

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

September 24, 2010

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, September 24, 2010 at the Watsonville City Council Chambers, 275 Main Street, Watsonville, CA.

Vice Chair Pirie called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Dene Bustichi
Ron Graves
Donald Hagen
Michelle Hinkle
John Leopold
Ellen Pirie
Lynn Robinson
Mike Rotkin
Ex-Officio Donna Blitzer
Mark Stone
Antonio Rivas

DIRECTORS ABSENT

Marcela Tavantzis

STAFF PRESENT

Ciro Aguirre, Operations Manager
Angela Aitken, Acting AGM/Finance Manager
Bob Cotter, Maintenance Manager
Frank Cheng, MB Project Manager
Mary Ferrick, Fixed Route Superintendent

Margaret Gallagher, District Counsel
Debbie Kinslow, Asst Finance Manager
Robyn Slater, Human Resources Manager
April Warnock, Paratransit Superintendent
Les White, General Manager

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

Genevieve Bookwalter, Santa Cruz Sentinel
Neal Coonerty, Board of Supervisors
John Daugherty, SEA
Carolyn Derwing, Schedule Analyst
Erich Friedrich, Provisional Transit Planner

Manny Martinez, PSA
Eduardo Montesino, UTU
Bonnie Morr, UTU
Will Regan, VMU
Amy Weiss, Spanish Interpreter

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

Leslie R. White, General Manager, commented that everyone should have information regarding Proposition 22 and copy of January 22, 2010 staff report and resolution of the Local Taxpayer Protection Act.

Chair Pirie moved regular agenda item 13 to be the first item on the regular agenda.

CONSENT AGENDA

- 5-1. **CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM OF ADAM THOMAS, # 10-0028; REJECT THE CLAIM OF BETH LAURANCE, #10-0029**
- 5-2. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF JULY 2010**
- 5-3. **ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR JULY 2010**
- 5-4. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY 2010**
- 5-5. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ MONTHLY SERVICE REPORT FOR JULY 2010**
- 5-6. **ACCEPT AND FILE MAC AGENDA FOR SEPTEMBER 15, 2010, AND MINUTES OF JUNE 16, 2010 MEETING**
- 5-7. **APPROVE REGULAR BOARD MEETING MINUTES OF AUGUST 13 AND 27, 2010**
- 5-8. **ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE AUGUST 2010 MEETING(S)**
- 5-9. **NOTICE OF ACTION TAKEN IN CLOSED SESSION REGARDING SETTLEMENT OF CLAIM OF JUANA RAYA, #10-0006**

- 5-10. ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR SEPTEMBER 2010
- 5-11. ACCEPT AND FILE STATUS REPORT OF FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES THROUGH SEPTEMBER 15, 2010
- 5-12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A LEASE AGREEMENT WITH ALI GHARAHGOZLOO AND JESSICA HSU, DBA JESSICA'S GROCERY STORE, FOR LEASING SPACE IN THE WATSONVILLE TRANSIT CENTER AND ON-SITE JANITORIAL, MAINTENANCE AND MANAGEMENT DUTIES
- 5-13. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A NEW LEASE FOR THE PROPERTY LOCATED AT 115 DUBOIS STREET TO BEGIN ON JANUARY 1, 2011 AND EXPIRE ON DECEMBER 31, 2013
- 5-14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO SIGN A CONTRACT EXTENSION WITH MANAGED HEALTH NETWORK (MHN) FOR EMPLOYEE ASSISTANCE PROGRAM (EAP)
- 5-15. CONSIDERATION OF A RESOLUTION REDUCING THE CHANGE FUND FOR METRO CENTER
- 5-16. CONSIDERATION OF A RESOLUTION ELIMINATING THE PETTY CASH FUND FOR THE FLEET MAINTENANCE DEPARTMENT
- 5-17. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH ALI GHARAHGOZLOO FOR THE CONTINUED OPERATION AND MANAGEMENT OF THE CHANGE MACHINE AT WATSONVILLE TRANSIT CENTER AND TO BEGIN OPERATING AND MANAGING THE ELECTRONIC FARE PAYMENTS THROUGH THE NEW AUTOMATED TICKET VENDING MACHINES WHICH WILL BE INSTALLED AT THE CENTER

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR LEOPOLD

Approve the Consent Agenda.

Motion passed unanimously with Director Tavantzis being absent.

REGULAR AGENDA

- 13. CONSIDERATION OF REQUEST FROM TONI CASSISTA TO ALLOW HER TO RIDE IN A PASSENGER SEAT WHILE SIMULTANEOUSLY TRANSPORTING HER SCOOTER ON THE PARACRUZ SERVICE WITHOUT MANUFACTURER AND FEDERAL TRANSIT ADMINISTRATION APPROVED SECUREMENT
(ITEM WAS MOVED AHEAD OF ITEM #6 BY CHAIR PIRIE)

Summary: Leslie R. White, General Manager, discussed the implication of taking into consideration the request of Toni Cassista but said he would talk with Ciro Aguirre, OPS Manager, and April Warnock, Paratransit Superintendent, about possible modifications that

can be done to better accommodate Ms. Cassista. Mr. White added that he would address the Board again with a suitable response to the issues that need to be solved at the October 8, 2010 meeting.

Discussion: Toni Cassista said her main issue is that she is able to ride ParaCruz safely and securely. Ms. Cassista also mentioned that her scooter does fit properly in the ParaCruz vans but some accommodations need to be made. Ms. Cassista thanked the Board for listening to her.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ROBINSON

Revisit request of Toni Cassista at the October 8, 2010 Board of Directors meeting.

Motion passed unanimously with Director Tavantzis being absent.

6. **CONSIDERATION OF ORAL PRESENTATION OF INFORMATION REGARDING CALIFORNIA BALLOT PROPOSITION 22**

Summary: Josh Shaw, California Transit Association, discussed how proposition 22 came to be and what it would mean for the transit. Mr. Shaw said the measure would protect four main sources of revenue which would be the local property tax, highway users' tax, public transit funding and redevelopment funds. Mr. Shaw said that this measure protects these funds from the state legislature in that they cannot borrow or take any funds; this resulted in the Transportation Development Act.

ACTION: MOTION: DIRECTOR SECOND: DIRECTOR

Accept and file the presentation of information regarding California ballot proposition 22.

Motion passed unanimously with Director Tavantzis being absent.

7. **CONSIDERATION OF APPOINTMENT OF MARGARET LAXSON TO THE METRO ADVISORY COMMITTEE (NOMINATED BY DIRECTOR LEOPOLD)**

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR RIVAS

Approve the appointment of Margaret Laxson to the Metro Advisory Committee.

Motion passed unanimously with Director Tavantzis being absent.

8. **CONSIDERATION OF APPROVING A NEW REGULATION REGARDING SERVICE ANIMALS ON METRO'S FIXED ROUTE AND PARATRANSIT VEHICLES AND METRO'S FACILITIES**

Summary: Margaret Gallagher, District Counsel, discussed the new regulation regarding the use of service animals on Metro's fixed route and Paratransit vehicles and at Metro's

facilities. Ms. Gallagher also mentioned that with the help of staff and bus operator's it will be easier to give information and facilitate the use of service animals to its customers.

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR BUSTICHI

Approve the new regulation regarding service animals on Metro's fixed route and Paratransit vehicles and Metro's facilities.

Motion passed unanimously with Director Tavantzis being absent.

9. CONSIDERATION OF APPROVING THE REVISED DRUG AND ALCOHOL TESTING POLICY

Summary: Robyn Slater, Human Resources Manager, discussed the new tests that will be added when testing an employee for drugs and alcohol.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ROBINSON

Approve the revised drug and alcohol testing policy.

Motion passed unanimously with Director Tavantzis being absent.

10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A THREE YEAR EXTENSION OF THE MEMORANDUM OF UNDERSTANDING FOR HIGHWAY 17 CONSOLIDATED SERVICE

Summary: Angela Aitken, Finance Manager and Acting Assistant General Manager, discussed how important the Highway 17 service is for Metro and how it provides commuter service as well as local service.

ACTION: MOTION: DIRECTOR RIVAS SECOND: DIRECTOR LEOPOLD

Authorize the General Manager to execute a three year extension of the Memorandum of Understanding for Highway 17 Consolidated Service.

Motion passed unanimously with Director Tavantzis being absent.

11. ACCEPT AND FILE REPORT ON FY 2010 FEDERAL TRANSIT ADMINISTRATION TRIENNIAL REVIEW

Summary: Angela Aitken, Finance Manager and Acting Assistant General Manager, discussed the results of the Triennial Review for the Fiscal Year 2010.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR LEOPOLD

Accept and file report on FY 2010 Federal Transit Administration Triennial Review.

Motion passed unanimously with Director Tavantzis being absent.

12. CONSIDERATION OF AMENDING THE GFI GENFARE CONTRACT TO REDUCE GFI'S LIABILITY IN EXCHANGE FOR A ONE-YEAR EXTENDED WARRANTY FOR THE FAREBOXES AND TICKET VENDING MACHINES

Summary: Ciro Aguirre, Operations Manager, discussed the amending of the GFI Genfare contract by making some changes to part of the contract in which METRO would be held liable of the fareboxes once they were delivered but in exchange GFI Genfare agreed to a one-year extended warranty for the fareboxes and ticket vending machines. Mr. Aguirre added that the testing and installation of the fareboxes and ticket vending machines will stay the same in the contract.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BUSTICHI

Conditionally approve amending the GFI Genfare Contract to reduce GFI's liability in exchange for a one-year extended warranty for the fareboxes and ticket vending machines, subject to approval by a subcommittee comprised of Directors Rivas and Stone.

Motion passed unanimously with Director Tavantzis being absent.

14. ORAL ANNOUNCEMENT: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, OCTOBER 8, 2010 AT 9:30 A.M. AT THE SANTA CRUZ METRO ADMINISTRATIVE OFFICES AT 110 VERNON STREET, IN SANTA CRUZ, CALIFORNIA

15. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

Margaret Gallagher, District Counsel, said that the Board of Directors would have a conference with its Legal Counsel regarding the existing claim of Russell Thomas vs. Santa Cruz METRO Transit District and the claim of Lauren Bryan and California State Automobile Association; with its Real Property Negotiators for 425 Front Street, Santa Cruz, CA.

16. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

Chair Pirie adjourned to Closed Session at 9:30 a.m. and reconvened to Open Session at 11:17 a.m.

SECTION III: RECONVENE TO OPEN SESSION

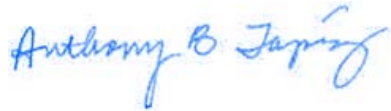
17. REPORT OF CLOSED SESSION

Margaret Gallagher stated that there was no reportable action taken in Closed Session.

ADJOURN

There being no further business, Chair Pirie adjourned the meeting at 11:17 a.m.

Respectfully submitted,



ANTHONY TAPIZ
Administrative Services Coordinator