



**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING MINUTES
REGULAR MEETING
FEBRUARY 26, 2016 – 8:30 AM
WATSONVILLE CITY CHAMBERS
275 MAIN STREET
WATSONVILLE, CA 95076**

A regular meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District (METRO) was convened on Friday, February 26, 2016 at the Watsonville City Chambers, 275 Main Street, Watsonville, CA.

The Board Meeting Agenda Packet can be found online at www.SCMTD.com and is available for inspection at Santa Cruz METRO's Administrative offices at 110 Vernon Street, Santa Cruz, California.

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SECTION I: OPEN SESSION

1 CALL TO ORDER at 8:36AM by Chair Bustichi.

2 ROLL CALL: The following Directors were **present**, representing quorum:

Ex-Officio Director Donna Blitzer	UC Santa Cruz	Arrived @ 8:40A
Director Ed Bottorff	City of Capitola	
Director Dene Bustichi, Chair	City of Scotts Valley	
Director Karina Cervantez	City of Watsonville	
Director Cynthia Chase	City of Santa Cruz	
Director Jimmy Dutra	City of Watsonville	
Director Zach Friend	County of Santa Cruz	
Director Norm Hagen	County of Santa Cruz	
Director Don Lane	City of Santa Cruz	
Director John Leopold	County of Santa Cruz	
Director Bruce McPherson	County of Santa Cruz	Arrived @ 8:40A
Director Mike Rotkin, Vice Chair	County of Santa Cruz	

No Directors were absent.

STAFF PRESENT:

Alex Clifford, CEO

Leslyn Syren, District Counsel

METRO EMPLOYEES AND MEMBERS OF THE PUBLIC WHO VOLUNTARILY INDICATED THEY WERE PRESENT (IN ALPHABETICAL ORDER) WERE:

Heather Adamson, AMBAG
Angela Aitken, METRO
Erron Alvey, METRO
Liseth Guizar, METRO

Michael Will Regan, SEIU VMU
Ernestina Saldana, Commission On
Disabilities
Daniel Zaragoza, METRO

3 CONSIDERATION OF ELECTING MEMBERS TO SERVE AS BOARD OFFICERS, ELECTING REPRESENTATIVES AND ALTERNATES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION (SCCRTC), ELECTING A DIRECTOR TO THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION (SCCIC) BOARD AND REAFFIRM THE CURRENT APPOINTEES TO VARIOUS AD HOC COMMITTEES

At Chair Bustichi's request, the Clerk read aloud the slate presented at the January 22, 2016 meeting. After which Director Bottorff put forth the following slate:

Board Chair	Mike Rotkin
Board Vice Chair	Jimmy Dutra
SCCRTC Representatives (in order):	Karina Cervantez Cynthia Chase Ed Bottorff
SCCRTC Alternates (in order):	Dene Bustichi Mike Rotkin Norm Hagen
SCCIC Director	Norm Hagen

**ACTION: VOTE TO ACCEPT THE SLATE AS PRESENTED BY DIRECTOR BOTTORFF
SLATE PASSED WITH 8 AYES (Directors Bottorff, Bustichi, Chase, Friend, Hagen, Leopold, McPherson and Rotkin. Directors Cervantez, Dutra and Lane abstained.**

4 ANNOUNCEMENTS

Chair Rotkin made the following announcements:

- Carlos Landaverry is onsite and available for Spanish interpretation as needed. Carlos introduced himself and his services in Spanish.
- Renee Sheets will be today's Community Television technician
- Tamara Vides was the Technician from the City of Watsonville.
- The Board will recess at 9:00A or as soon thereafter as possible to hold the SCCIC (Santa Cruz Civic Improvement Corporation) Annual Meeting. We will reconvene immediately after it adjourns. The meeting is anticipated to last no more than 5-10 minutes.
- Information and forms for direct deposit of Board compensation were distributed to the Board members

5 BOARD OF DIRECTORS COMMENTS

Hearing none, the Board moved to the next item.

6 COMMUNICATIONS TO THE BOARD OF DIRECTORS

Chair Rotkin requested that the CEO respond to Ms. Adamic's letter.

Liseth Guizar, Safety, Security and Risk Manager, asked that the assembly commemorate this day and send their condolences to the families of Santa Cruz Police Department Detectives Butch Baker and Beth Butler today, the anniversary of their shooting. Detective Butler was the partner of a former bus operator. Staff expressed their thanks to our local law enforcement for their support. Chair Rotkin asked for a moment of silence.

