



A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, October 28, 2011 at the Santa Cruz City Chambers, located at 809 Center Street in Santa Cruz, California.

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

**SECTION 1: OPEN SESSION**

**1. ROLL CALL:**

**DIRECTORS PRESENT**

Margarita Alejo  
Hilary Bryant  
Dene Bustichi  
Daniel Dodge  
Ron Graves  
Donald Hagen  
Michelle Hinkle  
John Leopold  
Ellen Pirie  
Lynn Robinson  
Ex-Officio Donna Blitzer

**DIRECTORS ABSENT**

Mark Stone

**STAFF PRESENT**

Pat Aviles, Asst Human Resources Manager  
Frank Cheng, IT & MB Project Manager  
Bob Cotter, Maintenance Manager  
Margaret Gallagher, District Counsel

Debbie Kinslow, Asst Finance Manager  
Robyn Slater, Human Resources Manager  
Leslie R. White, General Manager

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

Will Regan, VMU/SEIU

**2. ORAL ANNOUNCEMENT: SPANISH LANGUAGE INTERPRETATION**

Amy Weiss announced that she was available for Spanish language interpretation.

**3. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS**

WRITTEN:

A. Bill Delaney RE: Routing of Buses on 41st Ave. Northbound

ORAL:

None.

**4. LABOR ORGANIZATION COMMUNICATIONS**

None.

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

None..

**CONSENT AGENDA**

- 6-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF JUNE 2011
- 6-2. CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM OF JOYCE SMITH, CLAIM #11-0025, REJECT THE CLAIM OF AAA (SUBROGATING FOR CYNTHIA SAMMET, CLAIM #11-0024
- 6-3. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF JULY 2011
- 6-4. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF AUGUST 2011
- 6-5. ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR JULY 2011
- 6-6. ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR AUGUST 2011
- 6-7. ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR OCTOBER 2011
- 6-8. ACCEPT AND FILE STATUS REPORT OF FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES

- 6-9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH GIRO, INC. TO THE HASTUS LICENSE AND AGREEMENT IN THE AMOUNT OF \$197,890 FOR APPROVED CUSTOMIZATIONS, ONSITE GO-LIVE SUPPORT VISITS, REMOTE SUPPORT SESSIONS, AND ANNUAL MAINTENANCE COVERING ALL OF 2012, AND PART OF 2013**
  
- 6-10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT AMENDMENT WITH TRAPEZE SOFTWARE GROUP, INC. FOR SUPPORT MAINTENANCE OF TRAPEZE PASS, PASS-CERT, PASS IVR (CALLBACKS), IVR (CANCEL/CONFIRM), AND VOICE GENIE MODULES IN THE AMOUNT OF \$18,448.00 WITH EXPIRATION DATE OF JUNE 30, 2012**
  
- 6-11. NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION**
  
- 6-12. ACCEPT AND FILE ACCESSIBLE SERVICES REPORT FOR MONTH OF JULY 2011**
  
- 6-13. CONSIDERATION OF AWARD OF CONTRACT with AAA FENCE COMPANY, INC. TO PROVIDE AND INSTALL WROUGHT IRON FENCING AT THE 425 FRONT STREET LOT FOR AN AMOUNT NOT TO EXCEED \$22,669**
  
- 6-14. ACCEPT AND FILE ACCESSIBLE SERVICES REPORT FOR MONTH OF AUGUST 2011**

**ACTION: MOTION: DIRECTOR GRAVES      SECOND: DIRECTOR ROBINSON**

**Approve Consent Agenda as presented.**

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

**REGULAR AGENDA**

**7. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

Chair Ellen Pirie presented Certificates of Appreciation and Ten-Year Pins to Robyn D. Slater, Human Resources Manager and Efrain U. Hernandez, Vehicle Service Worker II for ten years of service; and a Certificate of appreciation to Maria P. Hernandez, Customer Service Representative for fifteen years of service

**8. CONSIDERATION OF A RESOLUTION OF APPRECIATION AND REMEMBRANCE FOR THE SERVICES OF DELORIS LAUTNER AS A RESERVATIONIST FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

**ACTION:      MOTION:      DIRECTOR LEOPOLD      SECOND:      DIRECTOR GRAVES**

**Approve Resolution of Appreciation and Remembrance for the services of Deloris Lautner as a Reservationist for the Santa Cruz Metropolitan Transit District.**

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

**9. CONSIDERATION OF ADOPTING ANOTHER RESOLUTION AT THE REQUEST OF CALTRANS AUTHORIZING THE GENERAL MANAGER TO REQUEST A LETTER OF NO PREJUDICE (LONP) AND SIGN NECESSARY AGREEMENTS WITH THE CALIFORNIA TRANSPORTATION COMMISSION (CTC) AND CALTRANS IN ORDER TO PROCEED WITH THE PURCHASE OF 11 NEW FIXED-ROUTE CNG-FUELED BUSES WITH LOCAL SALES TAX MATCHING FUNDS, IF NECESSARY, PRIOR TO CTC ALLOCATION OF STATE AND LOCAL PARTNERSHIP PROGRAM (SLPP) FUNDING**

Tove Beatty, Grants/ Legislative Analyst, reported that the Resolution was no longer needed. Director Leopold thanked Staff for their efforts, said that although working with Caltrans may be difficult, the funds are important to METRO.

