to explore possible alternatives and to receive public input.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Defer action on this item until after there has been an opportunity for staff to explore possible alternatives and to receive public input

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, and Stone being absent.

9. **CONSIDERATION OF ADOPTING AN ANNUAL DBE PARTICIPATION RATE OF 1.32% FOR FEDERALLY FUNDED PROCUREMENTS IN FY 2009**

Mark Dorfman reported that this is an annual requirement of the Department of Transportation.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Adopt an annual DBE participation rate of 1.32% for FY 2009

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, and Stone being absent.

10. **AUTHORIZE THE GENERAL MANAGER TO EXECUTE A CONTRACT AMENDMENT TO EXTEND THE CONTRACT FOR ARCHITECT AND ENGINEERING SERVICES FOR THE METROBASE PROJECT WITH RNL DESIGN THROUGH DECEMBER 31, 2010**

Summary:

Tom Stickel reported that the current contract with RNL Design will expire on August 7, 2008 and staff recommends that the contract be extended through December 31, 2010, which is when the MetroBase project is projected to be completed.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI

Authorize the General Manager to execute a contract amendment with RNL Design to extend the contract for Architect & Engineering Services for the MetroBase Project through December 31, 2010

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, and Stone being absent.

11. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH ALLIANT INSURANCE SERVICES REPRESENTING HARTFORD INSURANCE FOR EMPLOYEE LIFE AND ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE**

Summary:

Tom Stickel reported that staff recommends that the Board authorize the General Manager to execute a contract with Alliant Insurance Services representing Hartford Insurance for employee Life and Accidental Death & Dismemberment Insurance for an amount not to exceed \$88,000 over a two-year period.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI

Authorize the General Manager to execute a contract with Alliant Insurance Services representing Hartford Insurance for employee Life and Accidental Death & Dismemberment Insurance for an amount not to exceed \$88,000 over a two-year period

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, and Stone being absent.

12. CONSIDERATION OF ACCEPTING THE FINANCIAL PROPOSAL FROM THE CENTRAL COAST ALLIANCE FOR HEALTH FOR THE PROVISION OF DIALYSIS TRANSPORTATION

Summary:

Les White reported that on April 2, 2008, the Central Coast Alliance for Health (CCAH) notified MediCal recipients that it would no longer pay for non-cabulance dialysis transportation effective May 2, 2008 and recipients were encouraged to contact METRO ParaCruz and Community Bridges to secure alternate transportation sources.

Although the transition went smoothly and nobody was denied transportation during the transition, this policy change affected MediCal recipients in both Monterey and Santa Cruz counties and therefore significant additional costs were shifted to both Monterey Salinas Transit (MST) and METRO with very short notice.

Mr. White reported that on May 19, 2008 he and MST General Manger Carl Sedoryk met with CCAH Executive Director Alan McKay regarding the impact this change had on MST and METRO. On June 23, 2008, Mr. Sedoryk sent a letter to Alan McKay on behalf of MST and METRO requesting financial assistance to offset some of the costs associated with this change.

On July 7, 2008 Mr. McKay responded to the letter offering to provide \$78, 094 in financial assistance through the end of calendar year 2008 to METRO in exchange for documentation of the provision of the rides. A similar offer was made to MST.

Discussion:

Bonnie Morr, UTU, pointed out the impact on ParaCruz drivers' increased workloads and suggested that METRO consider hiring additional drivers.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI

Accept the financial proposal from the Central Coast Alliance for Health to provide supplemental funding to assist METRO in absorbing the cost of the provision of ParaCruz riders traveling to dialysis services that had been previously funded under the MediCal Program and send a letter of appreciation to Alan McKay

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, and Stone being absent.

13. CONSIDERATION OF ADOPTION OF A MANAGEMENT COMPENSATION PLAN FOR METRO MANAGEMENT PERSONNEL FOR THE PERIOD OF JULY 1, 2008-JUNE 30, 2009

Summary:

Les White reported that traditionally, at this time of year, a Management Compensation Plan is presented to the Board for adoption. This proposed plan is a single-year plan that reflects a 3%

salary increase and also recommends that a Salary Study be conducted for all of the management positions at METRO, except the General Manager and District Counsel positions, to ensure that they are competitive in the industry.

Discussion:

Bonnie Morr, UTU, reminded the Board that management just received a 2.5% salary increase in April just prior to Labor Negotiations. Ms. Morr asked if this 3% proposed increase was in addition to the 2.5% increase. Les White clarified that the Management Compensation Plan that Ms. Morr referenced had been withdrawn so the 2.5% increase was not implemented and this proposed 3% increase is reactive to the UTU Labor Agreement.

Ian McFadden, SEA, spoke in favor of the Salary Survey.

ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR HAGEN

Adopt the Management Compensation Plan and Salary Study for the period of July 2008 through June 2009

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, and Stone being absent.

14. CONSIDERATION OF CALL STOP AUDIT REPORT FOR THE PERIOD OF APRIL THROUGH JUNE 2008 AND CONSIDERATION OF INTERACTIONS BETWEEN OPERATORS AND METRO STAFF REGARDING CALL STOP AUDIT FINDINGS

Summary:

Margaret Gallagher explained that because the Call Stop Audits have shown a consistently high compliance rate, staff recommends that the audit results only be reported to the Board if they fall below 90% compliance rate.