Christine Bagnall, METRO rider, spoke about the affects the September 1st service changes have had on her church attendance. She is concerned about future changes and the potential effect to others. She has spoken to the Board four times and there have been no changes.

Chair Rotkin received Ms. Bagnall's permission to send a transcript of her comments to State and Federal representatives so they can gain a better understanding of how the changes have affected the public.

Luis Jiminez, ParaCruz rider, asked METRO to continue to work toward a schedule which would permit him to live independently. He was unaware of the bus schedule changes.

Board comments:

Director Dutra thanked CEO Clifford for organizing the recent presentation to Cabrillo's Student Senate and fellow Directors Bottorff, Lane and McPherson and Mr. Montesino for their participation. Cabrillo has created an Ad Hoc Committee to draft language for a successful student ballot measure which would impose a student fee for bus passes. This has the potential of increasing ridership and an additional \$750K in revenue to METRO.

7 WRITTEN COMMUNICATIONS FROM MAC

Having none, the meeting proceeded to the next agenda item.

8 LABOR ORGANIZATION COMMUNICATIONS

Eduardo Montesino, UTU representative, congratulated Chair Rotkin and Vice Chair Dutra on their appointments and thanked the Board for their advocacy. He echoed the positive nature of the Cabrillo presentation.

9 ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

Director Rotkin announced the following items were distributed to Board Members and are available at the back of the room for public viewing:

- SCCIC Agenda Packet
- Item 11-11B: Lease Assignment signed by Tenant and Assignee (and approved by Leslyn K. Syren, General Counsel, approved as to form)
- Closed Session Item: Agenda items have been properly placed under Section II
- News articles of interest

CONSENT AGENDA

11-01 RECOMMENDED ACTION ON TORT CLAIMS

Chair Rotkin thanked Mr. Eulalio Abrego for his 15 years as Bus Operator. Mr. Abrego expressed his gratitude for 15 years of working with this great team; his coworkers are good friends and METRO is a good community.

- 13 ACCEPT AND FILE THE YEAR TO DATE MONTHLY FINANCIAL REPORT AS OF October 31, 2015
Angela Aitken, Finance Manager, added commentary to the presentation.

Director Lane asked if the fuel price was lower now than it had been in October. Ms. Aitken responded yes. She added that most of METRO's buses are CNG and that price has been stable.

ACTION: MOTION TO ACCEPT THE YEAR TO DATE MONTHLY FINANCIAL REPORT AS OF OCTOBER 31, 2015 AS PRESENTED
MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR McPHERSON
MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin.

- 14 CONSIDERATION OF METROBASE MONTHLY CHANGE ORDER REPORT, RATIFICATION OF CHANGE ORDER APPROVAL BY THE CEO, AND INCREASING THE CEO'S CHANGE ORDER NOT-TO-EXCEED AUTHORITY TO \$1,641,562
Alex provided a brief history of the METRObase change order flow, noting that no singular change order exceeded the CEO's authority.

Hearing no Board or public comments, the following motion was presented.

ACTION: MOTION TO ACCEPT THE METROBASE MONTHLY CHANGE ORDER REPORT, RATIFICATION OF CHANGE ORDER APPROVAL BY THE CEO, AND INCREASING THE CEO'S CHANGE ORDER NOT-TO-EXCEED AUTHORITY TO \$1,641,562 AS PRESENTED
MOTION: DIRECTOR LANE SECOND: DIRECTOR HAGEN
MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin.

- 15 CONSIDERATION OF AUTHORIZING THE CEO TO EXECUTE A 1ST AMENDMENT EXTENDING THE CONTRACT WITH LAW OFFICES OF MARIE F. SANG FOR LEGAL SERVICES IN THE AREA OF WORKERS' COMPENSATION
Robyn D. Slater, Human Resources Manager, had asked that this item be placed on the Regular Agenda so that she can bring the Board's attention to the great job Ms. Sang does on behalf of METRO. Ms. Sang has closed 14 claims in the past three years and has several more ready to close. Due to her conscientiousness and judicious use of time, no additional funds have been required; we've been able to use the monies budgeted for three years over five years. Ms. Sang is to be commended for her efforts.

Director Leopold thanked Ms. Slater for bringing this forward, adding that good legal representation makes a difference in obtaining equitable settlements.

Director Hagen spoke as an individual who travels on 25-30 different routes per week and has observed great safety experiences.

Eduardo Montesino said METRO as an organization is very safety conscious. And, given the terrain, the minimal incidents experienced over the recent past have been few.

ACTION: MOTION TO AUTHORIZE THE CEO TO EXECUTE A 1st AMENDMENT EXTENDING THE CONTRACT WITH LAW OFFICES OF MARIE F. SANG FOR LEGAL SERVICES IN THE AREA OF WORKERS' COMPENSATION AS PRESENTED

**MOTION: DIRECTOR McPHERSON SECOND: DIRECTOR LEOPOLD
MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin.**

- 16 CONSIDERATION OF AUTHORIZING THE CEO TO EXECUTE A 1ST AMENDMENT EXTENDING THE CONTRACT FOR 5 YEARS WITH CLEAN ENERGY FOR MAINTENANCE SERVICES FOR LCNG FUELING STATION, INCREASING THE CONTRACT TOTAL BY \$803,000

Al Pierce, Maintenance Manager, noted 86% of METRO's fleet operates on CNG; the fuel facility is a mission critical item and a very complex process.

ACTION: MOTION TO AUTHORIZE THE CEO TO EXECUTE A 1st AMENDMENT EXTENDING THE CONTRACT FOR 5 YEARS WITH CLEAN ENERGY FOR MAINTENANCE SERVICES FOR LCNG FUELING STATION, INCREASING THE CONTRACT TOTAL BY \$803,000 AS PRESENTED

**MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR CHASE
MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin.**

- 17 UPDATE ON THE COMPREHENSIVE OPERATIONAL ANALYSIS
Barrow Emerson, Planning & Development Manager referred the Assembly to Page 17B.1, the schedule planned to achieve \$6.5M in cost savings.

The 15 second Public Service Announcement was shared with the Assembly. There will be 200+ monthly airings.

Director Friend suggested future messages emphasize the collection of input as well.

Eduardo Montesino commended Mr. Emerson for his engagement and the pop-ups. He warned of a "tug-of-war" over proposed cuts and increased public input via email and telephone. The changes will affect everyone.

Chair Rotkin thanked staff and the Unions for their public education efforts.

No Board action required.

- 18 CONSIDERATION OF A LIFE OF PROJECT BUDGET FOR THE LAND MOBILE RADIO (LMR) NETWORK UPGRADE
Liseth Guizar, Safety, Security and Risk Manager, provided background of the project nothing that no additional funding is being requested at this time.

Director Leopold predicted that additional funds will be required and asked, in the event the LOP budget is exceeded, where METRO would find the additional funds. Ms. Guizar responded that additional funds would come from reprioritization of other projects and the grant is very broad and would cover any additional funds.

CEO Clifford clarified that the Life of Project process puts a monetary boundary around the project. If the budget is exceeded, METRO will return to the Board with (re)prioritized project list.

Chair Rotkin asked if his understanding was correct; that the remaining issues are basic radio operation problems. Ms. Guizar answered yes; we are working with Day Wireless to fix the Motorola system. It is improving.

Mr. Montesino expressed his appreciation for staff's efforts with Day Wireless to get the system to work; but, he has no faith in Day Wireless. There should not be problems at METRO Center. Some drivers continue to use their personal cell phones.

If this comes back to the Board, Director Bustichi requested a Day Wireless representative be present to question and better understand the situation.

ACTION: MOTION TO ACCEPT THE LIFE OF PROJECT BUDGET FOR THE LAND MOBILE RADIO (LMR) NETWORK UPGRADE AS PRESENTED

MOTION: DIRECTOR BUSTICHI

SECOND: DIRECTOR DUTRA

MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin.

19 **CONSIDERATION OF A RESOLUTION TO ESTABLISH THE REVISED BOARD OF DIRECTORS MEETING SCHEDULE & LOCATIONS FOR THE CALENDAR YEAR 2016**

Director Leopold said the disabled community has voiced their concerns about the accessibility and difficulty to reach the Vernon Street facility. He recommended that the meetings be moved to the Santa Cruz City Chambers particularly in light of this year's service cuts to maintain accessibility.

Director Dutra requested CEO Clifford provide a history of the proposed changes. CEO Clifford responded that the Board had approved once-a-month meetings at December 2015 Board meeting. And, at that time there were 5 meetings scheduled at the Santa Cruz Chambers and 4 at the Watsonville Chambers. Since then, a May 13, 2016 meeting has been added at the Santa Cruz City Chambers due to the budget cycle and the need to have a meeting in a timely fashion. The Watsonville City Chambers is not available on September 23rd. The November 18th and December 9th meetings are proposed to be held at METRO's Admin Offices.

CEO Clifford strongly advocates holding some meetings at METRO as this continues to save staff time and money. The METRO facility is accessible with an elevator on property, via Route 4 which alights at the office and the schedule fits the Board Meetings.

Director Hagen reminded the Assembly that ParaCruz is an option for the disabled community. He himself rides Route 4 to attend meetings at METRO.

Director Bustichi said all of the cities are well represented and believes a majority of the meetings should be held at METRO.

After much discussion regarding accessibility, traffic, alternate locations, television coverage, etc. the following motion was presented:

ACTION: MOTION TO APPROVE THE RESOLUTION TO ESTABLISH THE REVISED BOARD OF DIRECTORS MEETING SCHEDULE & LOCATIONS FOR THE CALENDAR YEAR 2016 RELOCATING THE NOVEMBER MEETING TO WATSONVILLE CHAMBERS IF AVAILABLE. A REVISED SCHEDULE TO BE PRESENTED AT THE NEXT MEETING

MOTION: DIRECTOR FRIEND

SECOND: DIRECTOR BOTTORFF

MOTION PASSED WITH 7 AYES (Directors Bottorff, Chase, Friend, Lane, Leopold, McPherson and Rotkin. Directors Bustichi, Cervantez, Dutra and Hagen opposed.

20 CONSIDERATION OF ESTABLISHING BOARD STANDING COMMITTEES

Chair Rotkin asked CEO Clifford to bring this to the Board for Board input. No decisions will be made today regarding the committees to be formed. He further clarified the difference between standing and ad hoc committees; noting there will always be a use for ad hoc committees.

Directors Dutra and Lane do not support an outside facilitator; they feel METRO has adequate in-house expertise and framework available.

Suggested Committees were: Construction/Facilities, Finance (with rotating Chair/Vice Chair onboard), Nominating, Personnel with advice to create a few committees with specific duties.

Chair Rotkin will schedule an initial meeting to develop a list of Board Standing Committees to be presented to the Board at a future date. Volunteers for this initial meeting were: Chair Rotkin, Vice Chair Dutra and Director Lane.

ACTION: MOTION TO USE AN IN-HOUSE COMMITTEE TO DEVELOP A LIST OF BOARD STANDING COMMITTEES TO BE PRESENTED TO THE BOARD

MOTION: DIRECTOR BUSTICHI

SECOND: DIRECTOR DUTRA

MOTION PASSED WITH 11 AYES (Directors Bottorff, Bustichi, Cervantez, Chase, Dutra, Friend, Hagen, Lane, Leopold, McPherson and Rotkin.

21 CEO TO GIVE ORAL REPORT

Alex Clifford, CEO/General Manager, thanked board members for their participation in the Cabrillo Student Senate presentation yesterday. It went well.

AB 2090 has been introduced. Josh Shaw worked with Assemblyman Alejo to introduce AB 2090. If this legislation passes, it will provide the opportunity for METRO to use LCTOP funds under certain constraints; e.g., declaring a fiscal emergency.

Envision Silicon Valley update: VTA has been very supportive. We should know by April/May if the ballot will contain funding for the 6 buses and charging stations we've asked for.

Recognizing the pressure Board members are experiencing from various groups regarding the potential use of the 15% from the tax measure, CEO Clifford provided the following data to aid in answering any questions regarding possible impact to riders: In FY15, METRO Fixed Route provided 516,000 rides for discount passes and 98,000 rides on ParaCruz. Fixed Route is five times the amount of rides provided on ParaCruz.

Director Bustichi departed at 10:12A.

- 22 REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION
Leslyn Syren, General Counsel announced the following topics. She did not anticipate any announcements after the closed session. :
1. Conference with Legal Counsel - Potential Litigation
Pursuant to subdivision (b) of Government Code section 54956.9 – One case.
 2. Conference with Legal Counsel – Existing Litigation
Pursuant to subdivision (a) of Government Code section 54956.9 – One case.
Peter Wu v. Santa Cruz METRO, WCAB No. ADJ9877286
- 23 **ANNOUNCEMENT OF NEXT MEETING: FRIDAY, MARCH 25, 2016 AT 8:30 AM, SANTA CRUZ CITY COUNCIL, 809 CENTER STREET, SANTA CRUZ**
Chair Rotkin announced the next meeting as above.

Meeting adjourned at 10:13A by Chair Rotkin.

Respectfully submitted,

Gina Pye
Executive Assistant