**NO ACTION TAKEN.**

**10. CONSIDERATION OF AWARD TO CONTRACT FOR PURCHASE AND INSTALLATION OF INFRARED I.S. NATURAL GAS SENSORS AND LEL REMOTE CALIBRATION ADAPTOR KITS WITH COATS CONSTRUCTION COMPANY FOR AN AMOUNT NOT TO EXCEED \$64,750**

Robert Cotter, Maintenance Manager, reported that the gas sensors at the Fleet Maintenance Building required retrofitting. Vice Chair Robinson new sensors were needed. Mr. Cotter said that the new sensors are controlled remotely, so the added effort and risk of renting a scissers lift is eliminated. Leslie R. White said that the first sensors installed were now obsolete. There was a discussion about the lack of bids received.

**ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR LEOPOLD**

**Authorize the General Manager to sign a contract for purchase and installation of infrared I.S. Natural Gas Sensors and LEL Remote Calibration Adaptor Kits with Coats Construction Company for an amount not to exceed \$64,750.00.**

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

**11. CONSIDERATION OF AWARD TO CONTRACT FOR RENOVATION OF PACIFIC STATION LANE 4 AWNING WITH COATS CONSTRUCTION COMPANY FOR AN AMOUNT NOT TO EXCEED \$96,705**

Robert Cotter, Maintenance Manager, said that the Pacific Station Lane 4 awning has deteriorated and is in need of replacement. There was a discussion about Sole Bid Analysis. Director Leopold asked if the RFP had been posted in the Builder's Exchange. Mr. Cotter said that it had. There was a discussion about outreach to local contractors and about the general lack of interest in bidding on government jobs. Director Bustichi asked if the project could be put back out to bid. Leslie R. White said that there was a deadline for using the funds, but that the point was well-taken. John Daugherty asked if the Grant funds could possibly be used for bus stop improvements.

**ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR HAGEN**

**Authorize the General Manager to sign a contract for Renovation of the Pacific Station Lane 4 awning with Coats Construction Company for an amount not to exceed \$96,705.**

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

**12. MONTHLY BUDGET STATUS REPORTS FOR JUNE 2011 AND APPROVAL OF BUDGET TRANSFERS**

Angela Aitken, Acting Asst. General Manager & Finance Manager, presented the staff report. Director Leopold said he understood the need to be conservative in budgeting, but to not be overly conservative in the future. Ms. Aitken said that the last year had been very volatile and that the best decisions were made with the best information available. Leslie R. White said that METRO would return to a 5-year Budget plan. Director Dodge said he was confused by the doom and gloom, and said that projections need to be on-target. Director Dodge said that he was concerned that the public was losing faith.

There was a discussion about the nature of federal Transit funding. Bonnie Morr, UTU, requested that the Board look at past financial reports when considering current finances.

**ACTION: MOTION: DIRECTOR HAGEN SECOND: DIRECTOR LEOPOLD**

**Accept and file the fiscal year end monthly Budget Status Reports for June 30, 2011, and approve the June 2011 Budget Transfers.**

**Motion passed with Director Dodge voting no and Director Stone being absent.**

**CHAIR PIRIE ANNOUNCED THAT THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION WOULD NOT BE HOLDING IT'S ANNUAL MEETING UNTIL NOVEMBER 18, 2011.**

**13. CONSIDERATION OF INTERIM SERVICE INCREASES TO ADDRESS OVERLOADS AND SERVICE DELAYS EXPERIENCED SINCE IMPLEMENTATION OF SERVICE REDUCTION ON SEPTEMBER 15, 2011**

Ciro Aguirre, Operations Manager, presented his staff report on service delays and interim service increases. There was a discussion about the staffing needs for maintaining current and future levels of service.

**DIRECTOR BUSITCHI LEFT THE ROOM**

**ACTION: MOTION: DIRECTOR HAGEN SECOND: DIRECTOR ROBINSON**

**Accept and file staff report on interim service increases to address overloads and service delays experienced since implementation of service reduction on September 15, 2011.**

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

**DIRECTOR BUSITCHI RETURNED.**

**14. CONSIDERATION OF RESTORING FIXED ROUTE AND PARATRANSIT SERVICE POSITIONS NECESSARY TO MEET PASSENGER VOLUMES**

Leslie R. White, General Manager, presented his staff report on the restoration of Fixed Route and Paratransit positions. There was a conversation about the positions to be restored and the need to correct service shortcomings. Director Leopold said that it was important to restore service levels, even if it meant putting off the hiring of management staff. Director Bryant asked if there were concerns of not having enough applicants. Mr. White said there were no concerns.

Eduardo Montesino, UTU, asked the Board to look at the service and said that whatever needed to be done to fix the service would be done. Mr. Montesino urged the Board to consider a discounted Cabrillo fare. John Daugherty, SEA, asked the Board to consider augmenting the staff at the Customer Service booth at Pacific Station. Will Regan, VMU, reported that the Fleet Maintenance Department was understaffed and he encouraged that the Board authorize the hiring of more mechanics. Bonnie Morr, UTU, said she was thankful that bus operators were being consulted on the issue and spoke about correcting the current service. Director Dodge asked about ridership studies. Leslie R. White described recent ridership studies.

**ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR ROBINSON**

**Approve the restoration of Fixed Route and Paratransit positions necessary to meet passenger volumes; direct staff to report back on the status of Mechanics in November; and direct staff to report back on status of restored positions and service in January.**

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

**15. CONSIDERATION OF RESTORATION OF THE FUNDING FOR THE FOLLOWING POSITIONS FOR THE FISCAL YEAR 2012 BUDGET: ASSISTANT GENERAL MANAGER, ASSISTANT HUMAN RESOURCES MANAGER, PURCHASING ASSISTANT AND PARACRUZ CLERK III**

Leslie R. White, General Manager, presented the staff report on restoring funding for the Assistant General Manager, Assistant Human Resources Manager, Purchasing Assistant and Paracruz Clerk III positions. Director Bustichi asked that the issue of the Assistant General Manager be pulled. Director Leopold said that he was concerned about the sustainability of the positions being authorized. Leslie R. White said that the positions were sustainable. Director Leopold said he was uneasy hiring so many when District finances are so tentative.

**ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR ROBINSON**

**Approve the restoration of FY 2012 funding for the Assistant Human Resources Manager, Purchasing Assistant and Paracruz Clerk III positions.**

**Motion passed with Directors Dodge and Leopold voting no, and Director Stone being absent.**

**16. CONSIDERATION OF EXECUTION OF A LETTER OF AGREEMENT TO EXTEND THE CURRENT EMPLOYMENT AGREEMENT WITH LESLIE R. WHITE TO SERVE AS GENERAL MANAGER FOR THE PERIOD JANUARY 1, 2013 THROUGH DECEMBER 31, 2014**

Chair Pirie moved item #16 to Closed Session.

**17. ORAL ANNOUNCEMENT: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, NOVEMBER 18, 2011 AT 9:00 A.M. AT THE WATSONVILLE CITY COUNCIL CHAMBERS LOCATED AT 275 MAIN STREET, WATSONVILLE**

Presented by: Ellen Pirie, Chair

**18. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

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

Bonnie Morr, UTU, said that METRO was lucky to have Les White. Ms. Morr said that Les White understands the System, the Industry, and the Community, and she supported extending his contract.

**SECTION II: CLOSED SESSION**

**1. CONFERENCE WITH LEGAL COUNSEL – [EXISTING] LITIGATION**

(Pursuant to Government Code Section 5495[6.9])

- a. Existing Litigation: Zonia Waldon v. Santa Cruz Metro: Santa Cruz Superior Court Case No. 167503
- b. Existing Litigation: Estate of Salvador Chipres and heirs of Salvador Chipres v. Santa Cruz Metro
- c. Existing Litigation: Goodwill Industries/De La Garza v. Santa Cruz Metro

**SECTION III: RECONVENE TO OPEN SESSION**

**20. REPORT OF CLOSED SESSION**

Margaret Gallagher stated that the Board had authorized the execution of a Letter of Agreement to extend the current employment agreement with Leslie R. White to serve as General Manager for the period January 1, 2013 through December 31, 2014. Ms. Gallagher announced that Ron Graves, Daniel Dodge, Hilary Bryant, Dene Bustichi, Ellen Pirie, Lynn Robinson, Donald Hagen, Margarita Alejo, and Michelle Hinkle voted yes, that John Leopold voted no, and that Director Mark Stone was absent.

Will Regan, VMU, said that he supported Leslie R. White continuing as General Manager. Bonnie Morr asked about the Assistant General Manager position. Chair Pirie said that it would be re-visited.

**21. ADJOURNMENT**

ADJOURN TO THE NEXT REGULARLY SCHEDULED BOARD MEETING ON FRIDAY, NOVEMBER 18, 2011 AT 9:00 A.M. AT THE WATSONVILLE CITY COUNCIL CHAMBERS LOCATED AT 275 MAIN STREET, WATSONVILLE

**ADJOURN**

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

Respectfully submitted,



ANTHONY TAPIZ  
Administrative Services Coordinator