Ms. Gallagher reported that this report included additional information that the Board had requested at the last meeting regarding the interactions between METRO staff and bus operators when an auditor reports that a Call Stop was not made.

Discussion:

Bonnie Morr, UTU, reported on a recent incident where she accompanied a bus operator that was asked to come in for a Formal Counseling which would be placed in his personnel file. The operator said that the bus had a technical problem and Ms. Morr requested that the bus number be included in the documentation that would be placed in the personnel file but her request was denied.

Ms. Morr stated that she did not want the Board to be misled due to the inaccurate information contained in this Staff Report which explains that this process is done in a pleasant environment because what she experienced was very unpleasant including raised voices, agitation, documentation being grabbed from her hand, etc. Ms. Morr said this is very negative interaction

between operators and staff because the Talking Bus system is designed to protect the liability of the District, not discipline drivers. Ms. Morr requested that the auditors inform bus operators immediately if a call was missed so they are aware at the time it happens in order to protect the system and so it can be determined right away if it is a technical issue that needs to be addressed.

Vice Chair Bustichi clarified that the auditors do not issue citations and should not be put in a position of having to confront a driver and he asked how the progressive discipline steps listed on page #14.3 were developed.

Margaret Gallagher replied that she believed that METRO used the Utah program as a guideline because Utah originally had a program that FTA Auditors found abysmal, so they developed a disciplinary program including the requirement that the bus operators call out the stops in the event the automatic announcement system fails. Ms. Gallagher also clarified that the first two violation steps, which are Retraining and Formal Counseling, are not considered discipline.

Vice Chair Bustichi suggested that sometime in the future staff could look at other transit agencies' programs for a future discussion.

Director Rotkin requested information in a memo format to the Board, not a Staff Report, indicating the total number of METRO drivers that have been disciplined and at what level.

ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR ROTKIN

Accept and file Call Stop Audit Report for the period of April through June 2008 and determine that Audit results will only be reviewed by the Board of Directors if results fall below 90% compliance rate.

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, and Stone being absent.

15. CONSIDERATION OF SERVICE REVISIONS FOR FALL 2008

Summary:

Ian Mc Fadden reported that the proposed service revisions for Fall 2008 include three additional weekday trips and six additional weekend trips for Highway 17 service, minor modifications to UCSC school-term service, and minor modifications to departure times to enhance connectivity.

DIRECTOR ROTKIN LEFT THE MEETING

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR BUSTICHI

Approve proposed service revisions for Fall 2008

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, Rotkin, and Stone being absent.

16. CONSIDERATION OF PROPOSED PUBLIC OUTREACH PLAN FOR THE DRAFT SHORT RANGE TRANSIT PLAN

Summary:

Mark Dorfman reported that at it's last meeting, the Board requested that staff return at this meeting with a proposed public outreach plan to present the Trunk and Feeder Service delivery model to the public and then 30 – 60 days later return to the Board with a presentation of the information that will be presented to the public.

Staff proposes to work closely with the Santa Cruz County Regional Transportation Commission (RTC) utilizing their extensive database of community groups interested in transportation issues. Letters will be sent out, METRO and RTC staff will make presentations, hold public meetings throughout the county and the presentation will also be available online for those who cannot attend in person. Presentations including public input will then be given to MAC and E&D TAC to get the comments and suggestions from these advisory groups. The final comments would then be compiled for the Board of Directors.

Discussion:

Luis Mendez, RTC, stated that this joint outreach effort provides a very good opportunity for METRO and the RTC to work collaboratively.

Bob Yount, MAC, reported that he supports this proposal and that MAC members are anticipating being very involved in this process.

Director Spence suggested that the information be distilled as much as possible so the public can understand it.

Mr. Dorfman added that staff would return to the Board in 2-3 months with a proposal for what information will be presented to the public at these workshops and will be able to provide an outline for the Board to review at that time.

ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR SKILLICORN

Approve the proposed Public Outreach Plan for the Short-Range Transit Plan

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, Rotkin, and Stone being absent.

17. AUTHORIZE THE GENERAL MANAGER TO EXECUTE A CONTRACT AMENDMENT TO EXTEND THE CONTRACT FOR WITH PAT PIRAS CONSULTING FOR REVIEW OF ADA PARATRANSIT ELIGIBILITY PROCESS THROUGH NOVEMBER 30, 2008

ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR SKILLICORN

Authorize the General Manager to execute a contract amendment with Pat Piras Consulting for review of ADA paratransit eligibility process through November 30, 2008

Motion passed unanimously with Directors Hinkle, Nicol, Reilly, Rotkin, and Stone being absent.

18. ORAL ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR AUGUST 22, 2008 – WATSONVILLE CITY COUNCIL CHAMBERS, 275 MAIN STREET, WATSONVILLE

Chair Beautz announced that the August 22, 2008 Board Meeting would be held at the New Watsonville City Council Chambers, 275 Main Street, Watsonville, CA.

19. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION:

Margaret Gallagher reported that the Board would have a conference with its Legal Counsel regarding Existing Litigation cases of Sharon O'Connor who has two claims, rather than one.

20. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None.

SECTION II: CLOSED SESSION

Chair Beautz adjourned to Closed Session at 10:45 a.m. and reconvened to Open Session at 10:55 a.m.

SECTION III: RECONVENE TO OPEN SESSION

21. REPORT OF CLOSED SESSION

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

ADJOURN

There being no further business, Chair Beautz adjourned the meeting at 10:55 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator