

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**June 12, 2009**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, June 12, 2009 at the District's Administrative Office located at 370 Encinal Street in Santa Cruz, California.

Vice Chair Pirie called the meeting to order at 9:00 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Dene Bustichi  
Donald Hagen  
Michelle Hinkle  
Emilio Martinez  
Ellen Pirie  
Lynn Robinson  
Mike Rotkin  
Mark Stone  
Marcela Tavantzis

#### **DIRECTORS ABSENT**

Ron Graves  
Pat Spence  
Ex-Officio Donna Blitzer

#### **STAFF PRESENT**

Ciro Aguirre, Operations Manager  
Angela Aitken, Finance Manager  
Frank Cheng, MetroBase Project Manager  
Bob Cotter, Maintenance Manager

Margaret Gallagher, District Counsel  
Shona Harper, Asst Paratransit Superintendent  
Debbie Kinslow, Asst Finance Manager  
Robyn Slater, Human Resources Manager

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

Will Regan, VMU

Bob Yount, MAC

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

Written:

None.

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 MAY 2009**

No questions or comments.

**5-2. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR APRIL 2009**

No questions or comments.

**5-3. CONSIDERATION OF TORT CLAIMS: None**

No questions or comments.

**5-4. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JUNE 17, 2009 AND MINUTES OF APRIL 15, 2009**

Director Hagen expressed concern regarding the ongoing vacancies on the committee and urged Board Members with the vacant positions to nominate applicants for appointment to MAC.

**5-5. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF MARCH 2009**

No questions or comments.

**5-6. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR APRIL 2009**

No questions or comments.

**5-7. ACCEPT AND FILE RIDERSHIP REPORT FOR APRIL 2009**

No questions or comments.

**5-8. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ MONTHLY SERVICE REPORT FOR THE MONTH OF APRIL 2009**

No questions or comments.

**5-9. ACCEPT AND FILE METROBASE PROJECT STATUS REPORT**

No questions or comments.

**5-10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH ALLIANT INSURANCE SERVICES AND CONTINUING PARTICIPATION IN THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY JOINT POWERS AGREEMENT IN ORDER TO ACCESS EXCESS WORKERS' COMPENSATION INSURANCE**

No questions or comments.

**REGULAR AGENDA**

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

This presentation will take place at the June 26, 2009 Board meeting.

**7. PUBLIC HEARING: CONSIDERATION OF ADOPTING RESOLUTION APPROVING FY10 FINAL BUDGET**

Public Hearing will take place at the June 26, 2009 Board meeting.

**Summary:**

Angela Aitken gave a very brief summary of the FY10 Budget including the various Revenue Sources listed on page #7.b1, Departmental and Consolidated Operating Expenses, the Capital Budget, and Schedule of Reserve Accounts.

**8. CONSIDERATION OF TORT CLAIMS:  
REJECT THE CLAIM OF MARGARITA DAVILA, CLAIM #09-0011**

Margaret Gallagher reported that action was needed today on this item due to the 45-day deadline and distributed copies of the English translation of the claim, which is attached to the file copy of these minutes.

**ACTION: MOTION: DIRECTOR STONE SECOND: DIRECTOR ROTKIN**

**Deny the claim of Margarita Davila, Claim #09-0011.**

**Motion passed unanimously with Directors Graves and Spence being absent.**

9. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO ISSUE AMENDMENTS TO THE CONTRACTS WITH WATSONVILLE TRANSPORTATION, INC. AND SANTA CRUZ TRANSPORTATION, LLC FOR SUPPLEMENTAL PARATRANSIT SERVICE**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ROBINSON**

**Authorize the General Manager to execute amendments to the contracts with Watsonville Transportation, Inc. and Santa Cruz Transportation, LLC for Supplemental Paratransit Services to amend the not to exceed amounts of each contract from \$200,000 to \$350,000.**

**Discussion:**

Director Rotkin asked if the percentage of rides performed by supplemental providers was increasing. Ciro Aguirre explained that the percentage was not increasing, but that METRO is providing more rides overall due to local social service agencies losing funding that had previously been used to pay for their clients' transportation, so those clients are turning to METRO.

**Motion passed unanimously with Directors Graves and Spence being absent.**

10. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AMENDMENTS TO INCREASE THE TOTAL AMOUNTS OF THE PURCHASE ORDERS WITH SPECIALIZED AUTO & FLEET IN AN AMOUNT NOT TO EXCEED \$57,500 AND WITH WATSONVILLE CADILLAC BUICK PONTIAC GMC IN AN AMOUNT NOT TO EXCEED \$37,000 FOR AUTOMOTIVE REPAIRS AND INSPECTION SERVICES**

**Summary:**

Ciro Aguirre explained that several automotive repair shops that ParaCruz originally had purchase orders with have gone out of business and the two remaining shops that ParaCruz depends on need their purchase orders increased.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ROBINSON**

**Authorize the General Manager to execute amendments to increase the total amounts of the purchase orders with Specialized Auto & Fleet in an amount not to exceed \$57,500 and with Watsonville Cadillac Buick Pontiac GMC in an amount not to exceed \$37,000 for automotive repairs and inspection services.**

**Motion passed unanimously with Directors Graves and Spence being absent.**

11. **CONSIDERATION OF ADOPTING A RESOLUTION AUTHORIZING AN AMENDED GRANT APPLICATION FOR A REDUCTION IN THE AMOUNT OF FEDERAL FUNDS TO BE CLAIMED FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009**

**Summary:**

Angela Aitken reported that the FTA allocated \$1,609,701 in ARRA funds and in March 2009, the METRO Board of Directors approved a list of proposed projects in the amount of \$5,281,873 to be funded by the ARRA appropriation to Santa Cruz County.

Based upon a standing agreement between Monterey-Salinas Transit (MST) and METRO for sharing the FTA apportionment to Watsonville for operating assistance, MST claimed \$104,470 from the Watsonville apportionment also claimed by METRO for its transit capital development projects. METRO must reduce its projects amount by the \$104,470 claimed by MST and amend its grant application to the FTA.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR STONE**

**Adopt the Resolution authorizing METRO staff to amend its grant application to the Federal Transit Administration to reduce the amount of federal funds to be claimed from the ARRA.**

**Motion passed unanimously with Directors Graves and Spence being absent.**

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

Margaret Gallagher reported that the Board would have a conference with its Legal Counsel regarding the Existing Litigation claim of Martin Gilbert.

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

None.

**SECTION II: CLOSED SESSION**

Vice Chair Pirie adjourned to Closed Session at 9:35 a.m. and reconvened to Open Session at 9:45 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**14. REPORT OF CLOSED SESSION**

Margaret Gallagher reported that the Board approved the final settlement that was reached through mediation in the case of Martin Gilbert vs. A Tool Shed which includes the following terms and conditions: 1) Mr. Gilbert will receive \$70,000; 2) METRO will receive \$55,000 and its statutory credit of the net recovery by Mr. Gilbert from this litigation for any future worker's compensation claims arising from the April 19, 2006 accident; 3) METRO is required to pay 1/3 of the mediation fee.

**ADJOURN**

There being no further business, Vice Chair Pirie adjourned the meeting at 9:45 a.m.

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Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator