

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**BOARD OF DIRECTORS REGULAR MEETING AGENDA
SEPTEMBER 27, 2002 (Fourth Friday of Each Month)
CITY HALL COUNCIL CHAMBERS
809 CENTER STREET
SANTA CRUZ, CALIFORNIA
9:00 a.m. - Noon**

SECTION I: OPEN SESSION - 9:00 a.m.

1. ROLL CALL
2. ORAL AND WRITTEN COMMUNICATION
 - a. Linda Wilshusen, SCCRTC RE: Employee Bus Passes
 - b. Kate K. Stafford RE: Bus Shelter
 - c. **Federal Transit Administration RE: Funding Allocations**
3. LABOR ORGANIZATION COMMUNICATIONS
4. METRO USERS GROUP (MUG) COMMUNICATIONS
5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS
6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

CONSENT AGENDA

- 7-1. APPROVE REGULAR BOARD MEETING MINUTES OF AUGUST 9 AND SPECIAL BOARD MEETING OF AUGUST 30, 2002
Minutes: Attached
- 7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
Report: Attached
- 7-3. ACCEPT AND FILE AUGUST 2002 RIDERSHIP REPORT & JULY/AUGUST RIDERSHIP FIGURES
Report: Attached
- 7-4. CONSIDERATION OF TORT CLAIMS: Deny the Claim of: Beverly Beams, Claim #02-0029
Claim: Attached

* Please note: Location of Meeting Place

- 7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF AUGUST 15, 2002
Minutes: Attached
- 7-6. ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF AUGUST 14, 2002
Minutes: Attached
- 7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JULY 2002; APPROVAL OF BUDGET TRANSFERS
Staff Report: Attached
- 7-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR JUNE 2002
Staff Report: Attached
- 7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY 2002
Staff Report: **Materials are included in the Add-On Packet**
- 7-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE
Staff Reports: Attached
- 7-11. ACCEPT AND FILE METROBASE STATUS REPORT
Staff Report: Attached
- 7-12. ACCEPT AND FILE CALL STOP AUDIT REPORT
Staff Report: Attached
Supplemental report is included in the Add-On Packet
- 7-13. CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF ASSETS: SEVEN GILLIG BUSES; ONE NEW FLYER BUS; AND ASSOCIATED PARTS INVENTORY; AND DISPOSAL OF FOREIGN AND MUTILATED COIN COLLECTED IN FAREBOXES
Staff Report: Attached
- 7-14. **DELETED – ACTION TAKEN AT THE SEPTEMBER 13, 2002 BOARD MEETING**
- 7-15. CONSIDERATION OF MINOR SERVICE ADJUSTMENTS EFFECTIVE SEPTEMBER 5, 2002
Staff Report: **Materials are included in the Add-On Packet**
- 7-16. CONSIDERATION OF OFFERING CALPERS OPTION FOR PUBLIC SERVICE CREDIT FOR PEACE CORPS OR AMERICORPS: VISTA SERVICE, FOR DISTRICT EMPLOYEES ENROLLED IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM

(Moved to Consent Agenda at the September 13, 2002 Board Meeting. Staff report retained original numbering as Item #11)

- 7-17. CONSIDERATION OF RESOLUTION AUTHORIZING THE GENERAL MANAGER OR HIS DESIGNEE TO SUBMIT APPLICATIONS TO EXECUTE GRANTS WITH THE U.S. DEPT. OF TRANSPORTATION FOR FEDERAL FUNDING ASSISTANCE
(Moved to Consent Agenda at the September 13, 2002 Board Meeting. Staff report retained original numbering as Item #12)

- 7-18. CONSIDERATION OF EXTENDING CONTRACTS WITH BLYMYER ENGINEERS, INC.
(Moved to Consent Agenda at the September 13, 2002 Board Meeting. Staff report retained original numbering as Item #15)

- 7-19. CONSIDERATION OF AMENDING BYLAWS TO ENSURE REGULAR BOARD MEETINGS ARE NOT SCHEDULED WITHIN 5 DAYS OF A RECOGNIZED DISTRICT HOLIDAY (THANKSGIVING, CHRISTMAS, NEW YEAR'S DAY)
***By Motion at their September 13, 2002 meeting the Board moved to review the yearly Board Meeting schedule in January for the forthcoming year.**
(Moved to Consent Agenda at the September 13, 2002 Board Meeting. Staff report retained original numbering as Item #17)

- 7-20. **CONSIDERATION OF APPROVAL TO MODIFICATIONS TO ENCROACHMENT PERMIT BETWEEN SANTA CRUZ METRO AND THE CITY OF SANTA CRUZ REDEVELOPMENT AGENCY**

Staff Report: **Materials are included in the Add-On Packet**

REGULAR AGENDA

8. CONSIDERATION OF PRESENTATION OF EMPLOYEE LONGEVITY AWARDS
Presented by: Chairperson Ainsworth
Staff Report: Attached
9. CONSIDERATION OF ADOPTION OF RESOLUTIONS OF APPRECIATION FOR DISTRICT RETIREES
Presented by: Chairperson Ainsworth
Staff Report: **Materials are included in the Add-On Packet**
10. CONSIDERATION OF APPOINTMENT OF DIRECTORS TO THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION
Presented by: Elisabeth Ross, Finance Manager
Staff Report: Attached
11. **MOVED TO CONSENT AGENDA AS ITEM #7-16**

12. **MOVED TO CONSENT AGENDA AS ITEM #7-17**
13. **DELETED – ACTION TAKEN AT THE SEPTEMBER 13, 2002 BOARD MEETING**
14. **DELETED**
15. **MOVED TO CONSENT AGENDA AS ITEM #7-18**
16. **DELETED – ACTION TAKEN AT THE SEPTEMBER 13, 2002 BOARD MEETING**
17. **MOVED TO CONSENT AGENDA AS ITEM #7-19**
18. CONSIDERATION OF APPROVAL OF SANTA CRUZ METRO ADVERTISING POLICY AND REGULATIONS
Presented by: Margaret Gallagher, District Counsel
Staff Report: Attached
19. CONSIDERATION OF LETTER OF CORRECTION TO COMMUNITY BRIDGES TO ACHIEVE COMPLIANCE WITH CURRENT PARACRUZ CONTRACT
Presented by: Bryant Baehr, Operations Manager
Staff Report: **Materials are included in the Add-On Packet**
20. CONSIDERATION OF THE ROLE OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT IN THE DEVELOPMENT AND CONSTRUCTION OF THE HIGHWAY 1 WIDENING PROJECT
Presented by: Les White, General Manager
Staff Report: **Materials are included in the Add-On Packet**
21. CONSIDERATION OF RESOLUTION TO APPROVE A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR ACQUISITION OF 425 FRONT STREET, SANTA CRUZ (APN #005-152-30) FOR METRO CENTER RENOVATION
Presented by: Les White, General Manager
Staff Report: Attached
PUBLIC HEARING WILL BE HELD AFTER 9 A.M.
22. CONSIDERATION OF STAFF AND FEDERAL TRANSIT ADMINISTRATION (FTA) ACTIONS TO PRESERVE FEDERAL CAPITAL DISCRETIONARY EARMARKED FUNDS
Presented by: Mark Dorfman, Assistant General Manager
Staff Report: **Materials are included in the Add-On Packet**

23. **CONSIDERATION OF ELIMINATING THE BOARD MEETING CURRENTLY SCHEDULED FOR DECEMBER 27, 2002**

Presented by: Margaret Gallagher, District Counsel
Staff Report: **Materials are included in the Add-On Packet**

ADJOURN

NOTICE TO PUBLIC

Members of the public may address the Board of Directors on a topic not on the agenda but within the jurisdiction of the Board of Directors or on the consent agenda by approaching the Board during consideration of Agenda Item #2 "Oral and Written Communications", under Section I. Presentations will be limited in time in accordance with District Resolution 69-2-1.

When addressing the Board, the individual may, but is not required to, provide his/her name and address in an audible tone for the record.

Members of the public may address the Board of Directors on a topic on the agenda by approaching the Board immediately after presentation of the staff report but before the Board of Directors' deliberation on the topic to be addressed. Presentations will be limited in time in accordance with District Resolution 69-2-1.

The Santa Cruz Metropolitan Transit District does not discriminate on the basis of disability. The City Council Chambers is located in an accessible facility. Any person who requires an accommodation or an auxiliary aid or service to participate in the meeting, please contact Dale Carr at 831-426-6080 as soon as possible in advance of the Board of Directors meeting. Hearing impaired individuals should call 711 for assistance in contacting METRO regarding special requirements to participate in the Board meeting. A Spanish Language Interpreter will be available during "Oral Communications" and for any other agenda item for which these services are needed. This meeting will be broadcast live by Community Television of Santa Cruz on Channel 26.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: General Manager
SUBJECT: ADDITIONAL MATERIAL TO THE SEPTEMBER 27, 2002 BOARD MEETING AGENDA

SECTION I:

ADD TO ITEM #2 c. Federal Transit Administration RE: Funding Allocations
(Insert Written Communication)

CONSENT AGENDA:

ADD TO ITEM #7-9 ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY 2002
(Insert Report)

ADD TO ITEM #7-12 ACCEPT AND FILE CALL STOP AUDIT REPORT
(Add Supplemental Report)

DELETE ITEM #7-14 CONSIDERATION OF ADOPTION OF REVISED FINAL RESOLUTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE SECTION 21354.4 (2.5% @ 55 FULL FORMULA) AND SECTION 21022 (PUBLIC SERVICE CREDIT FOR PERIODS OF LAYOFF)
(Action taken at the 9/13/02 Board Meeting)

ADD TO ITEM #7-15 CONSIDERATION OF MINOR SERVICE ADJUSTMENTS EFFECTIVE SEPTEMBER 5, 2002
(Add Staff Report)

ADD TO ITEM #7-20 CONSIDERATION OF APPROVAL TO MODIFICATIONS TO ENCROACHMENT PERMIT BETWEEN SANTA CRUZ METRO AND THE CITY OF SANTA CRUZ REDEVELOPMENT AGENCY
(Add Staff Report)

REGULAR AGENDA:

ADD TO ITEM #9 CONSIDERATION OF ADOPTION OF RESOLUTIONS OF APPRECIATION FOR DISTRICT RETIREES
(Add Resolutions)

- DELETE ITEM #13** CONSIDERATION OF AWARD OF CONTRACT FOR RELIABUILT CERTIFIED FACTORY REMANUFACTURED DETROIT DIESEL ENGINES
(Action taken at the 9/13/02 Board Meeting)
- DELETE ITEM #14** CONSIDERATION OF AWARD OF CONTRACT FOR EMPLOYEE ASSISTANCE PROGRAM
(Item moved to the October Board Meeting)
- DELETE ITEM #16** CONSIDERATION OF AMENDING PURCHASE ORDER/AGREEMENT WITH WEBER HAYES & ASSOCIATES FOR THE RENOVATION PROJECT AT SANTA CRUZ METRO CENTER
(Action taken at the 9/13/02 Board Meeting)
- ADD TO ITEM #19** CONSIDERATION OF LETTER OF CORRECTION TO COMMUNITY BRIDGES TO ACHIEVE COMPLIANCE WITH CURRENT PARACRUZ CONTRACT
(Add Staff Report)
- ADD TO ITEM #20** CONSIDERATION OF THE ROLE OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT IN THE DEVELOPMENT AND CONSTRUCTION OF THE HIGHWAY 1 WIDENING PROJECT
(Add Staff Report)
- ADD TO ITEM #22** CONSIDERATION OF STAFF AND FEDERAL TRANSIT ADMINISTRATION (FTA) ACTIONS TO PRESERVE FEDERAL CAPITAL DISCRETIONARY EARMARKED FUNDS
(Add Staff Report)
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(Add Staff Report)

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

BOARD OF DIRECTORS REGULAR MEETING AGENDA SEPTEMBER 13, 2002 (Second Friday of Each Month)

***SCMTD ENCINAL CONFERENCE ROOM**

370 ENCINAL STREET, SUITE 100

SANTA CRUZ, CALIFORNIA

9:00 a.m. – 11:00 a.m.

SECTION I: OPEN SESSION - 9:00 a.m.

1. ROLL CALL
2. ORAL AND WRITTEN COMMUNICATION
 - a. Linda Wilshusen, SCCRTC RE: Employee Bus Passes
 - b. Kate K. Stafford RE: Bus Shelter
3. LABOR ORGANIZATION COMMUNICATIONS
4. METRO USERS GROUP (MUG) COMMUNICATIONS
5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS
6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

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Report: Attached
- 7-3. ACCEPT AND FILE AUGUST 2002 RIDERSHIP REPORT & JULY/AUGUST RIDERSHIP FIGURES
Report: Attached
- 7-4. CONSIDERATION OF TORT CLAIMS: Deny the Claims of: Michelle Conway, Claim #02-0028; Mary Kourie, Claim #02-0027
Claims: Attached
ACTION REQUIRED AT THE SEPTEMBER 13, 2002 BOARD MEETING

* Please note: Location of Meeting Place

Deny the Claim of: Beverly Beams, Claim #02-0029
Claim: Attached

- 7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF AUGUST 15, 2002
Minutes: Attached
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REGULAR AGENDA

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Presented by: Chairperson Ainsworth
Staff Report: Attached
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Presented by: Elisabeth Ross, Finance Manager
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Presented by: Mark Dorfman, Assistant General Manager
Staff Report: Attached
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Presented by: Tom Stickel, Fleet Maintenance Manager
Staff Report: Attached
ACTION REQUIRED AT THE SEPTEMBER 13, 2002 BOARD MEETING

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Presented by: Bryant Baehr, Operations Manager
Staff Report: **WILL BE PRESENTED FOR CONSIDERATION AT THE SEPTEMBER 27, 2002 BOARD MEETING**
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Presented by: Les White, General Manager
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21. CONSIDERATION OF RESOLUTION TO APPROVE A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR ACQUISITION OF 425

FRONT STREET, SANTA CRUZ (APN #005-152-30) FOR METRO CENTER
RENOVATION

Presented by: Les White, General Manager

Staff Report: Attached

**PUBLIC HEARING WILL BE HELD AT THE SEPTEMBER 27, 2002 BOARD
MEETING**

22. CONSIDERATION OF STAFF AND FEDERAL TRANSIT ADMINISTRATION (FTA)
ACTIONS TO PRESERVE FEDERAL CAPITAL DISCRETIONARY EARMARKED
FUNDS

Presented by: Mark Dorfman, Assistant General Manager

Staff Report: **WILL BE PRESENTED FOR CONSIDERATION AT THE
SEPTEMBER 27, 2002 BOARD MEETING**

23. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION: District Counsel
24. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

1. CONFERENCE WITH LABOR NEGOTIATOR
Pursuant to Government Code Section 54957.6
- a. Agency Negotiator: Bryant Baehr, Operations Manager
Robyn Slater, Interim Human Resources Manager
1. Employee Organization: United Transportation Union (UTU), Local 23
2. Employee Organization: Service Employees International Union (SEIU),
Local 415
2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Subdivision (a) of Section 54956.9)
- a. Name of Case: Lane/Loya v. Santa Cruz Metropolitan Transit District

SECTION III: RECONVENE TO OPEN SESSION

25. REPORT OF CLOSED SESSION

ADJOURN

NOTICE TO PUBLIC

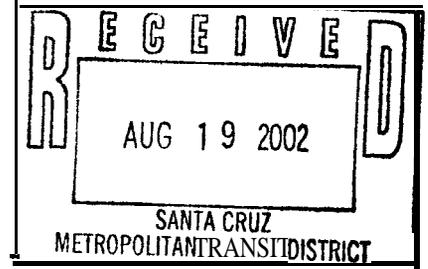
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August 15, 2002



SERVICE AUTHORITY
FOR FREEWAY
EMERGENCIES
(SAFE)

Sheryl Ainsworth
Chair
Santa Cruz Metropolitan Transit District
370 Encinal Street, Suite 100
Santa Cruz, CA 95060

RAIL/TRAIL
AUTHORITY

RE: Letter of August 1st Regarding Free Bus Passes for SCCRTC Employees

COMMUTE
SOLUTIONS

Dear *Sheryl* Chair Ainsworth:

Thank you for your letter of August 1st to Regional Transportation Commission Chair Tim Fitzmaurice regarding subsidized or free bus passes for SCCRTC employees.

TRANSPORTATION
POLICY WORKSHOP

As you know, employees of the SCCRTC are currently County employees. Consistent with the County's MOU with its employees, free bus passes are available only for employees working in the Government Center at 701 Ocean Street; the cost of these passes are paid from employee parking fees levied at that location. When the RTC moved its offices to Pacific Avenue a few years ago, its employees were no longer eligible for this County employee benefit. On at least two occasions in the past we have urged the County to reconsider providing free bus passes to employees at County worksites other than the Government Center, but the MOU has not been amended to respond to this suggestion. If the RTC were to become its own employer (which is currently under consideration by the Commission), it would be able to provide this benefit to its employees. We agree with you that this would enhance the good example already set by RTC employees who regularly use a variety of non-single occupant vehicle transportation modes for their commutes and errands. For your information, we have both a regular and electric bicycle available in the office for employee business use.

BUDGET &
ADMINISTRATION
PERSONNEL
COMMITTEE

INTERAGENCY
TECHNICAL
ADVISORY
COMMITTEE

BICYCLE COMMITTEE

Thank you again for your suggestion. If conditions change and SCCRTC employees become eligible for free bus passes, we will look forward to working with Metro on implementing this program.

ELDERLY & DISABLED
TRANSPORTATION
ADVISORY COMMITTEE

Sincerely,
Linda Wilshusen
Linda Wilshusen
Executive Director

cc: Les White. SCMTD

SCCRTC

WWW.SCCRTC.ORG
EMAIL INFO@SCCRTC.ORG

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structure there, with some character?

Years ago I worked on the **Felton Town Plan(1985)**--and it was clear from the process that the concensus among Townspeople was that **Felton** retain its rural character. In fact, I am sending you a page from the **Plan** which includes some description of **Felton's Character & Uniqueness**, which includes such words as "**Rustic,"Folksy**" and "**Gateway to the Valley.**" All of these words remind me why a wooden structure would be truly preferable.

I recognize that money is an issue--but this area,with the **Felton Welcome Sign adjacent** to it, truly is the "**Gateway to the Valley**" & to **Felton specifically. Felton's businesses** could use more amenities, to encourage shopping by **locals** in the **village**, and **attractive** Bus-Stops surely encourage more **people** to use mass transit.

Certainly I do understand that there is a desire to standardize structures, mass produce them, to keep costs down. But if wooden structures **could be kept** in areas that do wish to remain rustic in character, I hope that some **accomodation** could be made. Perhaps a protocol could be **developed** that **would giue** priority to rustic design & **materials** in areas that are especially **visible,such** as at our **Felton** Bus-stop by our **Welcome sign**? Please consider the **possibility,if** you can.

Ideally in the future we could **develop** a ready source,in **Santa Cruz**, of recycled wood / timber. Presently such a business already exists in **Berkeley**. This would keep costs of wood materials **down,and** would preserue a **very** precious resource.

This is perhaps quite a **long** letter for one Bus-Stop. But I really do **believe** that beauty and maintaining a sense of **place,character,matters**. Though I tend to believe that our **Countryside** is our greatest of gifts, I **also** believe that we can try to compliment that **blessing** of Natural Beauty with a **Consciousness of Caring & Artistry. Little** Carings matter & create a more **Compassionate** World, a World which harmonizes with the **Ancient Wonder** we **live** within.

Yours in the Redwoods.

Kate **K.Stafford**

GOALS :

- A). MAINTAIN FELTON'S CHARACTER AND CHARM.
- B). LEAVE FELTON JUST THE WAY IT IS, WITH MINOR IMPROVEMENTS.

Describe Felton's Character and Uniqueness:-----

Town "Memory"

Slow, Organic Change

"Home Made" Products

Historic Roots

Multi-Generational Community

Small

Rural

Village

Western

Redwood

Rustic

Natural Beauty and Views

Folksy

Riverfront

Individualistic Architecture

Minimal Change

"Gateway to the Valley"

Vineyards

NOT SCOTTS VALLEY

NOT CAPITOLA

NOT CARMEL



US Department
of Transportation
**Federal Transit
Administration**

Administrator

400 Seventh St, SW
Washington, D C 20590

SEP 4 2002

Ms. Sheryl Ainsworth
Chair
Board of Directors
Santa Cruz Metropolitan Transit District
370 Encinal Street, Suite 100
Santa Cruz, California 95060

SEP 9 2002

Dear Ms. Ainsworth: *Sheryl*

Thank you for your recent letter regarding the need to modify funding allocations for transit-intensive, small cities in the legislation reauthorizing the federal surface transportation program. We recognize your interest in considering transit service levels in the calculation of the Urbanized Area Formula program for cities between 50,000 and 200,000 in population. This issue is already being considered along with other proposals in the Federal Transit Administration's (FTA's) reauthorization discussions.

FTA envisions a future where public transportation is the mode of choice in America. Toward that end, we look forward to working with key stakeholders, such as the Santa Cruz Metropolitan Transit District (SCMTD), to ensure that the next phase of federal transit activities continues to improve upon the successes of the Intermodal Surface Transportation Efficiency Act and the Transportation Equity Act for the 21st Century.

Thank you for your contribution to this important effort. As we develop the policies for the next generation of federal transit programs, FTA will be designing a strong reauthorization proposal that takes into consideration ideas such as SCMTD's. I am encouraged by what you have presented thus far and look forward to continuing this dialog with you and your colleagues in the transit industry in the coming weeks and months.

Sincerely,

Jennifer L. Dom

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

August 9, 2002

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, August 9, 2002 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice-Chairperson Reilly called the meeting to order at 9:00 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Sheryl Ainsworth
Tim Fitzmaurice
Michelle Hinkle
Mike Keogh
Dennis Norton
Ana Ventura Phares
Emily Reilly
Ex-Officio Mike Rotkin
Pat Spence
Marcela Tavantzis

DIRECTORS ABSENT

Jeff Almquist (arrived after roll call)
Jan Beautz

STAFF PRESENT

Mark Dorfman, Asst. General Manager
Margaret Gallagher, District Counsel

Elisabeth Ross, Finance Manager
Tom Stickel, Fleet Maint. Manager
Judy Souza, Base Superintendent

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

April Axton, Lift Line
Richard Camperud, Courtesy Cab
Linda Clayton, SEA

Bonnie Morr, UTU
Karena Pushnik, SCCRTC
Will Regan, VMU

2. ORAL AND WRITTEN COMMUNICATION

a. David Konno, Grid Rock

RE: Wharf-to-Wharf Race

Director Reilly commented on the Wharf-to-Wharf race and that it was great to see the METRO banner with the Grid Rock band.

3. LABOR ORGANIZATION COMMUNICATIONS

No questions or comments.

4. METRO USERS GROUP (MUG) COMMUNICATIONS

No questions or comments.

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

No questions or comments.

6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

A replacement Page 8 of the July 12th Board meeting Minutes and replacement Page 9 of the July 26th Board meeting Minutes were distributed to the Board.

CONSENT AGENDA

ITEM #7-4 WHICH REQUIRES ACTION TODAY WAS TAKEN OUT OF ORDER.

**7-4. CONSIDERATION OF TORT CLAIMS: Deny the Claim of: AAA Ins. (subro. Watkins)
ACTION REQUIRED AT THE AUGUST 9TH BOARD MEETING.**

ACTION: MOTION: DIRECTOR AINSWORTH SECOND: DIRECTOR REILLY

Deny the claim of AAA Ins. (subro. Watkins)

Motion passed unanimously with Directors Almquist and Beautz being absent.

Deny the Claim of #02-0023; Cecilia Sosa, Claim #02-0024

7-1. APPROVE REGULAR BOARD MEETING MINUTES OF JULY 12 AND JULY 26, 2002

Replacement pages were distributed as stated in Item #6 above.

7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS

No questions or comments.

7-3. ACCEPT AND FILE JULY 2002 RIDERSHIP REPORT

No questions or comments.

7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF JULY 18, 2002

No questions or comments.

7-6. ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF JULY 17, 2002

No questions or comments.

7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JUNE 2002; APPROVAL OF BUDGET TRANSFERS; DESIGNATION OF EXCESS SALES TAX FUNDS IN THE AMOUNT OF \$300,000 FOR LIABILITY INSURANCE RESERVES, \$150,000 FOR WORKERS' COMPENSATION RESERVES; \$550,000 FOR CARRYOVER IN THE FY 02-03 BUDGET, AND THE REMAINDER, IF ANY, FOR CAPITAL RESERVES; AND ADOPTION OF SCHEDULE OF RESERVE ACCOUNTS

No questions or comments.

7-8. ACCEPT AND FILE STATUS REPORT ON PARACRUZ PARATRANSIT PROGRAM FOR MAY 2002

No questions or comments.

7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JUNE 2002

No questions or comments.

7-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE

No questions or comments.

DIRECTOR ALMQUIST ARRIVED.

7-11. ACCEPT AND FILE METROBASE STATUS REPORT

It was requested that staff continue to talk with the Board about slippage in the timeframe of the MetroBase Environmental Impact Report (EIR).

7-12. CONSIDERATION OF NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION – GARY SHIRK VS. SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

No questions or comments.

7-13. ACCEPT AND FILE RESPONSE TO THE 2001 AUDIT NOTE REGARDING COMPUTER SECURITY

No questions or comments.

REGULAR AGENDA

8. CONSIDERATION OF RENEWAL OF CONTRACT FOR STATE LEGISLATIVE SERVICES

Summary:

Mark Dorfman reported that METRO has had a contract with Shaw/Yoder for state legislative services for the last seven years. In August of 2000 Shaw/Yoder was awarded a one-year contract with four one-year renewals. They are interested in renewing for another year and Staff is requesting approval of a one-year extension, which would leave two one-year extensions remaining on this contract. There would be no rate increase with the extension.

Discussion:

Mr. Dorfman informed the Board of Josh Shaw's work with identifying funding through the Traffic Congestion Relief Program (TCRP) and his work on the CalPERS HMO issue. Mr. Shaw is working with UTU and other organizations to oppose the bill that would limit CalPERS' ability to contract out if there is no HMO in the Santa Cruz area.

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR ALMQUIST

Move this item to the Consent Agenda.

Motion passed unanimously with Director Beautz being absent.

9. CONSIDERATION OF RENEWAL OF CONTRACT FOR FEDERAL LEGISLATIVE SERVICES

Summary:

Mark Dorfman stated that this contract is for federal legislative services and was awarded to Carolyn Chaney & Associates in October 2000. This firm has provided these services to METRO for the last seven years. Staff is requesting a one-year extension, which would leave two one-year extensions remaining on the current contract.

Discussion:

Director Norton asked about Chaney & Associates' performance over the last few years. Mr. Dorfman responded that in order to obtain special earmark funding, it is necessary to have representation in Washington, DC, at committee meetings and meetings with Congressional staff. This firm also represents the Regional Transportation Commission and the City of Santa Cruz Redevelopment Agency. Director Rotkin added that Ms. Chaney has a good relationship with Sam Farr's office. It was confirmed that Staff receives an accounting of Ms. Chaney's expenses for reimbursement.

ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR TAVANTZIS

Move this item to the Consent Agenda.

Motion passed with Director Beautz being absent.

10. CONSIDERATION OF APPROVAL OF BOARD OF DIRECTORS MEETING SCHEDULE FOR 2003

Summary:

Mark Dorfman reported that there are two meetings scheduled for 2003 which require Board input. They are: November 28 and December 26.

Discussion:

Staff was directed to schedule these two meetings one week earlier since they both immediately follow major holidays.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR REILLY

Approve the proposed dates for the 2003 Board meetings but change meeting dates for November 28 and December 26, 2003 to the prior week at the same location.

Motion passed with Director Beautz being absent.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR NORTON

Adopt consent agenda and Items 8, 9 and 10 as amended.

There was a brief discussion regarding cancellation of the upcoming August 23, 2002 Board Meeting. If this occurs, staff will submit a Press Release to the media notifying the public of this change and advising the public to contact staff with any concerns they might have regarding this change.

Motion passed with Director Fitzmaurice voting no and Director Beautz being absent.

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

Margaret Gallagher reported that the Board would discuss the case of Ramon Martinez vs. METRO in Closed Session.

Director Almquist informed the Board that Ana Eshoo would be in Scotts Valley today if anyone was interested in meeting her.

12. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None

SECTION II: CLOSED SESSION

Vice-Chairperson Reilly adjourned to Closed Session at 9:22 a.m. and reconvened to Open Session at 9:44 a.m.

SECTION III: RECONVENE TO OPEN SESSION

13. REPORT OF CLOSED SESSION

There was nothing to report at this time.

ADJOURN

There being no further business, Vice-Chairperson Reilly adjourned the meeting at 9:44 a.m.

Respectfully submitted.

DALE CARR
Administrative Services Coordinator

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

August 30, 2002

A SPECIAL Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, August 30, 2002 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Chairperson Ainsworth called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Sheryl Ainsworth
Tim Fitzmaurice
Michelle Hinkle
Dennis Norton
Emily Reilly
Marcela Tavantzis

DIRECTORS ABSENT

Jeff Almquist (arrived after roll call)
Jan Beautz
Mike Keogh
Ana Ventura Phares
Pat Spence (arrived in room after roll call)
Ex-Officio Mike Rotkin

STAFF PRESENT

Bryant Baehr, Operations Manager
Mark Dorfman, Asst. General Manager
Margaret Gallagher, District Counsel

Lloyd Longnecker, District Buyer
Tom Stickel, Fleet Maint. Manager
Les White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

Dianna Dunn, SEIU
Jenna Glasky, SEA

Bonnie Morr, UTU
Will Regan, VMU

2. ORAL AND WRITTEN COMMUNICATION

None

3. LABOR ORGANIZATION COMMUNICATIONS

Bonnie Morr reported that today is the last day for retirees who took advantage of the early retirement incentives. There will be a cake at the Operations Dept. today and a farewell event at the Ideal Fish Co. sometime in October. All operators who were previously laid off were called back to work.

DIRECTOR SPENCE ARRIVED AT THE MEETING.

Les White added that individual resolutions would be presented at the September 27th Board meeting for each of the 25 or 26 retirees.

DIRECTOR ALMQUIST ARRIVED AT THE MEETING.

4. METRO USERS GROUP (MUG) COMMUNICATIONS

No questions or comments.

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

No questions or comments.

6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

An amended agenda was placed at each Director's seat indicating an additional Closed Session item.

CONSENT AGENDA

- 7-1. CONSIDERATION OF TORT CLAIM: Deny the Claim of: Jorge Rivera, Claim #02-0026
- 7-2. CONSIDERATION OF APPROVAL OF LEASE FOR SCOTTS VALLEY TRANSIT CENTER TENANT EFFECTIVE SEPTEMBER 1, 2002
- 7-3. CONSIDERATION OF LEASE OF WATSONVILLE TRANSIT CENTER KIOSK #5 TO LETICIA LEDESMA AND TOMAS SANCHEZ FOR A ONE-CHAIR BEAUTY SALON

Leticia Ledesma, co-owner of the potential one-chair beauty salon at the Watsonville Transit Center, was present and introduced to the Board.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR HINKLE

Approve the Consent Agenda.

Motion passed unanimously with Directors Beautz, Keogh and Phares being absent.

REGULAR AGENDA

- 8. CONSIDERATION OF REQUEST FOR SHUTTLE SERVICE FOR THE CAPITOLA ART AND WINE FESTIVAL

Summary:

Mark Dorfman reported that a request was received from the City of Capitola for the Capitola Chamber of Commerce to run two shuttle buses for the upcoming Art & Wine Festival. Last

year METRO paid 23% of the cost, however, this year METRO requires that 100% of the cost be paid, which the City of Capitola has agreed to do.

Discussion:

Director Norton discussed the amount of money METRO derives from patrons of Capitola businesses and stated that he feels strongly that bringing visitors to the Art & Wine Festival benefits both METRO and the community. He added that there is a minimal amount of bus service to Capitola Village and that it would be realistic to share the cost of the \$3,000 for service to this event. Les White added that any payments METRO might make towards the cost of this shuttle would come out of fixed route service, bus shelters, etc. He further added that he was notified that the Regional Transportation Commission would meet on September 4, 2002 to consider reducing the TDA estimate for fiscal year 02/03 by approximately \$363,000, thereby putting METRO in a financial position where it could not support this additional cost.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR SPENCE

Approve the request from the City of Capitola for the provision of shuttle service for the Capitola Art & Wine Festival, with the full cost to be paid for by the City of Capitola.

Director Ainsworth pointed out that Director Norton is asking for a reversal of a Board decision that currently treats all shuttle requests equally.

Motion passed with Director Norton voting “no” and Directors Beautz, Keogh and Phares being absent.

9. CONSIDERATION OF AWARD OF CONTRACT TO ALLSUP CORPORATION FOR THE CONSTRUCTION OF A COMPRESSED NATURAL GAS (CNG) FUELING STATION AT 1200 RIVER STREET

Summary:

Tom Stickel reported that this contract award would be for the construction of the fuel station for the CNG buses; eight of which have already been delivered. There will be ten slow-fill time posts at which buses would be filled overnight. The bidding process has been completed. Staff recommends that the contract be awarded to Allsup Corporation, the lowest bidder, from Upland, California.

Discussion:

Mark Dorfman added that the bid price is \$50,000 over budget, which will need to be covered with capital funds. The original budget was done approximately three years ago in order to obtain grant funding. Mr. Dorfman added that Allsup Corporation is also providing the equipment for this facility and, therefore, would be knowledgeable regarding the installation.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR NORTON

Authorize the General Manager to enter into a contract with Allsup Corporation for the construction of a CNG fueling station at the District’s Operations Facility, 1200 River St., Santa Cruz.

Director Fitzmaurice requested that staff include under the “Discussion” area of the staff report, whether the bidder is compliant with the specifications in the RFP. Any variances from the RFP specs should also be noted in the staff report. Director Tavantzis inquired about an engineering estimate and was informed that there was none conducted on this project due to its size. However, on larger projects one would be conducted.

Motion passed unanimously with Directors Beautz, Keogh and Phares being absent.

10. CONSIDERATION OF AWARD OF CONTRACT FOR MINOR MAINTENANCE FACILITY COMPRESSED NATURAL GAS (CNG) RETROFIT

Summary:

Tom Stickel reported that this contract award would be for the modification of the building at Golf Club Drive to accommodate working on CNG vehicles, such as changing heaters from open flame to hot water circulation type, methane sensors, etc. Staff looked at this project twice in order to bring the cost of retrofitting down. One bidder responded to the Invitation to Bid. Staff recommends that the contract be awarded to Bustichi Construction, Inc. of Scotts Valley, CA.

Discussion:

Director Fitzmaurice inquired about the lack of more bidders and was informed that the project is small but time consuming and this may have led to the lack of a better response to the Invitation to Bid.

ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR ALMQUIST

Authorize the General Manager to execute a contract with Bustichi Construction, Inc. for retrofitting the minor maintenance facility located at 138 Golf Club Drive to accommodate CNG vehicle maintenance.

Director Spence inquired about this firm’s experience with retrofitting a building for methane and was informed that it has done a similar project for the County.

Motion passed unanimously with Directors Beautz, Keogh and Phares being absent.

11. CONSIDERATION OF APPROVAL OF NEW RATES EFFECTIVE APRIL 1, 2002 FOR WATERLEAF ARCHITECTURE AND INTERIORS

Summary:

Mark Dorfman stated that METRO executed a contract with WaterLeaf in December of 1999 at a fixed price for the contract. There has been no rate adjustment to the hourly rate since

inception of the contract. As of April 2002, WaterLeaf provided METRO with a new rate sheet, which reflects a 4.4% annualized rate increase. WaterLeaf invoices as of April 2002 are pending and waiting for Board approval of the new rate structure. WaterLeaf is currently supporting the EIR work that is being conducted. Once the EIR is complete, the Board will decide whether to retain WaterLeaf or issue a request for new proposals to do Cluster Option1.

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR ALMQUIST

Authorize the new rates for WaterLeaf Architecture, effective April 1, 2002.

Motion passed unanimously with Directors Beautz, Keogh and Phares being absent.

12. CONSIDERATION OF EXECUTING AN ENCROACHMENT PERMIT IN FAVOR OF THE CITY OF SANTA CRUZ TO FACILITATE THE MAPLE ALLEY/PARKING LOT 12 PROJECT ON A PORTION OF SANTA CRUZ METRO CENTER PROPERTY

Summary:

Margaret Gallagher stated that the City of Santa Cruz is planning to do work with trees, light fixtures, etc. around the area of Lane 4 of the Metro Center near the NIAC building. The City requested an easement. However, METRO staff prefers an encroachment permit, which would give METRO more flexibility since the Metro Center renovation project is still in the beginning stages. Ms. Gallagher distributed an encroachment permit and a schematic of the area being discussed.

Discussion:

Ms. Gallagher further stated that once METRO's design plans are more definite, the Board could grant the City of Santa Cruz an easement at that time. She would bring this issue back to the Board at the September 13, 2002 Board meeting if the City has a problem with the encroachment permit.

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR ALMQUIST

Authorize the General Manager to execute an encroachment permit in favor of the City of Santa Cruz to facilitate the Maple Alley/Parking Lot 12 Project on a portion of the Santa Cruz Metro property, as required by the design of the project. Once the Metro Center project is complete, the Board will revisit the easement issue if the City still prefers it.

Motion passed unanimously with Directors Beautz, Keogh and Phares being absent.

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

Margaret Gallagher reported that the Board would discuss the cases of Sandra Bass, et al (Class Action) vs. METRO, Fred Townsell vs. METRO, and Ramon Martinez vs. METRO in Closed Session.

14. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

Chairperson Ainsworth adjourned to Closed Session at 9:47 a.m. and reconvened to Open Session at 10:14 a.m.

CHAIRPERSON AINSWORTH LEFT THE MEETING DURING CLOSED SESSION.

SECTION III: RECONVENE TO OPEN SESSION

15. REPORT OF CLOSED SESSION

Margaret Gallagher reported that the Board deemed by unanimous vote of those present that in the case of Frank Townsell there would be no Petition for Reconsideration and penalties owed would be paid.

ADJOURN

There being no further business, Vice-Chairperson Reilly adjourned the meeting at 10:15 a.m.

Respectfully submitted.

DALE CARR
Administrative Services Coordinator

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 CHE = JOURNAL DETAIL BY CHECK NUMBER
 ALL CHECKS FOR COAST COMMERCIAL BANK

DATE: 08/01/02 THRU 08/31/02

CHECK NUMBER	CHECK DATE	CHECK AMOUNT	VENDOR NAME	VENDOR TRANS. TYPE	TRANS. NUMBER	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	COMMENT
7499	08/06/02	947.66	U.S. BANK 4251-2400-0054-7229	79597	425	-2400-0054-7229	947.66	MANUAL
7500	08/09/02	10,079.10	VISION SERVICE PLAN	79486		AUG VISION INSURANCE	10,079.10	
7501	08/09/02	4,304.65	NEW FLYER INDUSTRIES LIMITED	79487		REV VEH PARTS 410	409.92	
				79488		REV VEH PARTS 3818	3,818.02	
				79489		REV VEH PARTS 77	76.71	
7502	08/09/02	753.00	DOMINICAN HOSPITAL ∞ S C	79490		JUN DRUG TESTING	753.00	
7503	08/09/02	181.03	WASTE MANAGEMENT ∞ S C	79491		JUL MT HERMON RD	55.77	
				79492		JUL KINGS VLG RD	125.26	
7504	08/09/02	72,992.85	DEVCO OIL	79493		JUL FUEL	72,992.85	
7505	08/09/02	37,573.27	UNUM	79494		AUG LTD INS.	37,573.27	
7506	08/09/02	31.78	MOHAWK WFG. & SUPPLY CO.	79495		REV VEH PARTS 32	31.78	
7507	08/09/02	4,423.54	ITT HARTFORD	79496		AUG LIFE/AD&D INS.	4,423.54	
7508	08/09/02	7,333.00	EOS CLAIMS SERVICES INC.	79497		8/24-9/23 W/C SVC FE	7,333.00	
7509	08/09/02	167.52	WESTCOAST LEGAL SERVICE	79498		JUL PROF SVCS	167.52	
7510	08/09/02	75.39	BOSTCO	79499		PHOTO PROCESS RISK	7.03	
				79500		PHOTO PROCESS OPS	44.14	
				79501		PHOTO PROCESS OPS	24.22	
7511	08/09/02	4,205.40	BAY EQUIPMENT & REPAIR	79502		OUT REPAIR REV VEH	4,205.40	
7512	08/09/02	24.65	KLEEN-RITE	79503		STEAM CLEANER WTC	24.65	
7513	08/09/02	569.89	CHEMSEARCH	79504		PUREWASH SYSTEMS	569.89	
7514	08/09/02	8,828.47	CALIFORNIA SERVICE EMPLOYEE	79505		AUG MEDICAL	8,828.47	
7515	08/09/02	135.00	MOBILE STORAGE GROUP, INC.	79506		7/1-7/29 CONTAINER	135.00	
7516	08/09/02	1,051.23	TIFCO INDUSTRIES	79507		PARTS & SUPPLIES	1,051.23	
7517	08/09/02	1,767.75	CTC ANALYTICAL SERVICES INC.	79508		OUT REPAIR REV VEH	1,767.75	
7518	08/09/02	1,235.59	NELSON\NYGAARD	79509		PROF/TECH SVCS	1,235.59	
7519	08/09/02	300.00	TRUCK-TRAILER-TRANSIT	79510		REV VEH PARTS 300	300.00	
7520	08/09/02	123.02	UNITED PARCEL SERVICE	79511		FREIGHT OUT	123.02	
7522	08/09/02	0,271.58	PACIFIC GAS & ELECTRIC	79512		6/15-7/17 PAUL SWEET	118.23	
				79513		6/28-7/29 SAKATA LN	10.50	
				79514		6/28-7/29 SAKATA LN	10.80	
				79515		7/1-7/31 RODRIGUEZ	1,365.94	
				79516		7/1-7/31 RODRIGUEZ	16.91	
				79517		7/1-7/31 BEACH ST	107.95	
				79581		7/2-8/1 GOLF CLUB	1,922.66	
				79582		7/2-8/1 1200 RIVER	2,173.14	
				79583		7/2-8/1 1200 RIVER	27.74	
				79584		7/2-8/1 GOLF CLUB	154.27	
				79585		7/3-8/1 370 ENCINAL	43.44	
				79586		7/3-8/1 370 ENCINAL	3,352.24	
				79587		7/3-8/1 111 DUBOIS	114.32	
				79588		7/3-8/1 111 DUBOIS	821.68	
				79589		7/3-8/1 HARVEY WEST	31.76	
7523	08/09/02	434.47	NCI SERVICE PARTS, INC.	79518		REV VEH PARTS	434.47	
7524	08/09/02	48.50	LENZ ARTS, INC.	79519		EMP AWARD FRAMES	48.50	
7525	08/09/02	3,629.40	PALACE ART & OFFICE SUPPLY	79590		OFFICE SUPPLIES	3,629.40	
7526	08/09/02	572.00	BATTERIES USA, INC.	79520		REV VEH PARTS	572.00	
7527	08/09/02	950.00	REGISTER PAJARONIAN	79591		CLASSIFIED ADS	950.00	
7528	08/09/02	301.87	REGISTER PAJARONIAN	79592		CLASSIFIED ADS	301.87	
7529	08/09/02	162.31	KENVILLE & SONS LOCKSMITH	79521		JUL KEYS	162.31	

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 CHECK JOURNAL DETAIL BY CHECK NUMBER
 ALL CHECKS FOR COAST COMMERCIAL BANK

DATE: 08/01/02 THRU 08/31/02

CK SER	CHECK DATE	CHECK AMOUNT	VENDOR NAME	VENDOR TRANS. TYPE NUMBER	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	COMMENT
7530	08/09/02	9,499.75	085 DIXON & SON, INCORPORATED	79522	OUT REPAIR REV VEH	728.86	
				79523	JUL TIRES/TUBES	8,770.87	
7531	08/09/02	2,318,588.23	086 NEW FLYER OF AMERICA	79524	7 CNG BUSES 2318588	2,318,588.23	
7532	08/09/02	137,023.59	101 EOS CLAIMS SERVICES, INC.	79525	JUL TRUST ACCOUNT	137,023.59	
7533	08/09/02	440.53	107 SAN LORENZO LUMBER CO., INC.	79526	JUL MISC SUPPLIES	230.58	
				79527	JUL PARTS/SUPPLIES	209.95	
7534	08/09/02	1,643.42	117 GILLIS CORPORATION	79528	REV VEH PARTS	1,146.37	
				79529	REV VEH PARTS	497.05	
7535	08/09/02	90.00	128 COSTCO WHOLESALE MEMBERSHIP	79530	MEMBERSHIP RENEWAL	90.00	
7536	08/09/02	10,965.22	134 DAY WIRELESS SYSTEMS	79531	OUT REPAIR EQUIPMENT	10,965.22	
7537	08/09/02	38.66	144 BOSS MANUFACTURING CO.	79532	4 RAIN SUITS	38.66	
7538	08/09/02	1,158.30	148 ZEP MANUFACTURING COMPANY	79533	CLEANING SUPPLIES	1,158.30	
7539	08/09/02	429.43	191 GOLDEN GATE PETROLEUM	79534	JUL FUEL - FLEET	429.43	
7540	08/09/02	275.41	195 NEOPART	79535	REV VEH PARTS	275.41	
7541	08/09/02	55.00	271 CARLSON, BRENT D., M.D., INC.	79536	JUL DRUG TESTING	55.00	
7541P08/09/02		-55.00	271 CARLSON, BRENT D., M.D., INC.	79756	VOID CHECK	-55.00	PRE-PAID
					VOID CHECK		
7542	08/09/02	1,250.77	282 BRAINGER INC, W. W.	79537	MISC SUPPLIES	948.01	
				79538	REV VEH PARTS	194.40	
				79539	SUMP PUMP	88.36	
7543	08/09/02	742.50	292 NORTH COUNTY RECOVERY & TOWING	79540	OUT REPAIR REV VEH	742.50	
7544	08/09/02	140.29	328 TRANSIGN INC.	79541	REV VEH PARTS 133	140.29	
7545	08/09/02	130.00	367 COMMUNITY TELEVISION OF	79542	BROADCAST 6/21 MTG	130.00	
7546	08/09/02	6,386.23	378 STEWART & STEVENSON	79543	OUT REPAIR REV VEH	6,520.41	
				79544	REV VEH PARTS	303.27	
				79545	ENG BARRING TOOL	91.26	
				79546	REV VEH PARTS	1,471.29	
7547	08/09/02	579.50	384 DIRECT SAFETY	79547	PARTS/SUPPLIES 579	579.50	
7548	08/09/02	152.93	434 VERIZON WIRELESS-PAGERS	79548	AUG PAGERS	152.93	
7549	08/09/02	1,210.00	478 BEE CLENE	79548	CUSTODIAL SERVICES	1,210.00	
7550	08/09/02	158,683.46	502 PUBLIC EMPLOYEES'	79549	AUG MEDICAL INS.	158,683.46	
7551	08/09/02	919.64	587 JAGUAR DESIGN STUDIO	79550	PRINTING BUS CARDS	919.64	
7552	08/09/02	238.16	625 ASPEN PUBLISHERS, INC.	79551	CA PAYROLL REPORT	238.16	
7553	08/09/02	293.75	650 CENTRAL COAST LANDSCAPE	79552	JUL SVC SVTC & WTC	293.75	
7554	08/09/02	144.30	667 CITY OF SCOTTS VALLEY	79553	5/15-7/15 KINGS VLB	144.30	
7555	08/09/02	4,551.99	675 RIVKIN RADLER L L F	79594	LEGAL SERVICES	4,551.99	
7556	08/09/02	15,736.10	676 WEBER, HAYES & ASSOCIATES	79595	PROF/TECH SVCS	15,736.10	
7557	08/09/02	66.72	721 D & H ADVERTISING	79554	JUL ADVERTISING	66.72	
7558	08/09/02	34,729.21	800 DELTA DENTAL PLAN	79555	AUG DENTAL	34,729.21	
7559	08/09/02	964.12	820 PACIFICARE/CALPERS MAS TEAM	79556	COBRA PREMIUMS	964.12	
7560	08/09/02	795.58	845 BLUE SHIELD OF CALIFORNIA	79557	COBRA PREMIUMS	220.99	
				79558	COBRA PREMIUMS	574.59	
7561	08/09/02	24.30	854 AMERICAN SEATING COMPANY	79559	REV VEH PARTS	24.30	
7562	08/09/02	507.96	855 PERS CHOICE	79560	COBRA PREMIUMS	507.96	
7563	08/09/02	268.33	980 MCMASTER-CARR SUPPLY CO	79561	REPAIRS & MAINT	124.77	
				79562	REPAIRS & MAINT	143.56	
7564	08/09/02	50.00	B001 AINSWORTH, SHERYL	79571	JUL BOARD MEETING	50.00	
7565	08/09/02	50.00	B002 ALMQUIST, JEFF	79572	JUL BOARD MEETING	50.00	
7566	08/09/02	100.00	B004 FITZMAURICE, TIM	79573	JUL BOARD MEETINGS	100.00	
7567	08/09/02	50.00	B006 HINKLE, MICHELLE	79574	JUL BOARD MEETINGS	50.00	

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
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CHK SER	CHECK DATE	CHECK AMOUNT	VENDOR VENDOR NAME	VENDOR TYPE	TRANS. NUMBER	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	COMMENT
7568	08/09/02	50.00	B007	KEOGH, MICHAEL	79575	JUL BOARD MEETING	50.00	
7569	08/09/02	50.00	B010	NORTON, DENNIS	79576	JUL BOARD MEETING	50.00	
7570	08/09/02	100.00	B011	REILLY, EMILY	79578	JUL BOARD MEETINGS	100.00	
7571	08/09/02	100.00	B012	SPENCE, PAT	79579	JUL BOARD MEETINGS	100.00	
7572	08/09/02	100.00	B013	VENTURA PHARES, ANA	79577	JUL BOARD MEETINGS	100.00	
7573	08/09/02	50.00	B014	CITY OF WATSONVILLE	79580	JUL BOARD MEETING	50.00	
7574	08/09/02	32.99	E 387	FLAGG, PAULA R.	79568	CAKE - MASTF MTG	32.99	
7575	08/09/02	74.27	E002	STICKEL, TOM	79563	CNG CLASS/SHIFT BID	74.27	
7576	08/09/02	44.00	E209	CRAWFORD, FLOYD	79564	DMV/VTT FEES	34.00	
					79565	DMV/VTT FEES	10.00	
7577	08/09/02	35.58	E236	DEVILLIRES, FRANCISCO	79566	6 BULLETIN BARS	35.58	
7578	08/09/02	205.48	E338	READ, TIMON	79567	AUG MEDICAL INS.	205.48	
7579	08/09/02	106.95	E397	GALLASHER, MARGARET	79596	TRAVEL EXPENSES	106.95	
7580	08/09/02	242.00	M014	HARRELL, LAURA	79569	AUG MEDICAL INS.	242.00	
7581	08/09/02	124.50	M020	BLUE CROSS	79570	SEP MEDICAL INS.	124.50	
7582	08/16/02	385.00	080	STATE BOARD OF EQUALIZATION	79598	JUL SALES TAX PREPAY	385.00	
7583	08/16/02	195,811.44	154	DEPARTMENT OF MOTOR VEHICLES	79599	SALES TAX / 8 BUSES	195,811.44	
7584	08/16/02	6,088.00	154A	DEPARTMENT OF MOTOR VEHICLES	79600	COMM VEH FEE/8 BUSES	6,088.00	
7585	08/20/02	13,492.56	154	DEPARTMENT OF MOTOR VEHICLES	79757	PENALTY FEE/8 BUSES	13,492.56	
7586	08/23/02	1,770.68	001	PACIFIC BELL/SAC	79601	AUG LINE - IT	595.75	
					79602	AUG PHONE LINES	339.59	
					79603	AUG PHONE LINES	339.59	
					79604	AUG PHONE LINES	86.29	
					79605	AUG PHONE LINES	409.46	
7587	08/23/02	4,014.24	001063	NEW FLYER INDUSTRIES LIMITED	79606	REV VEH PARTS 2675	2,675.18	
					79607	REV VEH PARTS 1265	1,264.84	
					79608	REV VEH PARTS 74	74.22	
7588	08/23/02	40.50	001112	BRINK'S TROPHY SHOPPE	79609	BADGE ENGRAVING/OPS	40.50	
7589	08/23/02	1,366.07	001119	MADERICH PARTNERSHIP, LP, THE	79610	SEPT-CAPITOLA MALL	1,366.07	
7590	08/23/02	350.00	001229	REGENTS OF UNIVERSITY OF CA	79611	SEMINARS 7/20-LEGAL	350.00	
7591	08/23/02	131.61	001230	CAPITOL CLUTCH AND BRAKE, INC	79612	REV VEH PARTS	131.61	
7592	08/23/02	943.40	001263	ABBOTT STREET RADIATOR	79613	REPAIR RADIATOR	943.40	
7593	08/23/02	1,051.61	001433	MOORE MATERIAL HANDLING GROUP	79614	OUT REPAIR-EQUIPMENT	1,051.61	
7594	08/23/02	396.00	001523	SANTA CRUZ MEDICAL CLINIC	79615	JUL MEDICAL EXAMS	396.00	
7595	08/23/02	31.01	001648	STEVE'S UNION	79616	JUL FUEL	31.01	
7596	08/23/02	1,729.61	001800	THERMO KING OF SALINAS, INC	79617	REV VEH PARTS	1,729.61	
7597	08/23/02	262.50	001856	BAY COMMUNICATIONS	79618	JUL PHONE REPAIRS	262.50	
7598	08/23/02	550.07	001936	WORLDCOM TECHNOLOGIES, INC.	79747	JUL LONG DISTANCE	550.07	
7599	08/23/02	75.00	001962	LEAGUE OF CALIFORNIA CITIES	79619	SUBSCRIPTION-LEGAL	75.00	
7600	08/23/02	2,007.51	001A	PACIFIC BELL/WORLDCOM	79620	JUL PHONE LINE	92.15	
					79621	JUL PHONES	1,915.36	
7601	08/23/02	2,748.85	002005	TRANSIT RESOURCES, INC.	79622	REV VEH PARTS	615.93	
					79623	REV VEH PARTS	2,132.92	
7602	08/23/02	177.10	002028	WESTCOAST LEGAL SERVICE	79624	JUL PROF SVCS	177.10	
7603	08/23/02	1,000.00	002057	DEPARTMENT OF TRANSPORTATION	79748	ANNUAL MEMBER FEE	1,000.00	
7604	08/23/02	117.03	002063	COSTCO	79749	COFFEE SUPPLIES	100.74	
					79750	PHOTO PROCESS - OPS	16.29	
7605	08/23/02	29,768.12	002116	HINSHAW, EDWARD & BARBARA	79625	SEPT - 370 ENCINAL	23,701.79	
					79626	SEPT - 120 DUBOIS	6,066.33	

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
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CK SER	CHECK DATE	CHECK AMOUNT	VENDOR NUMBER	VENDOR NAME	VENDOR TYPE	TRANS. NUMBER	TRANSACTION DESCRIPTION	TRANSACTION AMOUNT	COMMENT
7606	05/23/02	10,529.37	002117	IULIANO, NICK		79627	SEPT - 111 DUBOIS	10,529.37	
7607	08/23/02	71.10	002161	APPLIED INDUSTRIAL TECH		79628	MISC SUPPLIES	71.10	
7608	08/23/02	2,000.00	002267	SHAW & YODER, INC.		79629	JUL LEGISLATIVE SVCS	2,000.00	
7609	08/23/02	218.96	002307	EWING IRRIGATION PRODUCTS		79630	LANDSCAPE SUPPLIES	218.96	
7610	08/23/02	3,750.00	002346	CHANEY, CAROLYN & ASSOC., INC.		79631	AUG LEGISLATIVE SVCS	3,750.00	
7611	08/23/02	135.00	002380	MOBILE STORAGE GROUP, INC.		79632	7/29-8/26 CONTAINER	135.00	
7612	08/23/02	679.06	002504	TIFCO INDUSTRIES		79633	PARTS & SUPPLIES	679.06	
7613	08/23/02	2,328.16	002610	FREDERICK ELECTRONICS CORP.		79634	SEPT - 375 ENCINAL	2,328.16	
7614	08/23/02	1,276.00	002639	NEXTEL COMMUNICATIONS		79751	PHONE LINES JUL	1,276.00	
7615	08/23/02	253.80	002643	IOS CAPITAL		79635	8/22-9/21 CANON RENT	253.80	
7616	08/23/02	271.40	002689	B & B SMALL ENGINE REPAIR		79636	REV VEH PARTS	109.71	
						79637	MISC PARTS	161.69	
7617	08/23/02	2,824.19	002713	SANTA CRUZ AUTO TECH, INC		79638	OUT REPAIR-VEH #905	555.83	
						79639	OUT REPAIR-VEH #8016	717.86	
						79640	OUT REPAIR-VEH #8025	58.00	
						79641	OUT REPAIR-VEH #906	117.35	
						79642	OUT REPAIR-VEH #8024	227.15	
						79643	OUT REPAIR-VEH #8036	570.62	
						79644	OUT REPAIR-VEH #8021	178.79	
						79645	OUT REPAIR-VEH #909	398.59	
7618	08/23/02	281.92	004	NORTH BAY FORD LINC-MERCURY		79646	OUT REPAIR-VEH #201	281.92	
7619	08/23/02	2,954.12	009	PACIFIC GAS & ELECTRIC		79647	7/17-8/14 PAUL SWEET	104.05	
						79648	7/18-8/6 PACIFIC AVE	1,332.86	
						79649	7/8-8/6 PACIFIC AVE	666.80	
						79650	7/8-8/6 PACIFIC AVE	93.92	
						79651	7/12-8/12 KINGS VLG	11.23	
						79652	7/12-8/12 KINGS VLG	12.00	
						79653	7/12-8/12 KINGS VLG	413.62	
						79654	6/30-7/31 CNG	319.64	
7620	08/23/02	1,984.52	013	MCI SERVICE PARTS, INC.		79655	REV VEH PARTS	1,984.52	
7621	08/23/02	1,291.30	018	SALINAS VALLEY FORD SALES		79656	REV VEH PARTS	1,291.30	
7622	08/23/02	333.60	020	ADT SECURITY SYSTEMS,		79657	AUGUST ALARMS	333.60	
7623	08/23/02	488.03	034	BLUEPRINT EXPRESS		79658	MISC PRINTS	488.03	
7624	08/23/02	88.25	036	KELLY-MOORE PAINT CO INC.		79659	MISC PAINT SUPPLIES	88.25	
7625	08/23/02	2,414.51	039	KINKO'S INC.		79660	JULY PRINTING	2,414.51	
7626	08/23/02	1,851.08	041	MISSION UNIFORM		79661	JUL UNIFORMS/LAUNDRY	1,851.08	
7627	08/23/02	227.42	042	ORCHARD SUPPLY HARDWARE		79662	MISC SUPPLIES	227.42	
7628	08/23/02	61.46	045	ROYAL WHOLESALE ELECTRIC		79663	REPAIRS/MAINTENANCE	61.46	
7629	08/23/02	906.50	056	GREEN LINE		79664	HAZ WASTE DISPOSAL	906.50	
7630	08/23/02	209.55	061	REGISTER PAJARONIAN		79665	CLASSIFIED AD	209.55	
7631	08/23/02	610.00	067	ROTO-ROOTER SEWER/PLUMBING		79666	OUT REPAIR BLDG/IMP	610.00	
7632	08/23/02	71.11	074	KENVILLE & SONS LOCKSMITH		79667	JUL LOCKS/KEYS	71.11	
7633	08/23/02	20.00	075	COAST PAPER & SUPPLY INC		79668	CLEANING SUPPLIES	20.00	
7634	08/23/02	376.25	090	CRYSTAL SPRINGS WATER CO.		79669	JUL WATER FLEET	376.25	
7635	08/23/02	56,606.37	101	EOS CLAIMS SERVICES, INC.		79752	SPECIAL REPLENISHMNT	56,606.37	
7636	08/23/02	500.09	104	STATE STEEL COMPANY		79670	PARTS & SUPPLIES	500.09	
7637	08/23/02	2,238.60	110	JESSICA GROCERY STORE, INC.		79671	SEPT CUSTODIAN SVCS	2,238.60	
7638	08/23/02	5,400.00	120	OFFICE DYNAMICS INC.		79672	MAINT AGREEMENT	5,400.00	
7639	08/23/02	92.84	130	WATSONVILLE CITY WATER DEPT.		79673	7/1-8/1 SAKATA LANE	12.80	
						79674	7/1-8/1 RODRIGUEZ ST	9.06	

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					79675	7/1-8/1 SAKATA LANE	70.95	
7640	08/23/02	3,129.86	134	DAY WIRELESS SYSTEMS	79676	JUL OUT REPAIR EQUIP	3,129.86	
7641	08/23/02	1,353.83	135	SANTA CRUZ AUTO PARTS, INC.	79677	REV VEH PARTS/SUPPLY	1,353.83	
7642	08/23/02	703.62	149	SANTA CRUZ SENTINEL	79678	JULY ADVERTISING	703.62	
7643	08/23/02	36.08	152	BALDWIN COOKE	79679	OFFICE SUPPLY - FIN	36.08	
7644	08/23/02	282.30	161	OCEAN CHEVROLET INC	79680	REV VEH PARTS	64.32	
					79681	OUT REPAIR VEH #003	217.98	
7645	08/23/02	1,545.61	166	HOSE SHOP, INC., THE	79682	REV VEH PARTS/SUPPLY	1,545.61	
7646	08/23/02	1,068.19	170	TOWNSEND'S AUTO PARTS	79683	REV VEH PARTS/SUPPLY	1,068.19	
7647	08/23/02	50.02	172	CENTRAL WELDERS SUPPLY, INC.	79684	PARTS & SUPPLIES	50.02	
7648	08/23/02	401.03	191	GOLDEN GATE PETROLEUM	79685	JUL FUEL - FLEE?	401.03	
7649	08/23/02	211.20	215	IKON OFFICE SOLUTIONS	79686	AUG MAINTENANCE	211.20	
7650	08/23/02	4,204.08	221	VEHICLE MAINTENANCE PROGRAM	79687	REV VEH PARTS 4204	4,204.08	
7651	08/23/02	52.10	282	BRAINGER INC, W. W.	79688	PARTS & SUPPLIES	52.10	
7652	08/23/02	468.53	294	ANDY'S AUTO SUPPLY	79689	REV VEH PARTS/SUPPLY	468.53	
7653	08/23/02	693.75	316	WATSONVILLE AUTO SUPPLY	79690	REV VEH PARTS	693.75	
7654	08/23/02	500.40	319	SIX COUNTIES FIRE AND SAFETY	79691	ANNUAL FIRE EXT	500.40	
7655	08/23/02	142.50	367	COMMUNITY TELEVISION OF	79692	TV COVERAGE 7/26 MTG	142.50	
7656	08/23/02	625.00	376	MULTISYSTEMS, INC	79693	JUL-SEP MAINTENANCE	625.00	
7657	08/23/02	9,607.71	378	STEWART & STEVENSON	79694	REV VEH PARTS	1,319.87	
					79695	REV VEH PARTS	1,290.96	
					79696	OUT REPAIR REV VEH	6,674.13	
					79697	REV VEH PARTS	322.75	
7658	08/23/02	224.34	389	KENS AUTO PARTS, INC.	79698	PARTS & SUPPLIES	224.34	
7659	08/23/02	658.74	395	APPLIED GRAPHICS, INC.	79699	PRINTING A/P CHECKS	658.74	
7660	08/23/02	4,123.30	410	TRANSIT INFORMATION PRODUCTS	79700	GRAPHIC SVCS/HEADWAY	4,123.30	
7661	08/23/02	697.17	418	COUNTY OF SANTA CRUZ	79701	CNG FUEL	697.17	
7662	08/23/02	45.00	440	RUNFOROFFICE.COM	79702	JUL-SEP LOBBY REPORT	45.00	
7663	08/23/02	1,091.34	480	DIESELMARINEELECTRIC	79703	REV VEH PARTS	1,091.34	
7664	08/23/02	470.50	481	PIED PIPER EXTERMINATORS, INC.	79704	JUL PEST CONTROL	470.50	
7665	08/23/02	21,847.34	500	PAIGE'S SECURITY SERVICES, INC	79705	JUL SECURITY	21,847.34	
7666	08/23/02	259.00	507	LORMAN EDUCATION SERVICES	79706	SEMINAR 9/10 - LEGAL	259.00	
7667	08/23/02	296.14	511	LUMINATOR	79707	REV VEH PARTS 205	232.25	
					79708	REV VEH PARTS 60	63.89	
7668	08/23/02	150.00	524	JIM'S BUSINESS MACHINES CO.	79709	OUT REPAIR - EQUIP	150.00	
7669	08/23/02	20.00	562	SECRETARY OF STATE	79710	STMT NONPROFITCORP	20.00	
7670	08/23/02	337.73	566	CALISTOGA SPRING WATER CO.	79711	JUL WATER - PLANNING	209.75	
					79712	JUL WATER-ADMIN	127.98	
7671	08/23/02	1,802.00	616	BROWN ARMSTRONG	79713	AUDIT SERVICES	1,802.00	
7672	08/23/02	1,754.30	647	GFI GENFARE	79714	REV VEH PARTS	1,754.30	
7673	08/23/02	1,989.31	664	RAY COUNTIES PITCOCK PETROLEUM	79715	FUEL - FLEET	1,989.31	
7674	08/23/02	5,000.00	673	MARTINEZ, EMILIO	79753	PROF SVCS	5,000.00	
7675	08/23/02	2,448.75	675	RIVKIN RADLER LLP	79716	LEGAL SERVICES	2,448.75	
7676	08/23/02	62.50	721	D & H ADVERTISING	79717	JUL ADVERTISING	62.50	
7677	08/23/02	798.00	723	COUNCIL ON EDUCATION IN	79718	SEMINAR 12/16-12/18	798.00	
7678	08/23/02	628.77	820	PACIFICARE/CALPERS MAS TEAM	79719	COBRA MEDICAL SEP	209.59	
					79720	COBRA MEDICAL SEP	419.18	
7679	08/23/02	900.00	840	BOUCHARD, BRENT	79721	SEPT - VERNON LOT	900.00	
7680	08/23/02	718.53	849	ROCORE THERMAL SYSTEMS, L.L.C.	75722	REV VEH PARTS 719	718.53	
7681	08/23/02	37,200	884	UNITED STATES POSTAL SERVICE	79723	POSTAGE STAMPS/FLEET	37.00	

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7682	08/23/02	31.88	E002 STICKEL, TOM	79724	POSTAGE/SHIFT BID	31.88	
7683	08/23/02	69.00	E027 MANSON, MICHAEL	79725	FTA TRAINING 6/9	69.00	
7684	08/23/02	44.00	E093 GROBMAN, BRUCE	79726	DMV/VIT FEES	44.00	
7685	08/23/02	12.60	E123 HOBBS, JAMES	79727	SEP SUPP LIFE COV	12.60	
7686	08/23/02	21.84	E185 DANIEL, REBECCA	79754	EXPENSES	21.84	
7687	08/23/02	28.30	E320 GARBEZ, LINDA	79728	SEP SUPP LIFE COV	28.30	
7688	08/23/02	59.39	E323 GALE, TERRY	79729	PRINTER CARTRIDGES	59.39	
7689	08/23/02	100.00	E404 WILSON, BONNIE	79755	BID CHANGE 9/12	100.00	
7690	08/23/02	306.00	M001 HORTON, JOSEPH	79730	SEP MEDICAL PREMIUM	306.00	
7691	08/23/02	306.00	M002 RACKLEY, EARL	79731	SEP MEDICAL PREMIUM	306.00	
7692	08/23/02	153.00	M003 WYANT, JUDI	79732	SEP MEDICAL PREMIUM	153.00	
7693	08/23/02	153.00	M005 ROSS, EMERY	79733	SEP MEDICAL PREMIUM	153.00	
7694	08/23/02	397.00	M006 VAN DER ZANDE, ED	79734	SEP MEDICAL PREMIUM	397.00	
7695	08/23/02	298.00	M007 BLAIR-ALWARD, GREGORY	79735	SEP MEDICAL PREMIUM	298.00	
7696	8 /23/ 0 2	298.00	M008 CAMPOS, ARVILLA	79736	SEP MEDICAL PREMIUM	298.00	
7697	8/23 0 2	567.00	M009 FREEMAN, MARY	79737	SEP MEDICAL PREMIUM	567.00	
7698	8/23 0 2	170.00	M010 SHORT, SLOAN	79738	SEP MEDICAL PREMIUM	170.00	
7699	8/23 0 2	178.00	M011 LAWSON, LOIS	79739	SEP MEDICAL PREMIUM	178.00	
7700	8/23 0 2	178.00	M012 ROSE, JACK	79740	SEP MEDICAL PREMIUM	178.00	
7701	8/23 0 2	170.00	M013 JAHNKE, EILEEN	79741	SEP MEDICAL PREMIUM	170.00	
7702	8 /23 0 2	50.00	M015 HETH, KATHRYN	79742	SEP MEDICAL PREMIUM	50.00	
7703	8 /23 0 2	25.00	M016 HICKLIN, DONALD KENT	79743	SEP MEDICAL PREMIUM	25.00	
7704	8/23 0 2	25.00	M017 PORTILLA, EARLENE	79744	SEP MEDICAL PREMIUM	25.00	
7705	8/23 0 2	25.00	M018 SANDRETTI, ALFRED	79745	SEP MEDICAL PREMIUM	25.00	
7706	8/23 0 2	42.00	M019 WILLIAMS, ROBERT	79746	SEP MEDICAL PREMIUM	42.00	
AL		3,328,904.12	COAST COMMERCIAL BANK		TOTAL CHECKS 208	3,328,904.12	

**Santa Cruz METRO
July 2002 Ridership Report**

REVENUE AND RIDERSHIP SUMMARY BY ROUTE

ROUTE	REVENUE	RIDERSHIP	Revenue/ Passenger	UC Student	UC Staff Faculty	Day Pass	S/D Riders	W/C	S/D Day Pass	Cabrillo	Bike	Monthly Pass
10	\$ 3,614.89	14,052	\$ 0.26	5,482	3,004	137	62	CC	25	139	741	2,120
16	\$ 7,206.24	26,825	\$ 0.27	10,833	5,278	222	100	211	38	245	1,325	3,743
19	\$ 2,217.88	9,050	\$ 0.25	3,517	2,033	50	48	2	30	106	468	1,289
2	\$ 2,552.92	5,459	\$ 0.47	523	238	97	97	31	10	54	204	2,279
3A	\$ 1,422.02	3,539	\$ 0.40	171	144	61	137	6	44	62	45	1,843
3B	\$ 2,398.58	4,911	\$ 0.49	209	135	95	88	20	34	52	101	2,326
3N	\$ 155.80	379	\$ 0.41	32	22	-	14	2	-	2	16	160
4	\$ 976.47	4,742	\$ 0.21	15	10	26	193	58	52	48	62	3,672
6	\$ 18.00	28	\$ 0.64	4	-	-	-	-	-	-	-	6
7	\$ 813.02	2,711	\$ 0.30	26	30	38	69	26	58	33	18	1,926
7N	\$ 2,586.12	4,664	\$ 0.55	68	47	16	70	18	14	152	190	1,832
8	\$ 1,241.56	3,298	\$ 0.38	95	57	42	67	10	48	58	35	1,947
9	\$ 55.45	96	\$ 0.58	-	1	-	3	-	-	-	9	38
31	\$ 2,127.29	3,976	\$ 0.54	58	22	52	47	16	28	35	223	1,858
32	\$ 260.62	500	\$ 0.52	16	2	3	6	5	3	3	22	231
33	\$ 123.34	204	\$ 0.60	4	-	7	2	-	-	-	14	96
34	\$ 39.67	94	\$ 0.42	-	-	1	1	-	-	-	-	5
35	\$ 24,915.49	41,255	\$ 0.60	369	259	852	585	100	367	674	2,058	16,908
36	\$ 514.20	1,198	\$ 0.43	31	70	40	24	1	1	62	63	590
40	\$ 1,218.21	1,451	\$ 0.84	16	19	80	8	1	23	6	124	378
41	\$ 1,078.98	1,489	\$ 0.72	59	22	42	17	2	14	48	194	383
42	\$ 929.94	1,298	\$ 0.72	48	9	6	12	4	7	5	122	327
52	\$ 742.34	1,610	\$ 0.46	4	13	25	125	11	43	27	16	838
54	\$ 2,534.89	4,884	\$ 0.52	13	11	87	168	33	93	440	198	2,040
55	\$ 584.26	1,359	\$ 0.43	3	5	16	27	22	16	113	37	685
58	\$ 100.91	246	\$ 0.41	-	-	2	-	-	-	-	10	150
59	\$ 136.21	288	\$ 0.47	1	8	4	26	2	9	8	1	138
60	\$ 252.54	362	\$ 0.70	2	4	6	13	1	5	7	5	105
63	\$ 829.59	1,522	\$ 0.55	4	-	28	125	119	38	32	28	673
65	\$ 4,073.88	8,576	\$ 0.48	168	110	157	204	122	93	184	202	4,343
66	\$ 9,930.12	18,213	\$ 0.55	294	192	340	229	158	137	327	386	8,235
67	\$ 5,388.67	11,476	\$ 0.52	264	217	198	139	87	87	163	339	5,284
69	\$ 8,449.45	16,225	\$ 0.52	426	411	314	334	135	125	320	603	7,273
69A	\$ 13,160.74	22,320	\$ 0.59	267	248	378	407	110	203	324	770	9,166
69N	\$ 1,571.88	3,109	\$ 0.51	98	112	9	35	11	6	102	137	1,241
69W	\$ 16,315.41	28,915	\$ 0.57	346	378	390	433	131	231	1,668	947	10,987
71	\$ 54,336.74	88,318	\$ 0.62	914	722	1,065	1,739	407	803	4,031	2,824	30,723
72	\$ 7,717.35	10,598	\$ 0.73	15	-	176	277	24	130	154	177	3,111
73	\$ 5,203.45	7,594	\$ 0.69	2	-	94	248	27	120	65	49	2,576
75	\$ 9,449.33	12,692	\$ 0.75	4	2	234	246	17	153	87	198	3,613
78	\$ 94.75	123	\$ 0.77	-	-	11	11	1	5	-	-	40
79	\$ 1,910.67	3,139	\$ 0.61	9	-	52	175	12	96	9	34	1,287
91	\$ 4,301.84	7,575	\$ 0.57	155	289	161	85	15	39	649	310	2,536
Unknown	\$ 43.21	63	\$ 0.69	1	-	-	-	-	-	2	4	19
TOTAL	\$ 204,296.72	380,326	\$ 0.54	24,546	14,134	5,607	6,688	1,801	3,246	10,498	13,310	139,071

ROUTE	REVENUE	RIDERSHIP	Revenue/ Passenger	VTA/SC Day Pass	17 CalTrain Day Pass	S/D Riders	W/C	None	ECO Pass	Bike	Monthly Pass	
17	\$ 9,618.42	9,427	\$ 1.02	4	4	126	367	10	70	216	600	6,111

RIDERSHIP	
Shuttles	
TOTAL	

July Ridership	389,753
July Revenue	\$ 213,915.14

**Santa Cruz METRO
August 2002 Ridership Report**

REVENUE AND RIDERSHIP SUMMARY BY ROUTE

ROUTE	REVENUE	RIDERSHIP	Revenue/ Passenger	UC Student	UC Staff Faculty	Day Pass	S/D Riders	W/C	S/D Day Pass	Cabrillo	Bike	Monthly Pass
10	\$ 2,693.18	12,740	\$ 0.21	4,690	3,358	53	51	36	23	50	646	2,098
16	\$ 5,831.93	23,443	\$ 0.25	9,005	5,366	120	106	153	27	98	1,418	3,411
19	\$ 1,959.38	7,904	\$ 0.25	2,873	1,935	41	38	4	28	34	417	1,209
2	\$ 2,516.67	5,080	\$ 0.50	519	238	117	71	15	30	20	146	2,067
3A	\$ 1,397.32	3,504	\$ 0.40	171	140	65	134	10	32	19	53	1,876
3B	\$ 2,527.41	4,939	\$ 0.51	240	114	93	87	30	31	15	147	2,252
3N	\$ 182.25	438	\$ 0.42	29	21	-	17	-	-	6	15	190
4	\$ 1,054.41	4,981	\$ 0.21	23	6	37	155	83	45	14	70	3,911
6	\$ 25.06	59	\$ 0.42	-	-	-	2	-	-	-	2	34
7	\$ 986.47	3,192	\$ 0.31	56	49	32	59	19	83	11	27	2,172
7N	\$ 3,088.51	5,519	\$ 0.56	104	77	33	78	34	24	29	215	2,290
8	\$ 1,214.78	3,283	\$ 0.37	73	52	43	61	15	63	21	40	2,022
9	\$ 34.75	49	\$ 0.71	1	1	2	2	-	-	-	9	17
31	\$ 1,978.09	3,737	\$ 0.53	53	38	78	54	20	26	21	262	1,813
32	\$ 152.90	295	\$ 0.52	11	2	2	2	5	3	-	13	136
33	\$ 164.28	217	\$ 0.76	2	1	7	-	-	2	-	1	70
34	\$ 67.60	177	\$ 0.38	1	-	-	4	-	-	-	2	106
35	\$ 25,538.95	40,142	\$ 0.64	342	327	903	564	139	329	188	1,924	15,658
36	\$ 11.95	1,087	\$ 0.52	15	73	46	31	1	4	11	76	506
40	\$ 1,496.16	1,822	\$ 0.82	28	45	77	9	-	34	5	127	444
41	\$ 854.88	1,279	\$ 0.67	50	26	18	13	-	15	12	165	382
42	\$ 927.42	1,444	\$ 0.64	39	11	10	12	-	9	1	108	357
52	\$ 603.03	1,399	\$ 0.43	3	14	10	109	44	23	13	22	753
54	\$ 2,553.06	4,613	\$ 0.55	34	2	93	152	32	70	149	210	2,018
55	\$ 608.91	1,231	\$ 0.49	16	3	19	41	12	12	42	47	592
58	\$ 43.90	87	\$ 0.50	-	-	-	-	-	-	-	8	44
59	\$ 125.49	355	\$ 0.35	3	1	1	18	3	7	12	8	216
60	\$ 163.38	300	\$ 0.54	3	3	3	20	2	3	4	5	125
63	\$ 874.56	1,677	\$ 0.52	12	4	31	107	107	51	25	26	783
65	\$ 3,974.53	7,769	\$ 0.51	130	130	142	171	100	107	42	227	3,809
66	\$ 10,229.56	17,847	\$ 0.57	254	191	334	242	164	145	120	442	7,867
67	\$ 6,462.68	11,762	\$ 0.55	280	209	207	187	50	113	70	409	5,203
69	\$ 8,658.01	15,961	\$ 0.54	449	469	328	320	114	137	91	657	6,957
69A	\$ 13,793.66	22,741	\$ 0.61	242	343	378	405	128	201	158	805	6,944
69N	\$ 1,918.51	3,648	\$ 0.53	97	114	9	36	17	4	27	152	1,511
69W	\$ 17,116.84	28,820	\$ 0.59	301	447	378	500	132	234	311	951	11,470
71	\$ 54,226.73	84,494	\$ 0.64	968	885	1,083	1,802	458	808	937	2,534	29,735
72	\$ 7,434.20	10,254	\$ 0.73	2	8	203	214	15	130	28	126	2,323
73	\$ 5,423.67	7,620	\$ 0.71	3	4	86	269	35	149	24	49	2,367
75	\$ 9,764.85	12,670	\$ 0.77	3	9	245	214	19	154	37	180	3,418
78	\$ 124.60	183	\$ 0.68	1	-	3	9	-	6	-	3	66
79	\$ 1,842.49	2,918	\$ 0.63	3	2	46	174	25	108	3	23	1,139
91	\$ 4,353.85	8,979	\$ 0.62	114	358	150	88	15	50	146	304	2,346
Unknown	75.56	207	\$ 0.37	40	20	3	3	15	1	15	21	69
TOTAL	\$205,626.42	368,719	\$ 0.56	21,357	15,086	5,529	6,631	2,061	3,324	2,819	13,093	135,066

ROUTE	REVENUE	RIDERSHIP	Revenue/ Passenger	VTA/SC Day Pass	17 CalTrain	Day Pass	S/D Riders	W/C	None	ECO Pass	Bike	Monthly Pass
17	\$ 12,002.45	10,347	\$ 1.16	-	2	13	206	404	12	67	297	551

RIDERSHIP	
Shuttles	
TOTAL	

August Ridership	379,066
August Revenue	\$ 217,628.87

BUS OPERATOR LIFT TEST *PULL-OUT* (ACCESSIBLE FLEET ONLY)

VEHICLE CATEGORY	TOTAL BUSES	AVG # DEAD IN GARAGE	AVG #AVAIL. FOR SERVICE	AVG # IN SERVICE	AVG # SPARE BUSES	AVG # LIFTS OPERATING	% LIFTS WORKING ON PULL-OUT BUSES
FLYER/HIGHWAY, 17 - 40'	7	7	5	4	1	4	100%
FLYER/LOW FLOOR - 40'	12	3	9	9	0	9	100%
FLYER/LOW FLOOR - 35'	18	3	15	15	0	15	100%
FLYER/HIGH FLOOR - 35'	25	5	20	19	1	19	100%
GILLIG/SAM. TRANS. - 40'	10	3	7	4	3	4	100%
GILLIG/FOOTHILL - 40'	20	7	13	3	10	3	100%
GILLIG/REGULAR - 35'	4	3	1	1	0	1	100%
GILLIG/SHORT BUS - 30'	3	1	2	0	2	0	100%
GMC/HIGHWAY 17 - 40'	8	2	6	3	3	3	100%
CHAMPION	4	2	2	1	1	1	100%

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

PASSENGER LIFT PROBLEMS

MONTH OF AUGUST, 2002

DATE	DAY	BUS #	REASON
08/02/02	FRIDAY	8081 F	.lift malfunctioning
08/03/02	SATURDAY	8090F	Knée releases on it's own
08/08/02	THURSDAY	8090F	.lift doesn't not work, it will not stow
08/11/02	SUNDAY	98316	.lift doesn't come out, knée doesn't release
08/12/02	MONDAY	8087F	From platform to lower lift gets stuck one side then the other
08/12/02	MONDAY	98316	.lift groaned loudly and moved very slow
08/13/02	TUESDAY	98336	Knée switch not working properly
08/14/02	WEDNESDAY	98376	N/C ramp can't deploy -gets stuck on door
08/16/02	FRIDAY	8081 F	.lift broken
08/17/02	SATURDAY	9803LF	No power to lift
08/19/02	MONDAY	98336	Knée is very slow
08/20/02	TUESDAY	9809LF	.lift is not working
08/22/02	THURSDAY	8090F	Knée releases on it's own
08/23/02	FRIDAY	8080F	Power toggle for ramp must be jiggled
08/23/02	FRIDAY	8090F	Knée releases on it's own
08/23/02	FRIDAY	8096F	.lift platform needs oil
08/24/02	FRIDAY	8090F	Knée releases on it's own
08/27/02	TUESDAY	8076F	Knée releases on it's own
08/28/02	WEDNESDAY	8098F	Problem with barrier
08/29/02	THURSDAY	8098F	.lift doesn't go all the way down
08/31/02	SATURDAY	8110C	.lift wouldn't work

F New Flyer
 G Gillig
 GR Grumman
 C Champion
 LF Low Floor Flyer
 GM GMC

Note: Lift operating problems that cause delays of less than 30 minutes.



GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

TO: Board of Directors

FROM: District Counsel

RE: Claim of: Conway, Michelle Received: 08/13/02 Claim #: 02-0028
Date of Incident: 07/11/02 Occurrence Report No.: SC 07-02-08

In regard to the above-referenced Claim, this is to recommend that the Board of Directors take the following action:

- 1. Deny the claim.
- 2. Deny the application to tile a late claim.
- 3. Grant the application to tile a late claim.
- 4. Reject the claim as untimely filed.
- 5. Reject the claim as insufficient.
- 6. Approve the claim in the amount of \$___ and reject it as to the balance, if any.

By Margaret Gallagher
Margaret Gallagher
DISTRICT COUNSEL

Date: August 19, 2002

I Dale Carr, do hereby attest that the above Claim was duly presented to and the recommendations were approved by the Santa Cruz Metropolitan Transit District's Board of Directors at the meeting of September 13, 2002.

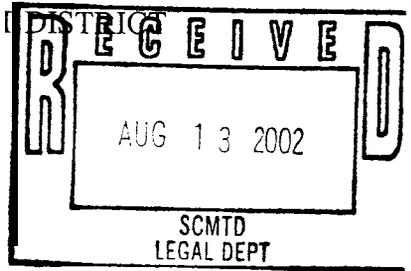
Dale Carr
Recording Secretary

Date

MG/hp

370 Encinal Street, Suite 100, Santa Cruz, CA 95060 (831) 426-6080 FAX (831) 426-6117
METRO OnLine at <http://www.scmtd.com>

CLAIM AGAINST THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
(Pursuant to Section 910 et Seq., Government Code)
Claim # _____



TO: BOARD OF DIRECTORS, Santa Cruz Metropolitan Transit District
ATTN: Secretary to the Board of Directors
370 Encinal Street, Suite 100
Santa Cruz, CA 95060

1. Claimant's Name: Michelle Conway

Claimant's Address/Post Office Box: 14705 Big Basin Way
Boulder Creek, CA

2. Claimant's Phone Number: WL# 459-8450 WL# 338-3962
Address to which notices are to be sent: 14705 Big Basin Way

3. Occurrence: I stepped off the bus and missed the curb
and had to lift my foot and hurt it.

Date: 7.10.02 Time: 9:45 AM Place: Logan Bus stop in Boulder Creek
Circumstances of occurrence or transaction giving rise to claim:

I stayed off my foot for 3 days, icing it and
finally by the Saturday following my injury,
I went to Dominican to get it X-rayed. I'm asking
for assistance in paying for my bill.

4. General description of indebtedness, obligation, injury, damage, or loss incurred so far as is known: injury - sprain (acute lateral sprain)
talofibular ligament. Bill = \$691.75 = total

5. Name or names of public employees, or employees causing injury, damage, or loss, if known: I know the 1st name of the bus driver that day but
choose not to claim him, the question is was he close enough
to the curb?

6. Amount claimed now: \$ 691.75
Estimated amount of future loss, if known: \$
TOTAL: \$ 691.75

7. Basis of above computations: Bill from Dominican hospital.
I'm not asking for more or less. (Considering the
week I was out of work -) Thank you.

CLAIMANT'S SIGNATURE OR Michelle Conway DATE 8.12.02
COMPANY REPRESENTATIVE'S SIGNATURE OR
PARENT OF MINOR CLAIMANT'S SIGNATURE

Note: Claim must be presented to the Secretary to the Board of Directors, Santa Cruz Metropolitan Transit District

GOVERNMENT TORT CLAIM



RECOMMENDED ACTION

TO: Board of Directors

FROM: District Counsel

RE: Claim of: Kourie, Mary Received: 08/09/02 Claim #: 02-0027
Date of Incident: 06/17/02 Occurrence Report No.: SC 06-02-12

In regard to the above-referenced Claim, this is to recommend that the Board of Directors take the following action:

- 1. Deny the claim.
- 2. Deny the application to file a late claim.
- 3. Grant the application to file a late claim.
- 4. Reject the claim as untimely filed.
- 5. Reject the claim as insufficient.
- 6. Approve the claim in the amount of \$___ and reject it as to the balance, if any.

By Margaret Gallagher
Margaret Gallagher
DISTRICT COUNSEL

Date: August 19, 2002

I, Dale Carr, do hereby attest that the above Claim was duly presented to and the recommendations were approved by the Santa Cruz Metropolitan Transit District's Board of Directors at the meeting of September 13, 2002.

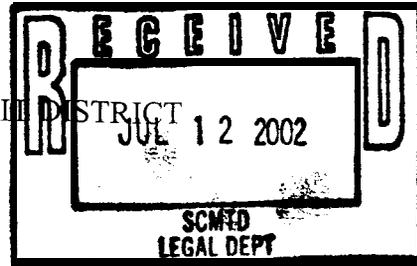
Dale Carr
Recording Secretary

Date

MG/hp

370 Encinal Street, Suite 100, Santa Cruz, CA 95060 (831) 426-6080 FAX (831) 426-6117
METRO OnLine at <http://www.scmtd.com>

CLAIM AGAINST THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
(Pursuant to Section 910 et Seq., Government Code)
Claim # _____



TO: BOARD OF DIRECTORS, Santa Cruz Metropolitan Transit District

ATTN: Secretary to the Board of Directors
370 Encinal Street, Suite 100
Santa Cruz, CA 95060

1. Claimant's Name: MARIE KOURIE

Claimant's Address/Post Office Box: P.O. BOX 341
SANTA CRUZ, CA 95061

Claimant's Phone Number: (831) 457-9754 EXT. 1

2. Address to which notices are to be sent: P.O. Box 341 1306

3. Occurrence: I was riding the no. 71 Bus to the eye Doctor with a cup of tea when all of a sudden I got hit in the face by a wheelchair
Date: June 17 Time: about 2:30 Place: Water St. County Bldg. Stop
Circumstances of occurrence or transaction giving rise to claim: _____

The wheelchair was not secured

It was about 2:30 PM I had an appointment with the eye doctor. I was on the no. 71 Bus. We made a turn to get to the Government Bldg. stop. It hit me in the L.E.

4. General description of indebtedness, obligation, injury, damage, or loss incurred so far as is known: I have not been able to get around too good diggnos pain in knee and back cannot get around on my bicycle like before always tired & am in pain every day and I get tired easily

5. Name or names of public employees or employees causing injury, damage, or loss, if known: _____

6. Amount claimed now..... \$ 4,500.00
Estimated amount of future loss, if known \$ _____
TOTAL..... \$ 4,500.00

7. Basis of above computations: _____

MARIE KOURIE
CLAIMANT'S SIGNATURE OR
COMPANY REPRESENTATIVE'S SIGNATURE OR
PARENT OF MINOR CLAIMANT'S SIGNATURE

7/11/2002 2
DATE

Note: Claim must be presented to the Secretary to the Board of Directors, Santa Cruz Metropolitan Transit District

GOVERNMENT TORT CLAIM



RECOMMENDED ACTION

TO: Board of Directors

FROM: District Counsel

RE: Claim of: Beverly Beams Received: 08/19/02 Claim #: 02-0029
Date of Incident: 03/02/02 Occurrence Report No.: SC 03-02-02

In regard to the above-referenced Claim, this is to recommend that the Board of Directors take the following action:

- 1. Deny the claim.
- 2. Deny the application to file a late claim.
- 3. Grant the application to file a late claim.
- 4. Reject the claim as untimely filed.
- 5. Reject the claim as insufficient.
- 6. Approve the claim in the amount of \$___ and reject it as to the balance, if any.


B y & _____
Margaret Gallagher
DISTRICT COUNSEL

Date: August 29, 2002

I, Dale Carr, do hereby attest that the above Claim was duly presented to and the recommendations were approved by the Santa Cruz Metropolitan Transit District's Board of Directors at the meetings of September 27, 2002.

Dale Carr
Recording Secretary

Date

MG/hp

METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF)*
(* An official Advisory group to the Metro Board of Directors
and the ADA Paratransit Program)

MINUTES

The Metro Accessible Services Transit Forum met for its monthly meeting on August 15, 2002 in the Board Room of the NIAC Building, 333 Front Street, Santa Cruz CA.

MASTF MEMBERS PRESENT: April Axton, Richard Camperud, Ted Chatterton, Connie Day, Shelley Day, Kanoa Dynek, Michael Edwards, Kasandra Fox, Catherine Hibbard, Susan Hogue, Shannon Holmes, Ed Kramer, Deborah Lane, Kurtis Lemke, Fahmy Ma'Awad, Natima Neily, Pop Papadopulo, Nigal Reinbachs, Ernestina Saldana, Barbie Schaller, David Taylor and John Wood.

METRO STAFF PRESENT:

Bryant Baehr, Operations Department Manager
A. John Daugherty, Accessible Services Coordinator
Beverly Edwards, UTU Representative

BOARD MEMBERS PRESENT:

None

*****MASTF MOTIONS RELATED TO THE METRO BOARD OF DIRECTORS**

- 1) MASTF supports development of a telephone automated bus route information system that would operate 24 hours a day.
- 2) MASTF recommends that tactile signs be installed at all bus stops.

RELEVANT ATTACHMENTS FORWARDED TO THE BOARD: None.

***MASTF MOTIONS RELATED TO METRO MANAGEMENT**

- 1) MASTF supports development of a telephone automated bus route information system that would operate 24 hours a day.
- 2) MASTF recommends that tactile signs be installed at all bus stops.

I. CALL TO ORDER AND INTRODUCTIONS

Chairperson Deborah Lane called the meeting to order at 2:07 p.m.

II. APPROVAL OF THE JULY 18, 2002 MASTF MINUTES

John Daugherty offered two corrections for the Minutes of the MASTF meeting held last month:

- 1) The identification on Page One for Bonnie Morr needs to be changed. Under "Metro Staff Present" Ms. Morr is identified as "UTU Local 23 Chapter President." That identification should change to "UTU Local 23 Chairperson."

- 2) One notation under New Business item 6.2, "MASTF Recommendations on Changes to ParaCruz Customer's Guide" is not correct. On Page Six of the Minutes, Ted Chatterton is the person noted for offering a second to a Motion made by John Wood. Mr. Daugherty noted that Michael Doern had been the person to second the Motion.

Ms. Lane offered one clarification for Page Three of the Minutes: In the last paragraph of the "Oral Communication and Correspondence" section Pop Papadopulo was quoted to say that a person did not have to put his or her name on a yellow Comment Form submitted to METRO.

"That's not the case," she stated, "especially with reference to an ADA complaint. You must put your name, address, phone number ... I want to make that correction (to) information so nobody wastes their time."

MASTF Motion: That the July 18, 2002 MASTF Minutes be approved as corrected.
M/S/PU: Fox, C. Day

III. AMENDMENTS TO THE AGENDA

No amendments to the Agenda were proposed.

IV. ORAL COMMUNICATION AND CORRESPONDENCE

Mr. Daugherty reported that MASTF had received a flyer announcing the annual *Low Vision Expo* sponsored by the Doran Center for the Blind & Visually Impaired. The flyer (Attachment A) states that the *Low Vision Expo* will take place on Saturday October 19, 2002 from 10:00 a.m. to 3:00 p.m. at the Cabrillo College Stroke Center, 501 Upper Park Road in Santa Cruz.

Mr. Wood asked if MASTF should be represented at the event. Ms. Lane responded that that was a good suggestion.

"I want to know why we didn't have an Executive meeting last month," Mr. Papadopulo asked. Ms. Lane responded that there was no Agenda for a MASTF Executive Committee meeting and that "nobody wanted to put anything on the Agenda."

"That's the second time," Mr. Papadopulo stated, "and I think that's against the Brown Act." Ms. Lane responded, "No." Mr. Papadopulo responded, "You'd better read it."

Mr. Daugherty stated that there had been no violation of the Brown Act. He noted that Mr. Papadopulo and other MASTF Executive Committee members had been notified by email and phone message of the cancellation of the meeting. He described Mr. Papadopulo's tone as "inappropriate." Mr. Wood noted that the meeting should return to business.

Bryant Baehr shared that he was "90% done" with training around the Talking Bus technology. He explained that equipment was being installed now. "My goal," he said, "is to get the Talking Buses talking by the first or second week in September, at the latest."

Mr. Baehr announced that he was preparing a demonstration of Talking Bus technology. The tentative date for the demonstration is Wednesday August 28th from 12 noon to 2 p.m. A new Compressed Natural Gas (CNG) bus would probably be parked at Lane 1 of the Santa Cruz Metro Center. The CNG bus would be equipped with Talking Bus technology that would offer a selection of three voices to demonstrate announcement of call stops.

“The voice is the key.” Mr. Baehr stated, “We’ve got to figure out what voice that folks are comfortable with and is very clear ... Once we pick a voice, then I’m rolling.”

Mr. Baehr noted that METRO was getting ready to equip 64 buses with technology that METRO could program and adjust as needed. He shared that his two directives were to “get rid of the fluff” that was part of Talking Bus announcements in the past and to insure that METRO could handle programming the equipment here.

Discussion of this topic included comments from Ed Kramer that emphasized the need for the Talking Bus equipment to announce “just the stops.” Other comments included the observation from Mr. Wood that persons living with hearing impairments should not be disadvantaged by having announcement volume that is too low to be heard throughout the bus.

Ms. Lane introduced Ernestina Saldana to the group. Ms. Saldana had been appointed as MASTF’s representative on the METRO ParaCruz Appeals Panel. Ms. Saldana thanked the group and offered to answer questions about her background. Later during the meeting Ms. Lane also shared that Mr. Wood had been appointed to serve on the panel as one of METRO’s two appointees.

April Axton shared that Community Bridges had received a surprise donation recently. She recalled that Kim Chin had donated one car to Community Bridges and offered appreciation for the work done there. Mr. Wood asked if MASTF could write a letter of appreciation to Mr. Chin. Ms. Lane agreed to the request, provided that an address for Mr. Chin was available.

Nigal Reinbachs asked when Highway 17 Express buses would travel on weekends. He also wanted to know if more bus service on weekends to Bear Creek on the weekends was possible. Mr. Baehr responded that talks between Amtrak and METRO had stalled due to concerns about funds and available buses. Mr. Baehr noted that that prospect for weekend Highway 17 Express service was probably one year away. Later in the meeting Mr. Baehr also noted that METRO “is not in a position” to fund additional regular bus service now.

Kasandra Fox reported that she had a tiedown problem during a recent trip on the Amtrak bus.

V. ONGOING BUSINESS

5.1 Status of Ridership Survey and Prioritization of Changes for Watsonville Bus Service

Mr. Baehr reported that bus service changes considered for the next bid include the “dropping out” of Route 70 service after the Cabrillo College school term. He shared that bus service during the First Night celebration and the start of “Night Owl” service at UCSC was also being discussed.

5.2 Metro Base Update

Mr. Baehr reported that the progress with the Harvey West Cluster One Site is “on path.” “We’re doing everything we can to save as much money as we can,” he shared. In response to a question from Ms Lane, he also noted that METRO might occupy a current “tool shed” site and land near businesses to increase the space available for parking buses.

VI NEW BUSINESS

6.1 MASTF Appointment of Alternate Representative to the ParaCruz Appeals Panel – Action Item

Ms. Lane asked that any person interested in serving as an alternate representative for MASTF on the METRO ParaCruz Appeals Panel please phone Mr. Daugherty at 423-3868. Mr. Baehr noted that panel participants would receive training from consultant Richard Weiner.

6.2 METRO ParaCruz Customer’s Guide Update

Mr. Baehr reported that the Board had approved his proposal for a working group to review the METRO ParaCruz Customer’s Guide. He explained that the working group was responsible for changes that did not effect policy approved by the Board. Ms. Fox, Ms. Lane and Barbie Schaller offered to assist Mr. Baehr and Steve Paulson as part of a working group.

6.3 Revisiting Automated Phone Bus Schedule Information (Ed Kramer)

Mr. Kramer shared that MASTF had endorsed the need for an automated phone bus schedule information system in the past. He pointed out that an automated system accessed by telephone had been one of the approved goals for MASTF during 1997 and 1998. Mr. Daugherty read the 1997 and 1998 approved goal aloud: “”Advocate for expanded customer service staff and hours and for an automated telephone information system for non-business hours.”

Mr. Kramer wanted to know if an automated system is something that is still desired by MASTF. Discussion included the comment from Fahmy Ma’Awad that, compared to online schedule information, having information available by telephone “is a number one priority.”

The following Motion to METRO Management and Board emerged from discussion:

MASTF Motion: MASTF supports development of a telephone automated bus route information system that would operate 24 hours a day.

M/S/PU: Chatterton, C. Day

MASTF Committee Reports

6.4 Training and Procedures Committee Report (Pop Papadopulo)

6.5 Bus Service Committee Report

a) Metro Users Group (MUG) Report

There were no reports on either of those Agenda items.

6.6 Bus Stop Improvement Committee Report (Ed Kramer)

Mr. Kramer reported that essential components of a bus stop sign were debated during the last Bus Stop Advisory Committee (BSAC) meeting. He also noted that he had circulated samples of small tactile signs to the MASTF group today that could be part of a bus stop sign design. Mr. Kramer noted that the signs could be installed at a height of 36 inches on signposts. Mr. Kramer requested feedback on the tactile signs he distributed.

The following Motion to METRO Management and Board concluded discussion:

**MASTF Motion: MASTF recommends that tactile signs be installed at all bus stops.
M/S/C: Kramer, Papadopulo (One abstention: Wood)**

Mr. Kramer also noted that he would forward a request to BSAC for a shelter at a new inbound bus stop on Capitola Road near 17th Avenue. Ms. Lane noted that the previous bus stop near that location – a senior center – had been equipped with a shelter.

6.7 Paratransit Services Committee Report

Mr. Baehr reported that paratransit was “going rather well.” Shannon Holmes extended thanks to Ms. Axton and the Lift Line staff for the “smooth process” so far.

Other Reports

6.8 Paratransit Update

a) Paratransit Report (April Axton)

Ms. Axton reported:

- 1) Sam Storey would complete the last interview of a candidate for the Division Director position tomorrow.
- 2) Richard Camperud’s company, Courtesy Cab, had just received three vans to be used to deliver METRO ParaCruz service.
- 3) One new driver was hired recently.

b) CCCIL Transportation Advocacy

There was no report on this Agenda item.

6.9 UTU Report (Beverly Edwards)

Beverly Edwards reported that she had recently checked out one of the new 40-foot long CNG buses METRO would soon receive. She praised several features, including the “wide turning radius” near the front door that would benefit wheelchair users, “cushy” passenger seats and the “quiet” running engine.

Mr. Reinbachs shared: "I'm quite proud of the bus being part of my transportation ... Without the bus, and without all the bus drivers' support, I don't think I would have made as many friends." "Speaking for the bus drivers, Nigal," Ms. Edwards responded, "I'm happy to have you as a passenger on my bus."

6.10 SEIU/SEA Report

There was no report on this Agenda item.

6.11 Next Month's Agenda Items

Mr. Wood asked that the flyer announcing the Low Vision Expo be included with the next MASTF meeting packet. Mr. Daugherty responded that the flyer would be included as an Attachment.

Also discussed: Tabling both Ongoing Business Agenda items, reports on the status of a bus shelter near the senior center and the Talking Bus demonstration.

Mr. Baehr reported on the progress of the expansion of the Santa Cruz Metro Center. He explained that the new Metro Center would be a "mixed use development" that included business space. He noted that the need for clean up had been triggered by the discovery of lead in the soil of a lot next to the Metro Center.

Ms. Fox thanked Mr. Baehr for all his contributions today.

VII ADJOURNMENT

The meeting was adjourned at 3:33 p.m.

M/S/PU: Fox, Papadopulo

Respectfully submitted by: A. John Daugherty, Accessible Services Coordinator

NOTE: NEXT REGULAR MASTF MEETING IS: Thursday September 19, 2002 from 2:00-4:00 p.m., in the Board Room of the NIAC Building, 333 Front Street, Santa Cruz, CA.

NOTE: NEXT S.C.M.T.D. BOARD OF DIRECTORS MEETING IS: Friday September 13, 2002 at 9:00 a.m. at the S.C.M.T.D. Administrative Offices, 370 Encinal Street, Santa Cruz, CA.

NOTE: THE FOLLOWING S.C.M.T.D. BOARD OF DIRECTORS MEETING IS: Friday September 27, 2002 at 9:00 a.m. in the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Santa Cruz Metropolitan Transit District

Minutes-Metro Users Group

August 14, 2002

The Santa Cruz Metropolitan Transit District Metro Users Group met at 2:10 p.m., Wednesday, August 14, 2002, at the Santa Cruz Area TMA Conference Room, 333 Front Street, NIAC Building, Santa Cruz.

MEMBERS PRESENT

Sandra Coley, Pajaro TMA
Michelle Hinkle, Chair, Board Member
Virginia Kirby, Transit User
Carolyn O'Donnell, Cabrillo, SC TMA
Barbie Schaller, Seniors Commission

SCMTD STAFF PRESENT

Bryant Baehr, Operations Mgr
Margaret Gallagher, District Counsel
Tom Stickel, Fleet Maintenance Mgr

VISITORS PRESENT

None

MUG MOTIONS TO METRO BOARD OF DIRECTORS

None

MUG MOTIONS TO METRO MANAGEMENT

None

1. CALL TO ORDER AND INTRODUCTION

Chair Hinkle called the meeting to order at 2:14 p.m.

2. ORAL AND WRITTEN COMMUNICATIONS AND ANNOUNCEMENTS

The June Ridership Report was distributed, replacing the June Hwy 17 Report that was mistakenly included in the MUG Packet.

Bryant Baehr reported that ridership and revenues are declining. The fareboxes have been in full operation for one year now and showed ridership had declined in July compared to last year. There was discussion about the high cost of living in Santa Cruz County.

3. ADDITIONS AND DELETIONS TO THE AGENDA

None.

4. CONSENT AGENDA

Receive and Accept:

- a) Minutes of July MUG Meeting
- b) Monthly Attendance Report
- c) Minutes of July Board of Directors Meeting
- d) June Ridership Report

**ACTION: MOTION: Barbie Schaller
APPROVE CONSENT AGENDA**

**SECOND: Carolyn O'Donnell
Motion passed unanimously.**

5. ON-GOING ITEMS

5a) Review of Current Board Agenda Items

Bryant Baehr reported that since there were no major issues on the agenda, the August 23, 2002 Board meeting had been cancelled. Tom Stickel added that a special Board meeting would be called to consider awarding contracts for the CNG Maintenance Retrofit at the Golf Club Facility and the CNG Fueling Facility at Operations to keep these projects on schedule.

5b) Review of *Headways* Redesign Issues

Nothing to report.

5c) Service and Planning Update

Bryant Baehr reported that staff is recommending dropping the Route 70 during school holiday breaks and that the Big Basin service drops out for the Winter Bid Change. He also reported that currently, the UCSC Night Owl Service is in the planning stages and there is discussion about First^t Night service.

Virginia Kirby asked how people would know what dates the Route 70 would not be running. Bryant Baehr replied that the information would be in *Headways*.

ITEM 5e WAS TAKEN OUT OF ORDER

5e) Bus Procurement

Tom Stickel reported that the order is moving forward on the 29 low-floors from New Flyer, which are expected to arrive towards the end of November. At the end of this month, he and Mark will go to Orion for a pre-production walkthrough of the Hwy 17 high-floors, which are expected to arrive in May 2003.

5d) Cabrillo College

Carolyn O'Donnell reported that the Regional Transportation Commission had just approved a grant to install 85 bike racks on campus. In early October, students will be stationed in the parking lots and at campus entrances to count the number of people driving alone, carpooling, riding the bus and riding bikes.

6. UPDATES

6a) Paratransit Issues

Bryant Baehr reported that the Board had approved and adopted the Paratransit Customers Guide and the Paratransit Appeals Process and that recertification began on August 1st. Appointments are booked solid through August and into September. So far, there have been some eligibility denials, but no appeals. Approximately 7,000 copies of the "Quick Guide" brochures were sent out to all ADA Paratransit users in the database. The brochures will also be sent to medical facilities and senior centers.

The District has a 3-year contract with Orthopaedic Hospital to complete the recertification process. The cost to the District is \$65 per person plus transportation to the appointment. At the end of the contracted 3-yr recertification process, District staff will conduct the recertifications themselves every 3 years, which was approved by MASTF, E&D TAC, the Seniors Commission, CCCIL and other groups.

There was discussion about who would or would not be eligible and different barriers and scenarios. Mr. Baehr pointed out that another benefit of the process is that the District's database will be updated, reflecting the actual number of certified users, which is around 2,000, as opposed to the approximately 7,000 users currently in the database.

Bryant Baehr reported that Steve Paulson, Paratransit Administrator, would be conducting vendor and vehicle inspections to be sure the District expectations are being met and that the best possible service is being provided.

6b) MetroBase

Margaret Gallagher reported that the Administrative Draft of the EIR has been received 3 weeks behind schedule and is being reviewed by District staff and will become public in November for a 45-day review period. The EIR of the Phase 1 is anticipated to be completed in January.

7. NEW BUSINESS

7a) ADA/504 Accessibility Policies & Procedures

Ms. Gallagher asked for MUG's input on the Accessibility Policies & Procedures that she distributed at last month's meeting. Ms. Gallagher said there had been a suggestion to put the basic information into a brochure and that she could bring a draft of the brochure to next month's meeting. Barbie Schaller requested at least 14 copies for the Seniors Commission to review. Ms. Gallagher replied that she would send those to her as soon as they were completed instead of waiting until next month's meeting.

7b) Talking Bus

Bryant Baehr explained that the talking bus system uses an antenna on the bus, a gyrocompass and the bus' odometer for positioning. Currently, the routes are being mapped and the technology should be installed and operable the 1st or 2nd week in September. The District has all the equipment to record the voice that will do the announcing on the system. Bryant will be conducting a demonstration of the system

towards the end of this month and would like MUG and MASTF's input on choosing the voice. When the date is confirmed, he will contact the advisory groups. Once a voice is selected, the recordings will be done in the Fleet Maintenance conference room, which has been tested and found to have good acoustic results.

Virginia Kirby wondered how the bus drivers know when a passenger requests a stop. Bryant Baehr explained that the drivers hear a "ding" and see a light on their dash.

7c) Membership in MUG

There was no discussion on this item

8. OPEN DISCUSSION

Chair Hinkle asked if there were any other concerns or anything the members would like to see on the agenda. Virginia Kirby was concerned that the quorum is lost when a member leaves during a meeting and wished this could be on the agenda or to at least remind the committee that 5 members are needed for a quorum.

Virginia Kirby asked what the best method was for communicating suggestions or complaints. Bryant Baehr replied that Customer Service was the department to contact, either by mail or phone, but that she could write directly to him if she preferred.

9. ADJOURNMENT

Chair Hinkle adjourned the meeting at 3:04 p.m.

Respectfully submitted,

CINDI THOMAS
Administrative Secretary

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Elisabeth Ross, Manager of Finance
SUBJECT: MONTHLY BUDGET STATUS REPORT FOR JULY 2002, AND APPROVAL OF BUDGET TRANSFERS

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors approve the budget transfers for the period of August 1 - 31, 2002.

II. SUMMARY OF ISSUES

- Operating revenue for the year to date totals \$1,536,573 or \$23,904 under the amount of revenue expected to be received during the first month of the fiscal year, based on the final budget.
- Total operating expenses for the year to date, in the amount of \$2,046,089, are at 6.5% of the final budget.
- A total of \$2,526,954 has been expended through July 31st for the FY 02-03 Capital Improvement Program.

III. DISCUSSION

An analysis of the District's budget status is prepared monthly in order to apprise the Board of Directors of the District's actual revenues and expenses in relation to the adopted operating and capital budgets for the fiscal year. The attached monthly revenue and expense report represents the status of the District's FY 02-03 budget as of July 31, 2002. The fiscal year is 8.3% elapsed.

A. Operating Revenues

Revenues are \$23,904 under the amount projected to be received for the period. Passenger fares are \$25,571 below budget projections due to lower ridership. Variances are explained in the notes following the report.

B. Operating Expenses

Operating expenses for the year to date total \$2,046,089 or 6.5% of the final budget, with 8.3% of the year elapsed. Variances are explained in the notes following the report.

September 27, 2002

Board of Directors

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C. Capital Improvement Program

For the year to date, a total of \$2,526,954 has been expended on the Capital Improvement Program. The largest expenditure was for the purchase of buses in the amount of \$2,504,075.

IV. FINANCIAL CONSIDERATIONS

Approval of the budget transfers will increase some line item expenses and decrease others. Overall, the changes are expense-neutral.

V. ATTACHMENTS

Attachment A: Revenue and Expense Report for July 2002, and Budget Transfers

MONTHLY REVENUE AND EXPENSE REPORT
OPERATING EXPENSE SUMMARY - JULY 2002

	FY 02-03 Final Budget	FY 02-03 Revised Budget	FY 01-02 Expended YTD	FY 02-03 Expended YTD	Percent Expended of Budget	
PERSONNEL ACCOUNTS						
Administration	\$ 617,973	\$ 617,973	\$ 41,202	\$ 46,814	7.6%	
Finance	\$ 526,788	\$ 526,788	\$ 39,289	\$ 42,635	8.1%	
Planning & Marketing	\$ 710,601	\$ 710,601	\$ 60,082	\$ 61,253	8.6%	See Note 2
Human Resources	\$ 325,478	\$ 325,478	\$ 20,073	\$ 23,949	7.4%	
Information Technology	\$ 382,753	\$ 382,753	\$ 26,665	\$ 26,817	7.0%	
District Counsel	\$ 307,569	\$ 307,569	\$ 21,988	\$ 24,658	8.0%	
Risk Management	\$ -	\$ -	\$ -	\$ -	0.0%	
Facilities Maintenance	\$ 1,020,801	\$ 1,020,801	\$ 73,528	\$ 80,522	7.9%	
Paratransit Program	\$ 224,893	\$ 224,893	\$ -	\$ 13,659	6.1%	
Operations	\$ 1,873,101	\$ 1,873,101	\$ 150,802	\$ 145,246	7.8%	
Bus Operators	\$ 11,615,995	\$ 11,615,995	\$ 923,432	\$ 933,915	8.0%	
Fleet Maintenance	\$ 3,935,369	\$ 3,935,369	\$ 289,599	\$ 294,802	7.5%	
Retired Employees Benefits	\$ 518,615	\$ 518,615	\$ 33,458	\$ 49,293	9.5%	See Note 3
Total Personnel	\$ 22,059,937	\$ 22,059,937	\$ 1,680,118	\$ 1,743,563	7.9%	
NON-PERSONNEL ACCOUNTS						
Administration	\$ 546,487	\$ 546,487	\$ 57,854	\$ 49,399	9.0%	See Note 4
Finance	\$ 728,785	\$ 728,580	\$ 140,545	\$ 338,441	46.5%	See Note 5
Planning & Marketing	\$ 174,080	\$ 174,080	\$ 16,113	\$ 16,998	9.8%	See Note 6
Human Resources	\$ 97,500	\$ 97,500	\$ 10,578	\$ 808	0.8%	
Information Technology	\$ 113,025	\$ 113,025	\$ 8,177	\$ 8,307	7.3%	
District Counsel	\$ 26,007	\$ 26,007	\$ -2,996	\$ 115	0.4%	
Risk Management	\$ 269,455	\$ 269,455	\$ -	\$ 33,707	12.5%	See Note 7
Facilities Maintenance	\$ 464,382	\$ 464,382	\$ 29,051	\$ 18,753	4.0%	
Paratransit Program	\$ 3,704,585	\$ 3,704,585	\$ 46,637	\$ 3,557	0.1%	See Note 8
Operations	\$ 470,079	\$ 470,284	\$ 15,157	\$ 8,274	1.8%	
Bus Operators	6,400	\$ 6,400	\$ 183	\$ -	0.0%	
Fleet Maintenance	\$ 2,936,353	\$ 2,936,353	\$ 147,285	\$ 133,128	4.5%	
Op Prog/SCCIC	\$ 2,925	\$ 2,925	\$ -	\$ 33	1.1%	
Reserve for Repower Project			\$ -	\$ -	0.0%	
Prepaid Expense			\$ (141,726)	\$ (308,994)	0.0%	See Note 9
Total Non-Personnel	\$ 9,540,063	\$ 9,540,063	\$ 332,850	\$ 302,526	3.2%	
Subtotal Operating Expense	\$ 31,600,000	\$ 31,600,000	\$ 2,012,968	\$ 2,046,089	6.5%	
Grant Funded Studies/Programs	\$ -	\$ -		\$ -	0.0%	
Transfer to/from Cap Program	\$ -	\$ -		\$ -	0.0%	
Pass Through Programs	\$ -	\$ -		\$ -	0.0%	
Total Operating Expense	\$ 31,600,000	\$ 31,600,000	\$ 2,012,968	\$ 2,046,089	6.5%	
YTD Operating Revenue Over YTD Expense				\$ (509,516)		

**CONSOLIDATED OPERATING EXPENSE
JULY 2002**

	FY 02-03 Final Budget	FY 02-03 Revised Budget	FY 01-02 Expended YTD	FY 02-03 Expended YTD	% Exp YTD of Budget	
LABOR						
Operators Wages	6259873	6259873	\$ 490,424	\$ 475,603	7.6%	
Operators Overtime	\$ 968,512	\$ 968,512	\$ 74,077	\$ 34,193	3.5%	
Other Salaries & Waaes	\$ 6,153,470	\$ 6,153,470	\$ 434,773	\$ 454,109	7.4%	
Other Overtime	\$ 245,893	\$ 245,893	\$ 36,650	\$ 16,573	6.7%	
	\$ 13,627,748	\$ 13,627,748	\$ 1,035,925	\$ 980,477	7.2%	
FRINGE BENEFITS						
Medicare/Soc Sec	\$ 130,765	\$ 130,765	\$ 10,465	\$ 10,817	8.3%	
PERS Retirement	\$ 970,685	\$ 970,685	\$ 71,010	\$ 75,567	7.8%	
Medical Insurance	\$ 2,270,455	\$ 2,270,455	\$ 150,990	\$ 177,116	7.8%	
Dental Plan	\$ 414,391	\$ 414,391	\$ 38,279	\$ 33,854	8.2%	
Vision Insurance	\$ 113,077	\$ 113,077	\$ 8,899	\$ 9,569	8.5%	See Note 10
Life Insurance	\$ 56,570	\$ 56,570	\$ 8,740	\$ 4,526	8.0%	
State Disability Ins	\$ 131,089	\$ 131,089	\$ 10,586	\$ 10,597	8.1%	
Long Term Disability Ins	\$ 509,251	\$ 509,251	\$ 67,865	\$ 37,822	7.4%	
Unemployment Insurance	\$ 26,316	\$ 26,316	\$ 469	\$ 51	0.2%	
Workers Comp	\$ 1,248,362	\$ 1,248,362	\$ 71,129	\$ 144,357	11.6%	See Note 11
Absence w/Pay	\$ 2,532,354	\$ 2,532,354	\$ 203,970	\$ 258,326	10.2%	See Note 12
Other Fringe Benefits	\$ 28,874	\$ 28,874	\$ 1,790	\$ 482	1.7%	
	\$ 8,432,189	\$ 8,432,189	\$ 644,193	\$ 763,085	9.0%	
SERVICES						
Acctng/Admin/Bank Fees	\$ 289,500	\$ 289,500	\$ 29	\$ 72	0.0%	
Prof/Legis/Legal Services	\$ 479,720	\$ 481,720	\$	\$ 10,560	2.2%	
Temporary Help	\$ -	\$ -	\$ 13,700	\$ 7,677	0.0%	
Uniforms & Laundry	\$ 35,300	\$ 35,300	\$	\$ -	0.0%	
Security Services	\$ 283,419	\$ 283,419	\$ 1,025	\$ 364	0.1%	
Outside Repair - Bldgs/Eqmt	\$ 174,450	\$ 172,450	\$ 10,863	\$ 5,196	3.0%	
Outside Repair - Vehicles	\$ 270,140	\$ 270,140	\$ 8,080	\$ 13,965	5.2%	
Waste Disp/Ads/Other	\$ 226,240	\$ 226,240	\$ 11,070	\$ 6,301	2.8%	
	\$ 1,758,769	\$ 1,758,769	\$ 52,808	\$ 36,425	2.1%	
CONTRACT TRANSPORTATION						
Contract Transportation	\$ 50	\$ 50	\$ -	\$ -	0.0%	
Paratransit Service	\$ 3,474,485	\$ 3,474,485	\$ 43,710	\$ -	0.0%	See Note 8
	\$ 3,474,535	\$ 3,474,535	\$ 43,710	\$ -	0.0%	
MOBILE MATERIALS						
Fuels & Lubricants	\$ 1,357,168	\$ 1,357,168	\$ 73,255	\$ 74,287	5.5%	
Tires & Tubes	\$ 150,000	\$ 150,000	\$ 10,964	\$ 8,771	5.8%	
Other Mobile Supplies	\$ 6,500	\$ 6,500	\$ 115	\$ -	0.0%	
Revenue Vehicle Parts	\$ 645,000	\$ 645,000	\$ 25,370	\$ 10,477	1.6%	
	\$ 2,158,668	\$ 2,158,668	\$ 109,704	\$ 93,534	4.3%	

CONSOLIDATED OPERATING EXPENSE
JULY 2002

	FY 02-03 Final Budget	FY 02-03 Revised Budget	FY 01-02 Expended YTD	FY 02-03 Expended YTD	% Exp YTD of Budget	
OTHER MATERIALS						
Postage & Mailing/Freight	\$ 21,990	\$ 31,990	\$ 1,949	\$ 2,343	10.7%	See Note 13
Printing	\$ 130,729	\$ 130,729	\$ 2,916	\$ 3,136	2.4%	
Office/Computer Supplies	\$ 66,686	\$ 66,686	\$ 2,592	\$ 3,878	5.8%	
Safety Supplies	\$ 33,175	\$ 23,175	\$ 343	\$ 39	0.2%	
Cleaning Supplies	\$ 65,000	\$ 65,000	\$ 1,793	\$ 1,320	2.0%	
Repair/Maint Supplies	\$ 37,700	\$ 37,700	\$ 3,727	\$ 1,629	4.3%	
Parts, Non-Inventory	\$ 50,000	\$ 50,000	\$ 2,865	\$ 1,725	3.5%	
Tools/Tool Allowance	\$ 11,207	\$ 11,207	\$ 766	\$ 180	1.6%	
Promo/Photo Supplies	\$ 22,247	\$ 22,247	\$ 65	\$ 75	0.3%	
	\$ 428,734	\$ 428,734	\$ 17,017	\$ 14,325	3.3%	
UTILITIES	\$ 328,084	\$ 328,084	\$ 22,810	\$ 19,327	5.9%	
CASUALTY & LIABILITY						
Insurance - Prop/PL & PD	\$ 429,000	\$ 429,000	\$ 12,591	\$ 29,085	6.8%	See Note 14 See Note 15
Settlement Costs	\$ 100,000	\$ 100,000	\$ 2,269	\$ 28,842	28.8%	
Repairs to Prop	\$ -	\$ -	\$ (145)	\$ 875	0.0%	
Prof/Other Services	\$ 55,000	\$ 55,000	\$ 466	\$ -	0.0%	
	\$ 584,000	\$ 584,000	\$ 15,180	\$ 58,802	10.1%	
TAXES	\$ 44,667	\$ 44,667	\$ 2,456	\$ 2,456	5.5%	
MISC EXPENSES						
Dues & Subscriptions	\$ 55,505	\$ 55,505	\$ 14,531	\$ 30,066	54.2%	See Note 16
Media Advertising	\$ 5,000	\$ 5,000	\$ 167	\$ 67	1.3%	
Employee Incentive Program	\$ 11,450	\$ 11,450	\$ -	\$ 174	1.5%	
Training	\$ 45,290	\$ 45,290	\$ (225)	\$ -	0.0%	
Travel & Local Meetings	\$ 42,225	\$ 42,225	\$ 1,501	\$ 119	0.3%	
Other Misc Expenses	\$ 13,500	\$ 13,500	\$ 799	\$ 687	5.1%	
	\$ 172,970	\$ 172,970	\$ 16,773	\$ 31,114	18.0%	
OTHER EXPENSES						
Leases & Rentals	\$ 589,636	\$ 589,636	\$ 52,392	\$ 46,544	7.9%	
Repower Project Reserve	\$ -	\$ -	\$ -	\$ -	0.0%	
Transfer to Capital	\$ -	\$ -	\$ -	\$ -	0.0%	
Pass Through Programs	\$ -	\$ -	\$ -	\$ -	0.0%	
	\$ 589,636	\$ 589,636	\$ 52,392	\$ 46,544	7.9%	
Total Operating Expense	\$ 31,600,000	\$ 31,600,000	\$ 2,012,968	\$ 2,046,089	6.5%	

**MONTHLY REVENUE AND EXPENSE REPORT
FY 02-03 CAPITAL IMPROVEMENT PROGRAM**

CAPITAL PROJECTS	Program Budget	Expended in July	YTD Expended
Grant Funded Projects			
Consolidated Operating Facility	\$ 7,948,083	\$ 224	\$ 224
Urban Bus Replacement	\$ 7,546,472	\$ 2,504,075	\$ 2,504,075
Talking Bus Equipment	\$ 700,000		
CNG Facilities for SCM, Ops	\$ 632,000	\$ 5,179	\$ 5,179
Metro Center Renovation Project	\$ 200,000	\$ 15,736	\$ 15,736
Engine Repower Project (carryover)	\$ 125,000		
	\$ 17,151,555		
District Funded Projects			
Bus Stop Improvements	\$ 503,000	\$ 1,740	\$ 1,740
ADA Recertification Program	\$ 65,000		
IT - Giro Rostering Module	\$ 50,000		
Automated Telephone Info System	\$ 35,000		
Facilities Repairs & Improvements	\$ 65,000		
Facilities Repairs & Improvements (CO)	\$ 42,500		
Machinery/Equip Repair & Improvements	\$ 24,000		
Non-revenue Vehicle Replacement	\$ 203,000		
Office Equipment	\$ 30,000		
Transfer to Operating Budget	\$ 1,200,000		
	\$ 2,217,500		
TOTAL CAPITAL PROJECTS	\$ 19,369,055	\$ 2,526,954	\$ 2,526,954
CAPITAL FUNDING SOURCES			
	Budget	Received in July	YTD Received
Federal Capital Grants	\$ 13,553,939		
State Capital Grants	\$ 919,631	\$ -	
STA Funding	\$ 807,150	\$ -	
Local Capital Grants			
District Reserves	\$ 3,688,335	2,526,252,954	\$
Transfer from Bus Stop Improvement Reserv	\$ 400,000	\$	\$
TOTAL CAPITAL FUNDING	\$ 19,369,055	\$ 2,526,954	\$ 2,526,954

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
NOTES TO REVENUE AND EXPENSE REPORT**

1. Passenger fares (farebox and pass sales) are \$25,571 or 9.0% under the final budget amount for the year to date. Paratransit fares are \$840 over budget for the period since the number shown is only for paratransit advance ticket sales. The July contractor billing was not received by the report deadline. Special transit fares (contracts) are \$215 over the budgeted amount. UCSC contract revenue is \$1,635 over budget. Cabrillo College contract revenue is \$111 below budget. Employer bus pass program revenue is \$1,309 below budget and \$1,109 less than one year ago. Highway 17 Express revenue is \$2,702 or 4% under the year to date budgeted amount. Together, all four passenger revenue accounts are under the budgeted amount for the first month of the fiscal year by a net \$27,218 or 6.9%.
2. Planning and Marketing personnel expense is at 8.6% for the year-to-date due to workers comp expenses.
3. Retired employee benefits are at 9.5% of the budget because the budget will not be adjusted for the additional retirees until October.
4. Administration non-personnel expense is at 9.0% of the budget due to the annual payment of APTA dues.
5. Finance non-personnel expense is at 46.5% of the budget due to the annual payment of insurance premiums.
6. Planning & Marketing non-personnel expenses are at 9.8% of the budget due to the annual payment for the APTA PT2 program.
7. Risk Management expense is at 12.5% of the budget due to \$28,842 in settlements paid out during the period.
8. Paratransit program expense is only at 0.1% of the budget because the July billing was not submitted by the contractor by the report deadline.
9. Pre-paid expense adjustment provides for allocating large annual payments, such as casualty and liability insurance, over the entire year so that the total expenses District-wide for the month and year to date are not skewed.
10. Vision insurance is at 8.5% of the budget due to the renewal rate increase of 5.4% compared to the budgeted increase of 5.0%, which will be addressed in the budget revision.
11. Workers Compensation insurance is at 11.6% of the budget due to higher claims paid out during the month than projected. The claims amount varies from month to month.
12. Absence with pay is at 10.2% of the budget since more vacation time is taken in the summer months.

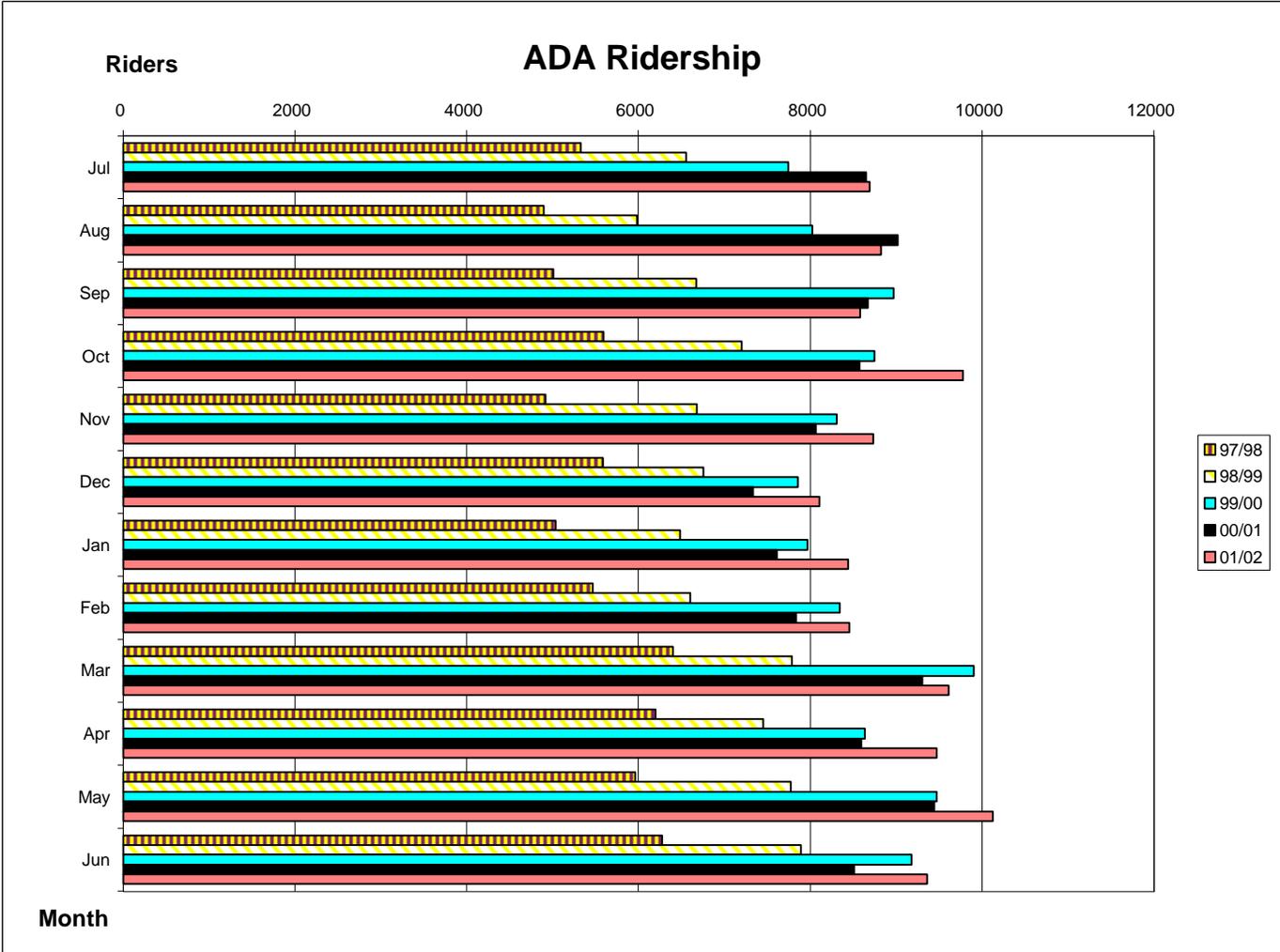
13. Postage/mailing and freight expense is at 10.7% of the budget due to a major mailing for the paratransit program.
14. Settlement costs are at 28.8% of the budget since \$28,842 was expended during the period. These payments fluctuate from month to month.
15. Repairs to property is a casualty and liability account to which repairs to District vehicles and property are charged when another party is liable for the damage. All collections made from other parties for property repair are applied to this account to offset the District's repair costs. So far this year, expenses have exceeded collections.
16. Dues and subscriptions are at 54.2% of the budget due to the annual payment of APTA dues.

**FY 02-03 BUDGET TRANSFERS
8/1/02-8/31/02**

	ACCOUNT #	ACCOUNT TITLE	AMOUNT
TRANSFER # 03-001			
TRANSFER FROM:	503352-I 500	Outside Repair - Equip	\$ (2,000)
TRANSFER TO:	503031-I 500	Prof/Technical & Fees	\$ 2,000
REASON:	To cover expected expenditures in the IT Department.		
TRANSFER # 03-002			
TRANSFER FROM:	50431 I-1200	Office Supplies	\$ (205)
TRANSFER TO:	50431 I-3200	Office Supplies	\$ 205
REASON:	To cover cost of payroll envelopes for the Finance Department.		

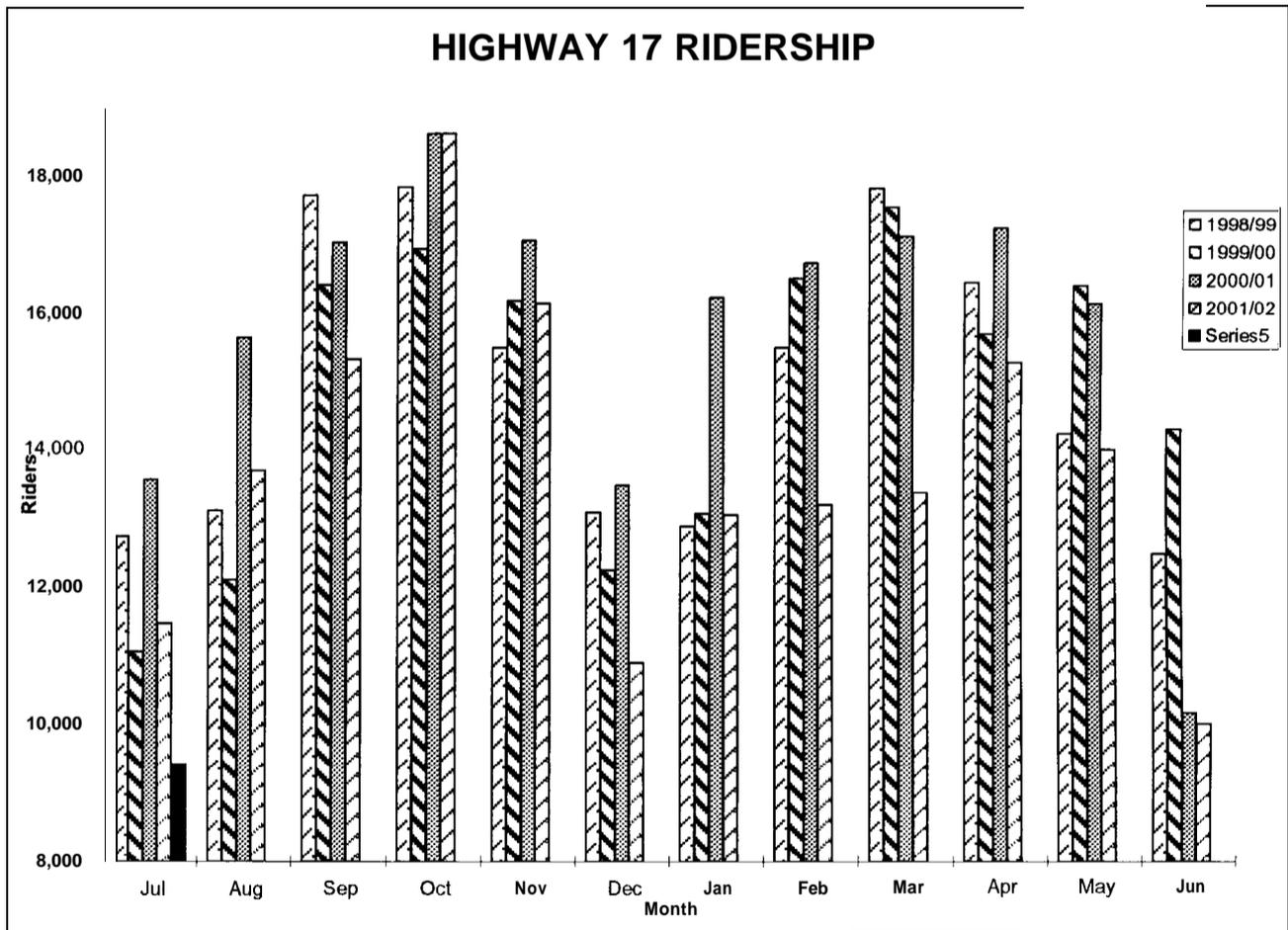
**ADA ParaCruz Program
Monthly Status Report**

	This June	Last June	% Change	This YTD	Last YTD	% Change
Cost	\$ 245,008	\$ 206,655	18.6%	\$2,722,759	\$ 2,389,614	13.9%
Revenue	\$18,702	\$17,010	9.9%	\$216,178	\$203,056	6.5%
Subsidy	\$226,306	\$189,645	19.3%	\$2,506,581	\$2,186,558	14.6%
Passengers	9,351	8,505	9.9%	108,089	101,528	6.5%
Cost/Ride	\$26.20	\$24.30	8.5%	\$25.19	\$ 23.54	7.7%
Subsidy/Ride	\$24.20	\$22.30	8.5%	\$23.19	\$21.54	7.7%
Operating Ratio	7.6%	8.2%	-7.3%	7.9%	8.5%	-6.6%
% Rides on Taxi	64.2%	66.0%	-2.7%	67.4%	67.4%	0.1%
Program Registrants	9,952	8,790	13.2%	9,952	8,790	13.2%
Rides/Registrant	0.9396	0.9676	-2.9%	10.8610	11.5504	-6.0%



HIGHWAY 17 - JULY 2002

	Julv			YTD		
	2002/03	2001/02	%	2002103	2001/02	%
FINANCIAL						
Cost	\$ 105,232	\$ 111,211	(5.4%)	\$ 105,232	\$ 111,211	(5.4%)
Farebox	\$ 25,461	\$ 26,411	(3.6%)	\$ 25,461	\$ 26,411	(3.6%)
Operating Deficit	\$ 79,771	\$ 84,800	(5.9%)	\$ 79,771	\$ 84,800	(5.9%)
Santa Clara Subsidy	\$ 39,886	\$ 42,400	(5.9%)	\$ 39,886	\$ 42,400	(5.9%)
METRO Subsidy	\$ 39,886	\$ 42,400	(5.9%)	\$ 39,886	\$ 42,400	(5.9%)
San Jose State Subsidy	\$ -	\$ -		\$ -	\$ -	
STATISTICS						
Passengers	9,427	11,460	(17.7%)	9,427	11,460	(17.7%)
Revenue Miles	32,918	31,421	4.8%	32,918	31,421	4.8%
Revenue Hours	1,280	1,222	4.8%	1,280	1,222	4.8%
PRODUCTIVITY						
Cost/Passenger	\$ 11.16	\$ 9.70	15.0%	\$ 11.16	\$ 9.70	15.0%
Revenue/Passenger	\$ 2.70	\$ 2.30	17.2%	\$ 2.70	\$ 2.30	17.2%
Subsidy/Passenger	\$ 8.46	\$ 7.40	14.4%	\$ 8.46	\$ 7.40	14.4%
Passengers/Mile	0.29	0.36	(21.5%)	0.29	0.36	(21.5%)
Passengers/Hour	7.36	9.38	(21.5%)	7.36	9.38	(21.5%)
Recovery Ratio	24.2%	23.7%	1.9%	24.2%	23.7%	1.9%



SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Bryant J. Baehr, Manager of Operations



SUBJECT: UNIVERSITY OF CALIFORNIA - SANTA CRUZ SERVICE UPDATE

I. RECOMMENDED ACTION

This report is for information purposes only. No action is required

II. SUMMARY OF ISSUES

- Student billable trips for June 2002 decreased by (6.4%) versus June 2001. Year to date student billable trips have increased by 10.8%.
- Faculty / staff billable trips for June 2002 decreased by (.1%) versus June 2001. Year to date faculty / staff billable trips have increased by 6.2%.
- Revenue received from UCSC for June 2002 was \$47,223 versus \$47,520 a decrease of (.6%).

III. DISCUSSION

Full school-term transit service to the University of California – Santa Cruz started on September 19, 2001. Attached are charts detailing student and faculty / staff billable trips. A summary of the results is:

- Student billable trips for the month of June 2002 were 38,915 vs. 41,573 for June 2001 a decrease of (6.4%).
- Faculty / staff billable trips for the month of June 2002 were 8,318 vs. 8,323 for June 2001 a decrease of (.1%).
- Year to date Student billable trips increased by 10.8% and faculty / staff billable trips increased by 6.2%.
- In June 2002 the charge for service was \$47,223. The charge for June 2001 was \$47,520. This represents a (.6%) decrease in revenue for June 2002 versus June 2001.

IV. FINANCIAL CONSIDERATIONS

NONE

V. ATTACHMENTS

Please refer to the July UCSC Service Update Staff Report, which immediately follows this report, for attachments.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Bryant J. Baehr, Manager of Operations
SUBJECT: UNIVERSITY OF CALIFORNIA - SANTA CRUZ SERVICE UPDATE

I. RECOMMENDED ACTION

This report is for information purposes only. No action is required

II. SUMMARY OF ISSUES

- Student billable trips for July 2002 increased by 23.5 versus July 2001. Year to date student billable trips have increased by 23.5%.
- Faculty / staff billable trips for July 2002 increased by 19.8 versus July 2001. Year to date faculty / staff billable trips have increased by 19.8%.
- Revenue received from UCSC for July 2002 was \$28,176 versus \$24,637 an increase of 14.4%.

III. DISCUSSION

Full school-term transit service to the University of California – Santa Cruz will start on September 16, 2001. Attached are charts detailing student and faculty / staff billable trips. A summary of the results is:

- Student billable trips for the month of July 2002 were 19,916 vs. 16,123 for July 2001 an increase of 23.5%.
- Faculty / staff billable trips for the month of July 2002 were 11,079 vs. 9,247 for July 2001 an increase of 19.8%.
- Year to date Student billable trips increased by 23.5% and faculty / staff billable trips increased by 19.8%.
- In July 2002 the charge for service was \$28,176. The charge for July 2001 was \$24,637. This represents a 14.4% increase in revenue for July 2002 versus July 2001.

IV. FINANCIAL CONSIDERATIONS

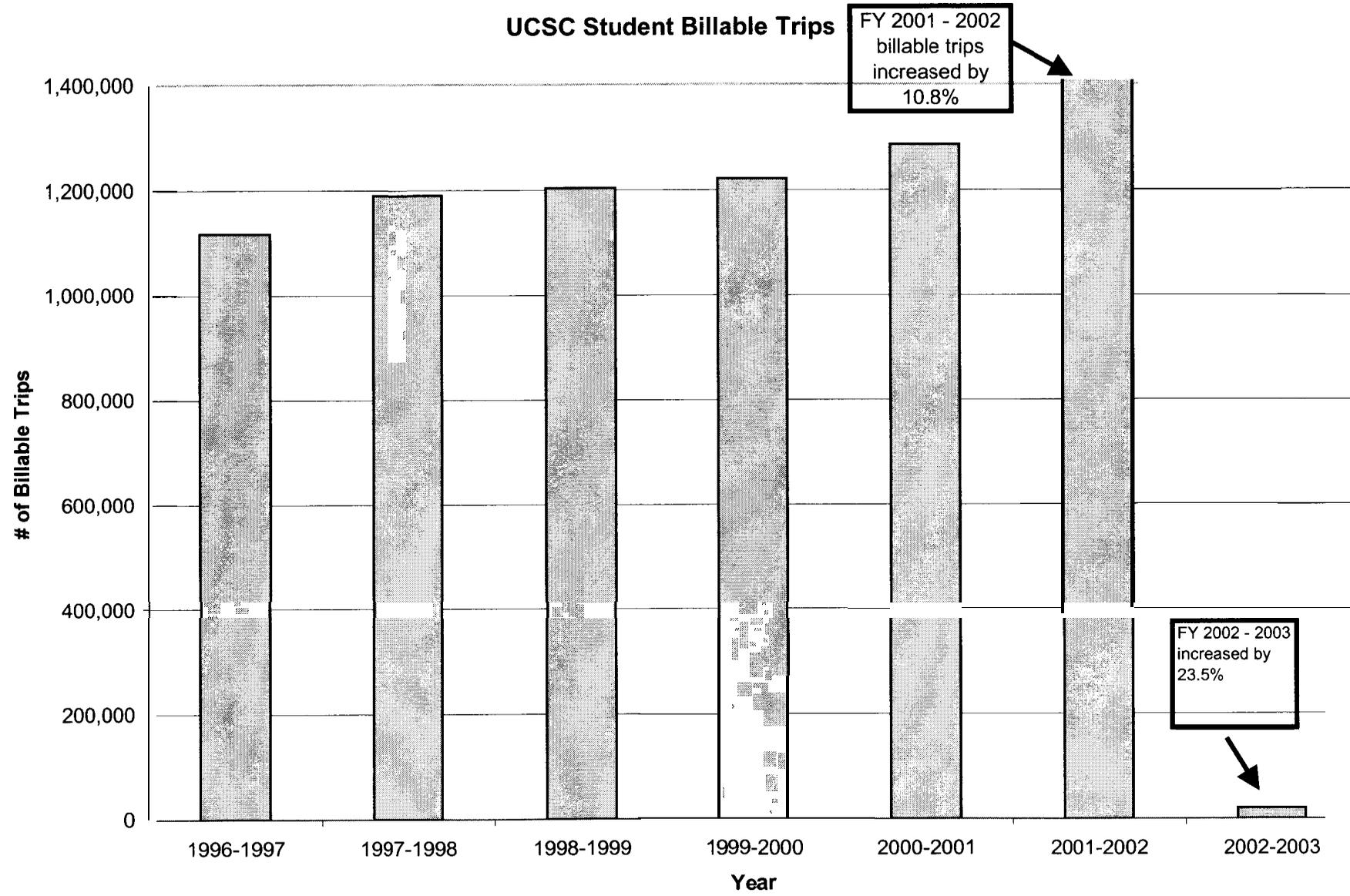
NONE

V. ATTACHMENTS

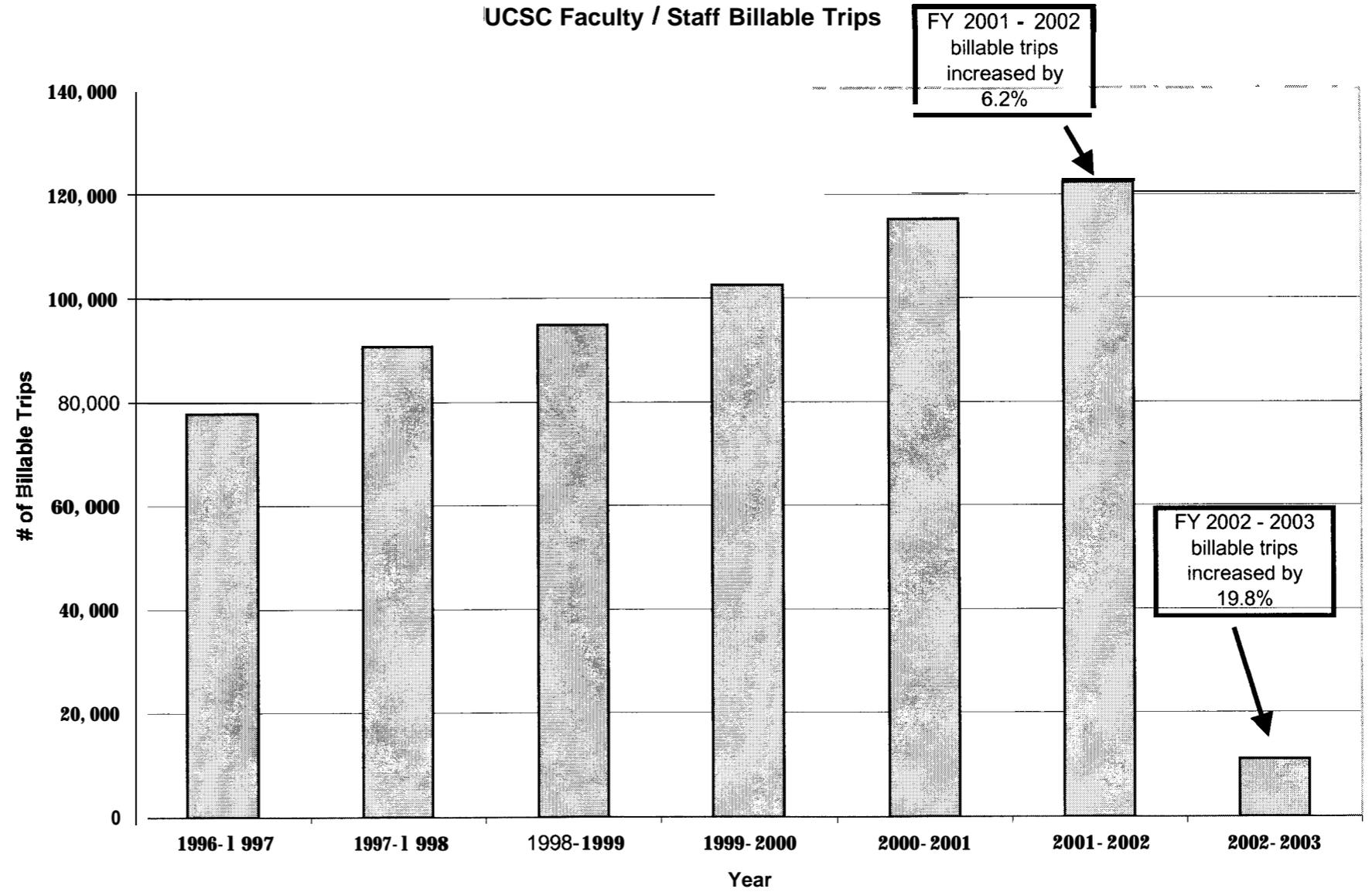
Attachment A: UCSC Student Billable Trips

Attachment B: UCSC Faculty / Staff Billable Trips

UCSC Student Billable Trips



UCSC Faculty / Staff Billable Trips



SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Leslie R. White, General Manager
SUBJECT: METROBASE PROJECT STATUS REPORT

I. RECOMMENDED ACTION

That the Board of Directors accept the status report on the MetroBase project.

II. SUMMARY OF ISSUES

- The MetroBase project is currently approximately seven (7) years behind schedule for implementation.
- On April 19, 2002, the Board of Directors selected the Harvey West Cluster No. 1 Option as the preferred alternative for the Environmental Impact Report. This was the third site to receive such designation.
- On May 17, 2002, the Board of Directors adopted a revised project schedule and requested that the project status report be included in the Board packet each month.
- Currently, the project schedule has been revised to allow additional time for the completion and circulation of the Draft EIR. The project schedule revision does not change the proposed construction schedule.

III. DISCUSSION

The 1989 Loma Prieta earthquake severely damaged the operating facilities at METRO. The Watsonville operating base was damaged to the degree that it became inoperable and the Santa Cruz operating base lost all fueling capabilities. From that time to the present, METRO has pursued the goal of constructing replacement facilities, which would restore cost effective maintenance and operations functions. METRO has pursued a consolidated facility approach in order to achieve the maximum amount of operating efficiency on a long-term basis. The use of a consolidated or closely clustered approach will achieve significant savings for METRO which can be used to restore service levels. The original schedule, developed for the construction of replacement facilities, identified 1995 as the target year for implementation. Unfortunately, the MetroBase project has suffered a number of setbacks over the past few years and is currently approximately seven (7) years behind schedule.

On April 19, 2002, the Board of Directors adopted a designation of the Harvey West Cluster No. 1 Option as the preferred alternative for the purposes of continuing the Environmental Impact

Report process on the MetroBase project. This is the third site to be designated as the preferred alternative.

On May 17, 2002, the Board of Directors adopted a revised project schedule (Attachment A) and requested that a status report be provided to the Board at each meeting so that any schedule slippage would be apparent immediately.

During the reference period certain tasks which were to be completed have been delayed and a revised schedule has been developed. The revised schedule is attached to this Staff Report. The Notice of Preparation/Notice of Intent was circulated on April 30, 2002 and the comment period concluded on May 30, 2002. On May 22, 2002, the scoping meeting was held to solicit comments from the public with regard to the revised project scope. In order to proceed with the Environmental Impact Report process, it was necessary to receive a revised site plan as well as other information from both METRO and Waterleaf Interiors, Inc. The information required to be submitted to Duffy & Associates on June 1, 2002 was delivered. The Administrative Draft EIR was received by METRO staff on August 5, 2002. Comments from METRO staff and consultants were transmitted to Denise Duffy and Associates on September 4, 2002. This delay on response will not affect the schedule for the EIR. The next time point on the schedule is the delivery of the Screen-Check of the EIR to METRO by September 27, 2002. It is expected that this time point will be met.

METRO staff will continue to monitor the progress of the MetroBase project with regard to the items contained on the project schedule that address the Harvey West Cluster No. 1 Option.

IV. FINANCIAL CONSIDERATIONS

No actions have taken place during the reporting period which change the financial status of the MetroBase project.

V. ATTACHMENTS

Attachment A: Revised MetroBase Project Schedule

MetroBase HW 1 Cluster Alternative

Task	Adopted Schedule	Revised
FFIR Completed and Accepted by Board of Directors	April 19, 2002	
Board of Directors Amends Preferred Alternative Designation	April 19, 2002	
Circulate Notice of Preparation/Notice of Intent (30 days)	April 30, 2002	
Scoping Meeting	May 22, 2002	
NOP/NOI Circulation Period Ends	May 30, 2002	
Receive All Project Information from SCMTD & Architect	May 1, 2002	
Submit Administrative Draft EIR/EIS	July 15, 2002	August 5, 2002
Review of ADEIR/EIS by SCMTD Complete	August 9, 2002	August 30, 2002
Submit Screen-Check ADEIR/EIS to SCMTD	August 16, 2002	September 27, 2002
Review of Screen-Check ADEIR/EIS Complete	August 19, 2002	October 4, 2002
Start 45-Day Review Period	August 20, 2002	October 7, 2002
DEIR Review Period Ends	October 11, 2002	November 20, 2002
Submit Administrative Responses to Comments to SCMTD	November 4, 2002	December 13, 2002
Review of Admin Responses Complete	November 25, 2002	January 3, 2003
Circulate Responses (10 days)	December 9, 2002	January 13, 2003
End Circulation Period	December 19, 2002	January 23, 2003
Certify Final EIR	December 20, 2002	January 24, 2003
ROW Acquisition Actions Commence	January 1, 2003	January 27, 2003
Final Design and Engineering Activities Commence	January 1, 2003	January 27, 2003
Draft Construction Specifications Circulated	May 1, 2003	
Board of Directors Approves Construction Specifications	June 20, 2003	

Request for Construction Bids Issued	June 20, 2003	
Pre Bid Meeting Held	July 15, 2003	
Final Bid Documents Issued	August 1, 2003	
Construction Bid Received	October 1, 2003	
Construction Bids Evaluated	October 1, 2003- November 1, 2003	
ROW Acquisition Completed	November 1, 2003	
Board of Directors Award Construction Contracts	November 21, 2003	
Groundbreaking	January 9, 2004	
Construction Begins	January 12, 2004	
Fueling System Operational and online	July 1, 2005	
Fleet Maintenance Function Complete and online	September 30, 2005	
Operations Function Complete and online	November 30, 2005	
Facility Maintenance Complete and online	December 31, 2005	
Phase I Construction Complete	February 28, 2006	
Grand Opening & Celebration	March 15, 2006	

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Bryant J. Baehr, Manager of Operations
SUBJECT: CONSIDERATION OF CALL STOP AUDIT REPORT

I. RECOMMENDED ACTION

This report is for informational purposes only. No Action is required.

II. SUMMARY OF ISSUES

- At the November 2001 Board of Directors meeting, staff was authorized to conduct quarterly call stop compliance audits to determine the effectiveness of the call stop retraining that occurred in December 2001.
- Staff contracted with Mr. Emillo Martinez, a private investigator, to conduct the audit. The audit was conducted during the month of August 2002.
- Mr. Martinez reported that of the 218 call stops observed, 190 were successfully completed. That translates to an 88% call stop compliance rate.
- The Call Stop audit conducted during the months of April and May 2002 reported a 96% call stop compliance.

III. DISCUSSION

At the November 2001 Board of Directors meeting, staff was authorized to conduct quarterly call stop compliance audits to determine the effectiveness of the call stop refresher training conducted in December 2001.

Staff contracted with Mr. Emillo Martinez a private investigator for the call stop audits. Mr. Martinez was authorized 100 hours to conduct a survey at a cost of \$5,000.00.

Mr. Martinez conducted the call stop compliance audit during the month of August 2002. The results are as follows:

	April – May 2002	August 2002
Call Stops observed	194	218
Call stops announced	186	190
Call stops not announced	8	28
Percent of call stops completed	96%	88%
Percent of call stops not completed	4%	13%

Mr. Martinez audited trips on the following routes: 3A,3B,16,19,31,35,55,63,65,67,69,69A,69W, and the 71.

Staff initiated the Board approved disciplinary program as it relates to the bus operators who were found not to be in compliance with District policy,

IV. FINANCIAL CONSIDERATIONS

Randomly conducted call stop compliance audits cost approximately \$20,000 per year.

V. ATTACHMENTS

Attachment A: ADA Survey of August 21, 2002

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Bryant J. Baehr, Manager of Operations
**SUBJECT: CONSIDERATION OF CALL STOP AUDIT REPORT
(SUPPLEMENTAL)**

I. RECOMMENDED ACTION

Staff is recommending that the Board of Directors authorize staff to add stops that are currently announced on selected routes be expanded to other routes that travel the same direction on the same road.

II. SUMMARY OF ISSUES

- On September 13, 2002 installation of the talking bus system was completed on sixty-two (62) buses.
- On September 16, 2002 thirty-two (32) talking buses were operational. Communication errors between the talking bus system and the Luminator headsign on the thirty (30) low floor flyers prevented the talking bus system from becoming operational on the low floor fleet. On September 17, 2002 the communication error was identified requiring an upgrade to the low floor flyer Luminator headsign. Luminator is reporting an October 07, 2002 arrival date for the upgrade parts.
- New buses ordered by the Transit District will have the talking bus system installed prior to delivery.
- Public and bus operator feedback has been very positive.
- Several changes have been requested by the public which include: announcing every stop in the system, eliminating the “stop requested” display on the internal sign and announcing every time the bus makes a turn. Staff is concerned that removing the “stop requested” display might confuse the Transit District’s customers who have a hearing disability.
- Staff is recommending that stops that are currently announced on selected routes be expanded to other routes that travel in the same direction on the same road.

III. DISCUSSION

At the September 13, 2002 Board of Directors meeting, the Board of Directors requested an update on the Talking Bus System.

Installation

As of September 13, 2002 sixty-two (62) buses have been fitted with the talking bus system. This includes: (15) High Floor Flyers, (10) Gilligs and (7) Highway 17 High Floor Flyers and (30) Low Floor Flyers. As of September 16, 2002 thirty-two (32) talking bus systems were operational and in-service. A communication error between the talking bus system and the headsigs on the remaining thirty (30) low floor flyers has created a delay in making that fleet operational. On September 17, 2002 the communication error was identified resulting in the need to upgrade the Luminator headsigs. Luminator has advised the Transit District that the upgrade parts will be delivered on October 07, 2002. Staff is working with Luminator to determine if there is the possibility of getting the upgrade parts earlier than the date quoted. The Fleet Maintenance Department is ready to upgrade the Luminator headsigs, once the upgrade parts are received, making that fleet of buses operational.

In January 2003 the Transit District will begin receiving 29 New Flyer Low Floor buses (local service) equipped with the talking bus system and in August 2003 (11) Highway 17 buses will arrive with the talking bus system installed.

Training

As of September 20, 2002 161 of the 188 Operations Department employees have been trained on the talking bus system. Training for Operations Department employees on vacations and medical leaves will be accomplished when they return to work.

Operation

The talking bus system uses three (3) methods of determining the bus / announcement location. They are: GPS (Global Positioning System), Heading Indicator (determines the direction of the bus by using a compass) and a Transmission Pulse (sensor attached to the transmission to advise the system that the bus is in motion). These three (3) systems work together, interacting with the software system, to coordinate the call stop announcements. Several tests were conducted throughout the County verifying the call stop locations. The results of the initial test were very positive with the exception of the San Lorenzo Valley and Bonny Doon area. The terrain in these locations restricts the reception of the GPS signal. The Heading Indicator and Transmission Pulse will keep the system adjusted for a short period of time, however, the signal loss in the San Lorenzo Valley and Bonny Doon area is extensive. The signal loss can last for a significant time causing the talking bus system to lose track of the bus location. In these instances, the bus operator will activate the system manually by pressing a button located on the dashboard. This action will initiate the call stop announcement.

Feedback

Initial feedback on the talking bus system has been very positive from both the public and bus operator perspective. Several suggestions for change have been received. They include:

- Announcing every bus stops in the entire system.
- Announcing every time the bus makes a turn onto a street.
- Eliminating the "Stop Requested" display on the internal sign when a stop is requested.

Staff is concerned that customers who have a hearing disability might not know that a stop has been requested if the display is removed..

Staff, in reviewing the current call stop list, would like to recommend the following additions for consistency purposes. Staff is not recommending new call stops but adding only stops that are called on some routes but not others even though they travel on the same street for a period of time. They are:

- Park and Soquel – announced on the 69W but not on the routes 70 and 71.
- Sutter Hospital – currently announced in conjunction with Dominican Hospital. Staff would recommend separating the stop announcements.

IV. FINANCIAL CONSIDERATIONS

The Luminator headsign upgrade parts cost \$850.00 per bus. Total cost for upgrading twenty-nine Low Floor buses is \$24,600.50. Eighty percent (80%) of the cost is paid for by an FTA grant #CA-90-X902. The cost to the Transit District \$4,930.00.

V. ATTACHMENTS

Attachment A: NONE

SANTA CRUZ METROPOLITAN
TRANSIT DISTRICT

ADA SURVEY

AUGUST 21, 2002

August 21, 2002

Santa Cruz Metropolitan Transit District
Mr. Bryant Baehr, Manager of Operations
1200 River St.
Santa Cruz, CA 95060

RE: ADA Survey/Investigation

Dear Mr. Baehr:

ASSIGNMENT

This assignment is concurrent with the original assignment of January 2002. The assignment is to conduct a survey/investigation to determine if bus drivers are conducting Call Stops in compliance with ADA regulations.

The current assignment was to include the identification of the bus and bus driver via the driver's badge number and the bus's number.

The survey was conducted at random.

RESULTS

Note asterisks next to route indicate not all calls made.

<u>ROUTE</u>	<u>DRIVER</u>	<u>BUS</u>	<u>NO. OF CALLS</u>	<u>CALLS MADE</u>	<u>DATE</u>	
3A		8093	6	6	8-7	
3A		8081	6	6	8-9	
*3B		9805	6	6	8-5	
*16		9813	9	8	8-9	
*16		9813	9	8	8-20	
19		9843			7	8-5
19		9801	7			8-5
19		9801	7			8-7
31		8093			7	8-5
35		so91	10		10	8-5
55		8085				8-6
63		8063			7	8-6
65		8092	12		12	8-6

67		9806	7	7	8-20
*67		9806	8	0	s-20
69		8052	8	8	x-7
69A		982-1	12	12	8-20
*69W		8058	15	0	8-6
69W		8098	12	12	8-6
69W		9815	12	12	8-7
71		9821	15	15	s-12
*71		9838	14	12	8-12
71		9819	14	14	8-20
24	23		218	190	

INVESTIGATIVE SUMMARY

Note that approximately 88% of calls were made.

On August 6, 2002, on the 10:30 AM 69W route, a driver with no badge number made calls with no attempt to be heard; the calls were barely audible and one could describe the calls being made to him self to fulfill the obligation. A normal passenger would not have been able to determine what if anything the driver was stating. The driver was a white male, approximately 55 years old, wearing glasses, graying hair that is balding in the back, and with facial hair described as a goatee. Note also that this driver was driving erratically making sudden stops and accelatering at more than a normal speed. He was also observed reading the newspaper before coming to a complete stop at intersections.

On routes 16, both drives failed to make the first stop call, that being Lauden Nelson Center.

On August 12, 2002, route 71, driver bearing badge number [REDACTED] did not make first two call and we are under the assumption that the driver would not have made any calls but possibly became suspicious of our activity.

Thank you for this assignment. Please do call me if you have any questions

Very truly yours,



Emilio Martinez, PI

Call Stop Check List

Route 3A Mission/Lighthouse:

Walnut/Mission (Santa Cruz High)

Comments: _____

Mission/Bay

Comments: _____

Safeway

Comments: _____

Delaware/Fair (New Life Center)

Comments: _____

&Lighthouse Field

Comments: _____

Mission/Bay

Comments: _____

SCMC

Comments: _____

Call Stop Observation: ALL CALLS MADE

Signature : *Emily M. S.*

Date: 8-7-02

Call Stop Check List

Route 3A Mission/Lighthouse:

- Walnut/Mission (Santa Cruz High)

Comments: _____

Mission/Bay

Comments: _____

- Safeway

Comments: _____

- Delaware/Fair (New Life Center)

Comments: _____

- Lighthouse Field

Comments: _____

o/Mission/Bay

Comments: _____

- SCMC

Comments: _____

Call Stop Observation: all calls made

Signature: Kirk W.

Date: 8-9-02

Call Stop Check List

Route 3B Mission/Natural Bridges:

- Center/Laurel (Louden Nelson, Police, Doran)

Comments: N/O

- Mission/Bay

Comments: _____

- Safeway

Comments: _____

- /Natural Bridges

Comments: _____

- Mission/Bay

Comments: _____

- Center St./Laurel (Louden Nelson, Police, Doran)

Comments: _____

- SCMC

Comments: _____

Call Stop Observation: I CALL NOT MADE - CENTER/LAUREL

Signature

Date:

 [Signature]

 8-5-02

call stop Check List

Route 16 University Via Laurel (East):

- Center St./Laurel (Louden Nelson, Police, Doran)

Comments: NO

- Mission/Bay

Comments: _____

- Bay/High (UCSC Entrance)

Comments: _____

- Bookstore

Comments: _____

- Science Hill (UCSC)

Comments: _____

- Bay/High (UCSC Entrance)

Comments: _____

- Mission/Bay

Comments: _____

- Center St./Laurel (Louden Nelson, Police, Doran)

Comments: _____

- SCMC

Comments: _____

Call Stop Observation: call not made P. Center/LAurel

Signature: Enilo Mj

Date: 8-9-02

Call Stop Check List

Route 16 University Via Laurel (East):

- Center St./Laurel (Louden Nelson, Police, Doran)

Comments: NO

- Mission/Bay

Comments: _____

- Bay/High (UCSC Entrance)

Comments: _____

- Bookstore

Comments: _____

- Science Hill (UCSC)

Comments: _____

- Bay/High (UCSC Entrance)

Comments: _____

- Mission/Bay

Comments: _____

- Center St./Laurel (Louden Nelson, Police, Doran)

Comments: _____

- SCMC

Comments: _____

Call Stop Observation: All calls made except!

NO on Center St. Laurel

Signature: Emily

Date: 8-20-02

Call Stop Check List

Route 19 University Via Lower Bay:

Mission/ Bay

Comments: _____

Bay/ High (*UCSC Entrance*)

Comments: _____

Bookstore

Comments: _____

Science Hill (*UCSC*)

Comments: _____

Bay/ High (*UCSC Entrance*)

Comments: _____

Mission/ Bay

Comments: _____

SCMC

Comments: _____

Call Stop Observation: All calls made

Signature: 

Date: 8-5-02

Call Stop Check List

Route 19 University Via Lower Bay:

Mission/Bay
Comments: _____

Bay/High (UCSC Entrance)
Comments: _____

p/Bookstore
Comments: _____

Science Hill (UCSC)
Comments: _____

Bay/High (UCSC Entrance)
Comments: _____

Mission/Bay
Comments: _____

SMC
Comments: _____

Call Stop Observation: all calls made.

Signature: 
Date: 8.5-02

Call Stop Check List

Route 19 University Via Lower Bay:

Mission/ Bay

Comments: _____

Bay/High (*UCSC Entrance*)

Comments: _____

<Bookstore

Comments: _____

Science Hill (*UCSC*)

Comments: _____

Bay/High (*UCSC Entrance*)

Comments: _____

Mission/ Bay

Comments: _____

SCMC

Comments: _____

Call Stop Observation: *All calls made*

Signature: *Paul May*
Date: *8-7-02*

Call Stop Check List

Route 31 Scotts Valley/Santa Cruz via Hwy 17:

Water/Ocean

Comments: _____

Lockwood/Graham Hill

Comments: _____

Scotts Valley Transit Center

Comments: _____

Granite Creek/Scotts Valley Dr. (Zanotto's)

Comments: _____

Vine Hill (Burlwood)

Comments: _____

Ocean/Water

Comments: _____

SCMC

Comments: _____

Call Stop Observation: all calls made

Signature: Emilio Mendez

Date: _____

Call Stop Check List

Route 35 San Lorenzo Valley: (outbound)

Water/Ocean
Comments: _____

(35A) Granite Creek/Scotts Valley Dr.
Comments: _____

Scotts Valley Transit Center
Comments: _____

Felton Faire
Comments: _____

SLV High
Comments: _____

Ben Lomond
Comments: _____

Brookdale - Bear Creek
Comments: _____

Boulder Creek - Country Club
Comments: _____

Mountain Store (Bear Creek, Country Club, Big Basin) - Big Basin
Comments: _____

Sylvan Way - Country Club
Comments: _____

Call Stop Observation: all calls made

Signature: Emily W.

Date: 8-15

Call Stop Check List

Route 55 Rio Del Mar:

Gpitola Village
Comments: _____

Cabrillo College
Comments: _____

Rio Del Mar Beach
Comments: _____

Deer Park Center
Comments: _____

Cabrillo College
Comments: _____

Capitola Village
Comments: _____

Gpitola Mall
Comments: _____

Call Stop Observation: All calls made

Signature: 
Date: 8-6

Call Stop Check List

Route 63 Dominican:

Maciel/Capitola
Comments: _____

Paul Minnie/Rodriguez
Comments: _____

7th/Soquel
Comments: _____

Dominican Hospital & utter
Comments: _____

Thurber/Winkle
Comments: _____

Soquel Dr./41st Ave.
Comments: _____

Capitola Mall
Comments: _____

Call Stop Observation: all calls made

Signature: *[Signature]*
Date: 8-6-02

Call Stop Check List

Route 65 Live Oak via 30th: (outbound)

Water/Ocean
Comments: _____

Branciforte/Water
Comments: _____

Gault/Frederick (La Posada, Dominican Rehab)
Comments: _____

Soquel/Frederick
Comments: _____

Park Way/Soquel
Comments: _____

Capitola Rd/7th
Comments: _____

7th/Brommer
Comments: _____

Brommer/17th
Comments: _____

Brommer/30th
Comments: _____

38th Portola
Comments: _____

Kings Plaza
Comments: _____

Capitola Mall
Comments: _____

Call Stop Check List

Call Stop Observation: MC calls Mul

Signature: [Signature]
Date: 8-6-02

12

Call Stop Check List

Route 67 Live Oak via East Cliff: (outbound)

Riverside/Ocean

Comments: _____

Seabright/Murray

Comments: _____

Harbor Beach

Comments: _____

17th/East Cliff

Comments: _____

30th/Portola

Comments: _____

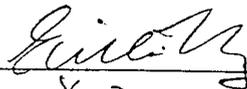
Portola/41st

Comments: _____

Capitola Mall

Comments: _____

Call Stop Observation: all calls made

Signature: 

Date: 8-20-02

Call Stop Check List

Route 67 Live Oak via East Cliff: (outbound)

- Riverside/Ocean
Comments: NI

- Seabright/Murray
Comments: NO

- Harbor Beach
Comments: NO

- 17th/East Cliff
Comments: NO

- 30th/Portola
Comments: NI 3

- Portola/41st
Comments: NO

- Capitola Mall
Comments: NI 3

Call Stop Observation: ~~NO CALLS MADE~~
NO CALLS MADE,
NONE.

Signature: *[Handwritten Signature]*
Date: 8-20-02

71

Call Stop Check List

Route 69 Capitola Road/ Capitola Mall:

Soquel/Ocean

Comments: _____

Soquel/Branciforte

Comments: _____

Soquel/Frederick

Comments: _____

Soquel/Park Way

Comments: _____

Capitola Rd./7th Ave.

Comments: _____

Capitola Rd./17th Ave. (*Senior Center*)

Comments: _____

Kings Plaza

Comments: _____

Capitola Mall

Comments: _____

Call Stop Observation: Call Alls Mall

Signature: *Evilw MUA*

Date: 8-7-02

8

Call Stop Check List

Route 69A Santa Cruz/Capitola Mall to Watsonville:

Soquel/Ocean
Comments: _____

Soquel/Branciforte
Comments: _____

Soquel/Frederick
Comments: _____

Soquel/Park Way
Comments: _____

Capitola Rd./7th Ave.
Comments: _____

Capitola Rd./ 17th Ave. (*Senior Center*)
Comments: _____

Kings Plaza
Comments: _____

Capitola Mall
Comments: _____

Watsonville Community Hospital
Comments: _____

Freedom Center
Comments: _____

Crestview
Comments: _____

Watsonville
Comments: _____

Call Stop Check List

Call Stop Observation: all calls made

Signature: Guililla
Date: 8-20-02

12

Call Stop Check List

Route 69W Santa Cruz/Capitola Mall to Watsonville

- Soquel/Ocean
Comments: No

- Soquel/Branciforte
Comments: No

- Soquel/Frederick
Comments: No

- Park Way/ Soquel
Comments: No

- Capitola Rd./7th Ave.
Comments: No

- Capitola Rd./ 17th Ave. (*Senior Center*)
Comments: No

- Kings Plaza
Comments: No

- Capitola Mall
Comments: No

- Soquel Dr./41st Ave.
Comments: No

- Soquel Village
Comments: No

- Park Ave/Soquel
Comments: No

- Cabrillo College
Comments: No

Call Stop Check List

- Soquel Dr./State Park Dr. (Rancho Del Mar)

Comments: NO

- Main/Green Valley

Comments: NO

- Watsonville Transit Center

Comments: NO

Call Stop Observation:

[REDACTED]

Signature:

[Signature]

Date:

8-6-02

15/

Call Stop Check List

Route 69W Watsonville to Capitola Mall/Santa Cruz:

- Main/Green Valley
Comments: _____
- Soquel Dr./State Park Dr. (Rancho Del Mar)
Comments: _____
- Cabrillo College
Comments: _____
- Soquel Village
Comments: _____
- Soquel Dr./41st Ave.
Comments: _____
- Capitola Mall**
Comments: _____
- Capitola Rd./ 17th Ave. (Senior *Center*)**
Comments: _____
- Capitola Rd./P Ave.
Comments: _____
- Soquel/Frederick**
Comments: _____
- Soquel/Branciforte
Comments: _____
- Soquel/Ocean
Comments: _____
- SCMC
Comments: _____

Cdl Stop Check List

Cdl Stop Observation: ALL CDDs M10-20

Signature: Greta Ay
Date: 8-6-02

12

Call Stop Check List

Route 69W Santa Cruz/Capitola Mall to Watsonville

Soquel/Ocean
Comments: _____

Soquel/Branciforte
Comments: _____

Soquel/Frederick
Comments: _____

Park Way/ Soquel
Comments: _____

Capitola Rd./P Ave.
Comments: _____

Capitola Rd./ 17th Ave. (*Senior Center*)
Comments: _____

Kings Plaza
Comments: _____

Capitola Mall
Comments: _____

Soquel Dr./ 41st Ave.
Comments: _____

Soquel Village
Comments: _____

Park Ave/ Soquel
Comments: _____

Cabrillo College
Comments: _____

Call Stop Check List

Soquel Dr./State Park Dr. (Rancho Del Mar)

Comments: _____

r-Main/Green Valley

Comments: _____

9/Watsonville Transit Center

Comments: _____

Call Stop Observation: all calls made

Signature: *E. J. [unclear]*
Date: 8-7-0

Call Stop Check List

Route 71 Santa Cruz to Watsonville:

Water/Ocean
Comments: _____

Branciforte/Water
Comments: _____

Soquel/Frederick
Comments: _____

Park Way/Soquel
Comments: _____

Dominican Hospital & utter
Comments: _____

Soquel Dr./41st Ave.
Comments: _____

Soquel Village
Comments: _____

Park Ave./Soquel
Comments: _____

Cabrillo College
Comments: _____

Soquel Dr./State Park Dr.
Comments: _____

Soquel Dr./Freedom Blvd
Comments: _____

Corralitos Rd.
Comments: _____

Call Stop Check List

Freedom Center

Comments: _____

Crestview Shopping Center or Clifford/Pennsylvania

Comments : _____

Watsonville Transit Center

Comments: _____

Call Stop Observation: All calls made

Signature: *Emilio*

Date: 8-12-02

15

Call Stop Check List

Route 71 Watsonville to Santa Cruz:

- Crestview Shopping Center or Clifford/Pennsylvania

Comments: NO

- Freedom Center (Airport Blvd)

Comments: NO

- Corralitos Rd.

Comments: YES

- Soquel Dr./Freedom Blvd.

Comments: YES

- Soquel Dr./State Park Dr. (Rancho Del Mar)

Comments: YES

- Cabrillo College

Comments: YES

- + Park Ave./Soquel

Comments: YES

- Soquel Village

Comments: YES

- Soquel Dr./41st Ave.

Comments: YES

- Dominican Hospital & utter

Comments: YES

- Soquel/Frederick

Comments: YES

- Branciforte/Water

Comments: YES

Route 71 Watsonville to Santa Cruz:

Call Stop Check List

Water/Ocean

Comments: 6/10/02

SCMC

Comments: 4/8/02

Call Stop Observation: Note - Did not say 1st 2 stops -
upon recognition of me - said "K-Mart" - not a call
then started making calls - don't think she
would have made calls

Signature: [Signature]

Date: 8-12-02

2/12

Call Stop Check List

Route 71 Watsonville to Santa Cruz:

Crestview Shopping Center or Clifford/Pennsylvania

Comment%: _____

Freedom Center (Airport Blvd)

Comments: _____

Corralitos Rd.

Comments: _____

Soquel Dr./Freedom Blvd.

Comments: _____

Soquel Dr./State Park Dr. (Rancho Del Mar)

Comments: _____

Cabrillo College

Comments: _____

Park Ave./Soquel

Comments: _____

Soquel Village

Comments: _____

Soquel Dr./41st Ave.

Comments: _____

Dominican Hospital/Sutter

Comments: _____

Soquel/Frederick

Comments: _____

Branciforte/Water

Comments: _____

Route 71 Watsonville to Santa Cruz:

Call Stop Check List

Water/Ocean

Comments: _____

SCMC

Comments': _____

Call Stop Observation: MP Cells Moved

Signature: William

Date: 8-20-02

14

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Elisabeth Ross, Finance Manager

SUBJECT: AUTHORIZATION FOR DISPOSAL OF ASSETS: SEVEN GILLIG BUSES; ONE NEW FLYER BUS; AND ASSOCIATED PARTS INVENTORY; AND DISPOSAL OF FOREIGN AND MUTILATED COIN COLLECTED IN FAREBOXES

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors declare the attached list of assets as excess and authorize disposal, and authorize sale of the foreign and mutilated coin and game tokens collected in fareboxes.

II. SUMMARY OF ISSUES

- In accordance with the District's policy on disposal of fixed assets and inventoriable items, at least once per year the Finance Manager shall recommend to the Board of Directors a list of items to be declared excess with appropriate action for disposal.
- The buses and associated parts inventory listed on Attachment A are beyond their useful life and are of no useful value to the District.
- Since 1995, the District has accumulated approximately 150 pounds of foreign and mutilated coin and game tokens collected in District fareboxes, which the bank will not accept. The coin and tokens may be sold to a coin collector upon authorization of the Board of Directors.

III. DISCUSSION

The estimated current market value of the eight buses recommended for disposal is \$500 each, with an estimated value of \$12,400 for the parts inventory.

Upon the Board's declaration of the buses and associated inventory as excess, they will be offered for sale by the District's Purchasing Office.

The District has been collecting foreign and mutilated coin as well as game tokens in its fareboxes since the last disposal in 1995. The coins are identified as non-negotiable when sorted by the coin counting machine and stored in the revenue collection safe. At this time, the District has accumulated approximately 150 pounds of foreign and mutilated coin. This coin can be sold by the pound, for varying prices depending upon the condition and type of coin.

September 27, 2002

Board of Directors

Page 2

IV. FINANCIAL CONSIDERATIONS

The current net book value of all items to be declared excess is zero. Any proceeds from sale of the items will be recorded as income to the District.

V. ATTACHMENTS

Attachment A: List of Assets Designated for Disposal as of September 27, 2002

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
Assets Designated For Disposal As Of September 27, 2002

ASSET NUMBER	DESCRIPTION	PURCHASE DATE	ACQUISITION COST	NET BOOK VALUE	MARKET VALUE	REASON FOR DISPOSAL
B8059.00C/I	1981 Gillig Phantom/VIN 80047	12/04/84	\$128,165.56	\$0.00	\$500.00	Beyond Useful Life
B8060.00C/I	1981 Gillig Phantom/VIN 80048	12/04/84	\$128,357.64	\$0.00	\$500.00	Beyond Useful Life
B8063.00C/I	1981 Gillig Phantom/VIN 80051	12/04/84	\$136,595.47	\$0.00	\$500.00	Beyond Useful Life
B8065.00C/I	1981 Gillig Phantom/VIN 80053	12/04/84	\$136,612.70	\$0.00	\$500.00	Beyond Useful Life
B8108.00A/C	1981 New Flyer/VIN D102352515	02/05/90	\$82,931.00	\$0.00	\$500.00	Beyond Useful Life
B8066.00G/I	1984 Gillig/VIN 81025	12/04/84	\$150,262.07	\$0.00	\$500.00	Beyond Useful Life
B8067.00G/I	1984 Gillig/VIN 81026	12/04/84	\$150,262.07	\$0.00	\$500.00	Beyond Useful Life
B8068.00G/I	1984 Gillig/VIN 81027	12/04/84	\$150,262.07	\$0.00	\$500.00	Beyond Useful Life
N/A	Park Inventory for Above Vehicles	N/A	N/A	N/A	\$12,400.00	Beyond Useful Life

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Elisabeth Ross, Finance Manager

SUBJECT: REVISED FINAL RESOLUTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE SECTION 21354.4 (2.5% @ 55 FULL FORMULA) AND SECTION 21022 (PUBLIC SERVICE CREDIT FOR PERIODS OF LAYOFF)

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors adopt the revised final resolution to approve an amendment to the CalPERS contract to provide Section 21354.4 (2.5% @ 55 Full Formula) and Section 21022 (Public Service Credit for Periods of Layoff).

II. SUMMARY OF ISSUES

- At the meeting of July 12, 2002, the Board of Directors adopted the final resolution to approve an amendment to the CalPERS contract to change the formula and add public service credit for periods of layoff.
- CalPERS has notified the District that language in the final resolution must be revised to reflect the correct group of employees to which the contract amendment applies. The correction does not impact current District employees nor change the effective date of the contract amendment.

III. DISCUSSION

None.

IV. FINANCIAL CONSIDERATIONS

None.

V. ATTACHMENTS

Attachment A: Revised Final Resolution to Approve an Amendment to the CalPERS Contract to Provide Section 21354.4 (2.5% @ 55 Full Formula) and Section 21022 (Public Service Credit for Periods of Layoff)

Attachment B: Letter from CalPERS

**RESOLUTION
AUTHORIZING A CORRECTION TO THE
AMENDMENT TO CONTRACT BETWEEN THE
BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
BOARD OF DIRECTORS
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Board of Directors of the Santa Cruz Metropolitan Transit District hereinafter referred to as Public Agency, and the Board of Administration of the Public Employees' Retirement System entered into a contract effective March 1, 1976 providing for the participation of Public Agency in the Public Employees' Retirement System; and

WHEREAS, due to an inadvertence, paragraph "5" read:

"The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member shall be determined in accordance with Section 21354.4 of said Retirement Law (2.5% @ 55 Full).

[Note that a future legislative proposal is being considered which could amend Government Code Section 21354.4 to make the 2.5% at 55 benefit formula applicable to both active members and inactive members who have not yet retired. If enacted, this amendment could have an effect on your agency's actuarial valuation and employer contribution rates in future years.]; and

WHEREAS, Section 20472 of the Government Code provides that corrections may be made through amendments approved by the adoption of suitable resolutions by the contracting parties;

NOW, THEREFORE, BE IT RESOLVED that said governing body of Public Agency authorizes, and it does hereby authorize, a correction to the amendment to contract effective July 18, 2002 as follows:

A. Paragraph 5 of said contract shall be changed as follows:
"The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after July 18, 2002 shall be determined

in accordance with Section 21354 of said Retirement Law (2% @ 55 Full); and

B. Paragraph 6 of said contract shall be added as follows:
“The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after July 18, 2002 shall be determined in accordance with Section 21354.4 of said Retirement Law (2.5% @ 55 Full); and

C. Paragraph numbers “6 through 12”; shall be renumbered paragraph numbers “7 through 13”.

BE IT FURTHER RESOLVED, that the presiding officer of the governing body of Public Agency is hereby authorized, empowered, and directed to execute said amendment for and on behalf of Public Agency.

Adopted this _____ day of _____

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BOARD OF DIRECTORS
SANTA CRUZ METROPOLITAN
TRANSIT DISTRICT

BY _____
KENNETH W. MARZION, CHIEF
ACTUARIAL & EMPLOYER SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
PRESIDING OFFICER

Attest:

Clerk



Actuarial & Employer Services Division
P.O. Box 942709
Sacramento, CA 94229-2709
Telecommunications Device for the Deaf - (916) 326-3240
(916) 326-3420 FAX (916) 326-3005

Attachment **B**

July 31, 2002

Employer Code #1089
Reply to Section 105

Ms. Elizabeth Ross
Finance Manager
Santa Cruz Metropolitan Transit District
370 Encinal Street, Ste. 100
Santa Cruz, CA 95060

Dear Ms. Ross:

The Contract Amendment adopted providing the new benefit formula for your local miscellaneous members was written to indicate that the new formula was applicable to all local miscellaneous employees. This was done because legislation was being considered to make the new formulas applicable to all inactive and active employees who had not yet retired. That legislative proposal is no longer being considered and the new formula is applicable to only those local miscellaneous employees in employment on or after the amendment effective date.

Enclosed are two copies of a Resolution authorizing a correction to the Amendment to Contract providing for the new benefit formula for local miscellaneous members. Adoption of the enclosed Resolution clarifies that the contract is in accordance with the Government Code by indicating that the new formula applies only to the local miscellaneous members employed by your agency on or after the amendment effective date. It does not change the effective date of the original amendment effective date.

Please present the Resolution to your governing body for its adoption at the earliest possible meeting and return two executed copies of the Resolution. A copy will be returned for your records after it has been executed by CalPERS.

A new coverage group has been established for employees eligible for the new benefit formula. Please notify your payroll office to begin using coverage group number 70003 on all payroll reports for all local miscellaneous members beginning immediately.

If you have any questions, please do not hesitate to contact me at (916) 341-2488.

Sincerely,

A handwritten signature in cursive script that reads "Danielle Brooks".

Danielle Brooks
Employer Representative
Public Agency Contract Services

Enclosures

California Public Employees' Retirement System
Lincoln Plaza - 400 P Street - Sacramento, CA 95814

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Mark Dorfman, Assistant General Manager
SUBJECT: CONSIDERATION OF SERVICE CHANGE FOR FALL 2002

I. RECOMMENDED ACTION

Staff recommends Board consideration for approval of proposed service adjustments for December 2002.

II. SUMMARY OF ISSUES

- In an ongoing effort to enhance service and effect cost savings where possible, staff is proposing minor service adjustments for December 2002
- Some of these changes recur each year.

III. DISCUSSION

Staff continues to look for cost savings and at the same time respond to comments and concerns about its service. These proposals have been presented to MUG and MASTF.

The proposed service adjustments are as follows:

Route 7 Beach

On Monday September 16, 2002, the City Of Santa Cruz notified staff that Leibrandt Street would be closing permanently on September 23, 2002 for the Mercy Housing Project. This necessitates a change in the routing of the Route 7. See attached map (Attachment A).

Route 9 Stroke Center

It recently came to staff's attention that the morning run of the Stroke Center bus is not timed correctly to allow customers to arrive in time for classes. Currently, classes begin at 9:30 a.m. The bus leaves METRO at 9:25 a.m., arriving at the Stroke Center at 9:39 a.m. Staff proposes to move the departure time to 9:10 a.m., which will allow the bus to arrive at the Stroke Center at 9:25 a.m.

Route 35 to Big Basin Park

As has been the case since METRO re-introduced this service, service to Big Basin State Park will not run during the Winter Bid.

Route 40 Davenport

In the Fall 2002 Service Change the Westside loop of the Route 91 was discontinued. The Board of Directors received a letter from a customer concerned about getting to work at Wrigley's by 7:00 a.m. Currently, customers would have to take:

a) Route 3B at 6:45 a.m., getting off at Fair and McPherson Street at approximately 6:52 a.m. and walk 3 or 4 blocks to Wrigley's or

b) Route 40 at 6:50 p.m., which arrives at Western and Highway 1 at 6:58am, leaving minimal time to make the walk to Wrigley's by 7:00 a.m.

In order to accommodate those passengers affected by the Fall service change, staff proposes to move the departure time of the Route 40 to 6:45 a.m.

Route 70 Cabrillo

This route would not run during Christmas break. Dates of non-operation will be December 23, 2002 through January 3, 2003.

IV. FINANCIAL CONSIDERATIONS

The cost savings for the Winter 2002 Service Adjustments is \$12,466 (See Attachment B).

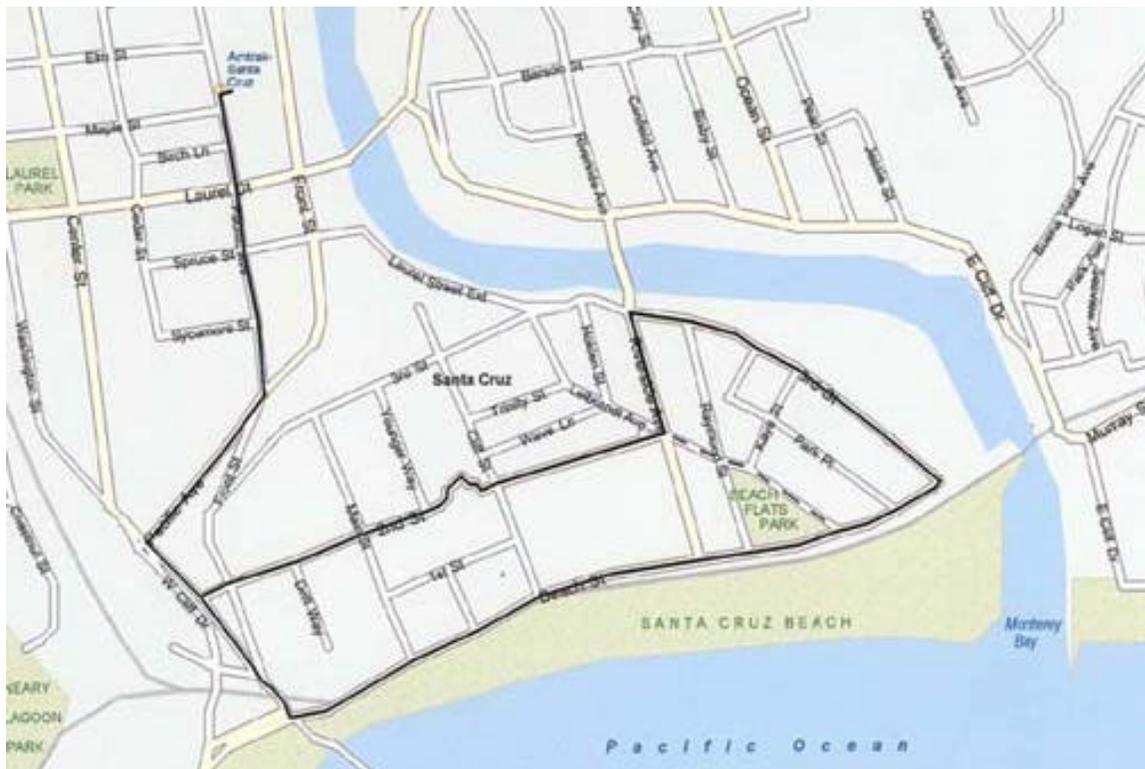
V. ATTACHMENTS

Attachment A: Map of Route 7

Attachment B: Costs of Winter 2002 Service Adjustment

ATTACHMENT A

MAP OF ROUTE 7



ATTACHMENT B

I. Winter 2002 Service Cost Savings

ROUTE	ANNUAL HOURS SAVED	COST Savings	COMMENTS
7	None	None	Route is still able to operate within its headways
9	None	None	Route will still operate within its headways
35	None	None	Bus will holdover. Slight savings in fuel costs.
40	None	None	Entire route will be moved back 5 minutes.
70	218.7	\$12,466	Route will not operate for 10 days during Christmas break
TOTALS	218.7	\$12,466	

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

STAFF REPORT

DATE: September 27, 2002

TO: Board of Directors

FROM: Margaret Gallagher, District Counsel

SUBJECT: CONSIDERATION OF MODIFYING THE ENCROACHMENT PERMIT FOR THE MAPLE ALLEY PROJECT, PREVIOUSLY APPROVED BY THE BOARD OF DIRECTORS ON AUGUST 30, 2002

I. RECOMMENDED ACTION

Approve modifications to the Encroachment Permit previously approved on August 30, 2002.

II. SUMMARY OF ISSUES

- On August 30, 2002 this Board approved an Encroachment Permit to be executed by the General Manager between Santa Cruz Metropolitan Transit District and the City of Santa Cruz in connection with the City of Santa Cruz Maple Alley project.
- The City of Santa Cruz Redevelopment Office has reviewed the Permit and has suggested changes to the language.

III. DISCUSSION

At the August 30, 2002 Board meeting, an Encroachment Permit in favor of the City of Santa Cruz was approved in order to facilitate the City's Maple Street Alley Project. However, after review, the City of Santa Cruz Redevelopment Agency has suggested changes to the language, for the Board's consideration. The proposed language modifications are included in Attachment 1. The proposed modifications appear reasonable.

IV. FINANCIAL CONSIDERATIONS

None.

V. ATTACHMENTS

Attachment 1: Encroachment Permit with proposed modifications.

ENCROACHMENT PERMIT

The Santa Cruz Metropolitan Transit District grants to the City of Santa Cruz Redevelopment Agency an encroachment permit to that portion of the Santa Cruz Metro Center, 920 Pacific Avenue, Santa Cruz, California, shown in Exhibit 1, incorporated herein by reference. Said improvement shall serve assessor's parcel number 005-152-05.

Permittee shall in a manner satisfactory to the Santa Cruz Metro and in accordance with the attached specifications shown in Exhibit 2, construct, install, repair, protect, maintain and replace a roadway/walkway, together with appurtenances thereof, over said property and, in addition for the purpose of clearing, trenching, laying, constructing, maintaining, repairing and replacing utility mains, lines, connections, or pipes of the City of Santa Cruz Redevelopment Agency, the City of Santa Cruz, and appropriate Utility Companies, placed thereon or thereunder, together with the right to enter upon said land with all manner of materials, tools, equipment and products necessary or convenient for the purpose of constructing, maintaining, replacing, repairing, laying or relaying the same or any part thereof and shall maintain such in good repair, and in a clean, safe and slightly condition at ~~p~~Permittee's sole expense, all to the satisfaction of the Santa Cruz Metro.

Permittee agrees that neither it nor its employees, contractors or agents shall in any manner disrupt the transit system in any way without an approved mitigation plan to mitigate any disruptions caused by construction activities related to this Permit. Said mitigation plan is to be implemented at the sole expense of the City of Santa Cruz Redevelopment Agency.

Permittee shall defend, indemnify and hold the Santa Cruz Metro harmless from any and all loss, cost, liability, or expense and from any judgments or damages to any person or property arising out of, either directly or indirectly, or in connection with, the construction, maintenance or presence of the improvements installed by the Permittee or the use of the improvements by the Permittee or any other third party.

Permittee shall further defend, indemnify, save and hold the Santa Cruz Metro harmless from and against any claim of loss, damages, or liability to Permittee or any other person ~~arising out of or in connection with~~ in the event of Santa Cruz Metro's revocation of said permit.

Permittee shall obtain and maintain throughout the term hereof, public liability and property damage insurance in a minimum amount of \$1,000,000 combined single limit per occurrence for bodily and personal injury and property damage liability. Such insurance shall name Santa Cruz Metro and its officers, agents, and employees as additional insureds, and shall not be cancelable or subject to modification without at least thirty (30) days written notice to Santa Cruz Metro. Permittee shall present a certificate of insurance or other acceptable written evidence of such insurance and shall, on an annual basis, provide acceptable evidence of renewal of coverage.

This permit shall be revocable by Santa Cruz Metro at any time and without further notice. Within ~~thirty (30)~~ sixty (60) days after receiving notice from Santa Cruz Metro of revocation of this permit, Permittee shall, upon demand from Santa Cruz Metro, at his/her sole cost and

expense, remove all improvements installed by Permittee pursuant to this permit, and shall restore the premises as nearly as practicable to its condition prior to such installation.

DATE: _____

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT:

BY: _____
Leslie White, General Manager

CITY OF SANTA CRUZ REDEVELOPMENT AGENCY |

BY ~~City of Santa Cruz, Permittee~~ Ceil Cirillo, Executive Director |

APPROVED AS TO FORM:

Santa Cruz Metropolitan Transit District

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Robyn Slater, Interim Human Resources Manager
SUBJECT: PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors recognize the anniversaries of those District employees named on the attached list and that the Chairperson present them with awards.

II. SUMMARY OF ISSUES

- None.

III. DISCUSSION

Many employees have provided dedicated and valuable years to the Santa Cruz Metropolitan Transit District. In order to recognize these employees, anniversary awards are presented at five-year increments beginning with the tenth year. In an effort to accommodate those employees that are to be recognized, a limited number will be invited to attend Board meetings from time to time to receive their awards.

IV. FINANCIAL CONSIDERATIONS

None.

V. ATTACHMENTS

Attachment A: Employee Recognition List

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

EMPLOYEE RECOGNITION

TEN YEAR

None

FIFTEEN YEARS

Carol A. Howard, Bus Operator
Anna M. Gouveia, Bus Operator
Scott K. Takehana, Bus Operator
Thomas E. Taylor, Bus Operator
Cynthia Cummings, Bus Operator
Eduardo Biddlecome, Bus Operator
Soretta Chatman, Bus Operator

TWENTY YEARS

Frank Sloan, Mechanic II

TWENTY-FIVE YEARS

Robert F. Del Po, Bus Operator

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
JAMES R. BURRY AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed James R. Burry to serve in the position of Bus Operator, and

WHEREAS, James R. Burry served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of May 30, 1978 to July 26, 2002, and

WHEREAS, James R. Burry provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, James R. Burry served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by James R. Burry resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that James R. Burry served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by James R. Burry.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend James R. Burry for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to James R. Burry, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
ANDRES POLANCO AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Andres Polanco to serve in the position of Bus Operator, and

WHEREAS, Andres Polanco served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of September 1, 1976 to July 31, 2002, and

WHEREAS, Andres Polanco provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Andres Polanco served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Andres Polanco resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Andres Polanco served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Andres Polanco.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Andres Polanco for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Andres Polanco, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH

Chairperson

ATTEST _____

LESLIE R. WHITE

General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER

District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____

On the Motion of Director: _____

Duly Seconded by Director: _____

The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
FRANK K. COUSINS AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Frank K. Cousins to serve in the position of Bus Operator, and

WHEREAS, Frank K. Cousins served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of September 1, 1976 to August 5, 2002, and

WHEREAS, Frank K. Cousins provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Frank K. Cousins served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Frank K. Cousins resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Frank K. Cousins served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Frank K. Cousins.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Frank K. Cousins for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Frank K. Cousins, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
ANGEL H. SANDOVAL AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Angel H. Sandoval to serve in the position of Bus Operator, and

WHEREAS, Angel H. Sandoval served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of February 13, 1978 to August 14, 2002, and

WHEREAS, Angel H. Sandoval provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Angel H. Sandoval served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Angel H. Sandoval resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Angel H. Sandoval served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Angel H. Sandoval.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Angel H. Sandoval for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Angel H. Sandoval, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
BERNARD GABRIELE AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Bernard Gabriele to serve in the position of Bus Operator, and

WHEREAS, Bernard Gabriele served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of November 19, 1979 to August 15, 2002, and

WHEREAS, Bernard Gabriele provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Bernard Gabriele served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Bernard Gabriele resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Bernard Gabriele served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Bernard Gabriele.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Bernard Gabriele for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Bernard Gabriele, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
PETE S. JUSSEL AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Pete S. Jussel to serve in the position of Bus Operator, and

WHEREAS, Pete S. Jussel served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of January 12, 1987 to August 28, 2002, and

WHEREAS, Pete S. Jussel provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Pete S. Jussel served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Pete S. Jussel resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Pete S. Jussel served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Pete S. Jussel.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Pete S. Jussel for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Pete S. Jussel, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
THOMAS M. FORRESTER AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Thomas M. Forrester to serve in the position of Bus Operator, and

WHEREAS, Thomas M. Forrester served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of March 30, 1981 to August 29, 2002, and

WHEREAS, Thomas M. Forrester provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Thomas M. Forrester served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Thomas M. Forrester resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Thomas M. Forrester served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Thomas M. Forrester.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Thomas M. Forrester for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Thomas M. Forrester, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
BARTHOLOMEW E. BARRY AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Bartholomew E. Barry to serve in the position of Bus Operator, and

WHEREAS, Bartholomew E. Barry served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of April 6, 1981 to August 29, 2002, and

WHEREAS, Bartholomew E. Barry provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Bartholomew E. Barry served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Bartholomew E. Barry resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Bartholomew E. Barry served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Bartholomew E. Barry.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Bartholomew E. Barry for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Bartholomew E. Barry, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
FOREST K. MILLER AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Forest K. Miller to serve in the position of Bus Operator, and

WHEREAS, Forest K. Miller served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of December 3, 1979 to August 30, 2002, and

WHEREAS, Forest K. Miller provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Forest K. Miller served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Forest K. Miller resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Forest K. Miller served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Forest K. Miller.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Forest K. Miller for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Forest K. Miller, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
GARY D. BRIERLY AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Gary D. Brierly to serve in the position of Bus Operator, and

WHEREAS, Gary D. Brierly served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of January 11, 1988 to August 30, 2002, and

WHEREAS, Gary D. Brierly provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Gary D. Brierly served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Gary D. Brierly resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Gary D. Brierly served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Gary D. Brierly.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Gary D. Brierly for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Gary D. Brierly, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
EVERETTE G. WEHE AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Everette G. Wehe to serve in the position of Bus Operator, and

WHEREAS, Everette G. Wehe served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of September 1, 1976 to August 30, 2002, and

WHEREAS, Everette G. Wehe provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Everette G. Wehe served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Everette G. Wehe resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Everette G. Wehe served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Everette G. Wehe.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Everette G. Wehe for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Everette G. Wehe, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
MAURICE L. JEMISON AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Maurice L. Jemison to serve in the position of Bus Operator, and

WHEREAS, Maurice L. Jemison served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of September 9, 1976 to August 30, 2002, and

WHEREAS, Maurice L. Jemison provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Maurice L. Jemison served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Maurice L. Jemison resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Maurice L. Jemison served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Maurice L. Jemison.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Maurice L. Jemison for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Maurice L. Jemison, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
LOUIS E. FIKE AS A BUS OPERATOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Louis E. Fike to serve in the position of Bus Operator, and

WHEREAS, Louis E. Fike served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of February 19, 1980 to August 30, 2002, and

WHEREAS, Louis E. Fike provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Louis E. Fike served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Louis E. Fike resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Louis E. Fike served in the position of Bus Operator, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Louis E. Fike.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Bus Operator, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Louis E. Fike for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Louis E. Fike, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____

On the Motion of Director: _____

Duly Seconded by Director: _____

The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
MARILYN RODGERS AS AN ADMINISTRATIVE SECRETARY
SUPERVISOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Marilyn Rodgers to serve in the position of Administrative Secretary Supervisor, and

WHEREAS, Marilyn Rodgers served as a member of the Fleet Maintenance Department of the Santa Cruz Metropolitan Transit District for the time period of May 14, 1990 to July 19, 2002, and

WHEREAS, Marilyn Rodgers provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Marilyn Rodgers served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Marilyn Rodgers resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Marilyn Rodgers served in the position of Administrative Secretary Supervisor, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Marilyn Rodgers.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Administrative Secretary Supervisor, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Marilyn Rodgers for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Marilyn Rodgers, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
FRANK M. SLOAN AS A MECHANIC
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Frank M. Sloan to serve in the position of Mechanic, and

WHEREAS, Frank M. Sloan served as a member of the Fleet Maintenance Department of the Santa Cruz Metropolitan Transit District for the time period of January 1, 1985 to July 26, 2002, and

WHEREAS, Frank M. Sloan provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Frank M. Sloan served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Frank M. Sloan resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Frank M. Sloan served in the position of Mechanic, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Frank M. Sloan.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Mechanic, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Frank M. Sloan for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Frank M. Sloan, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
JAMES M. HOLODNICK AS A MECHANIC
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed James M. Holodnick to serve in the position of Mechanic, and

WHEREAS, James M. Holodnick served as a member of the Fleet Maintenance Department of the Santa Cruz Metropolitan Transit District for the time period of August 30, 1988 to August 1, 2002, and

WHEREAS, James M. Holodnick provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, James M. Holodnick served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by James M. Holodnick resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that James M. Holodnick served in the position of Mechanic, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by James M. Holodnick.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Mechanic, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend James M. Holodnick for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to James M. Holodnick, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
KATHLEEN O'MARA AS A SCHEDULE ANALYST
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Kathleen O'Mara to serve in the position of Schedule Analyst, and

WHEREAS, Kathleen O'Mara served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of March 27, 1978 to August 14, 2002, and

WHEREAS, Kathleen O'Mara provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Kathleen O'Mara served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Kathleen O'Mara resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Kathleen O'Mara served in the position of Schedule Analyst, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Kathleen O'Mara.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Schedule Analyst, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Kathleen O'Mara for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Kathleen O'Mara, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
PATRICIA KORBA AS AN ACCOUNTING SPECIALIST
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Patricia Korba to serve in the position of Accounting Specialist, and

WHEREAS, Patricia Korba served as a member of the Finance Department of the Santa Cruz Metropolitan Transit District for the time period of January 14, 1985 to August 21, 2002, and

WHEREAS, Patricia Korba provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Patricia Korba served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Patricia Korba resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Patricia Korba served in the position of Accounting Specialist, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Patricia Korba.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Accounting Specialist, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Patricia Korba for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Patricia Korba, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
ROBERT R. GOUVEIA AS AN OPERATIONS SUPERVISOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Robert R. Gouveia to serve in the position of Operations Supervisor, and

WHEREAS, Robert R. Gouveia served as a member of the Operations Department of the Santa Cruz Metropolitan Transit District for the time period of September 1, 1976 to August 28, 2002, and

WHEREAS, Robert R. Gouveia provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Robert R. Gouveia served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Robert R. Gouveia resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Robert R. Gouveia served in the position of Operations Supervisor, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Robert R. Gouveia.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Operations Supervisor, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Robert R. Gouveia for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Robert R. Gouveia, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
FRED J. DAKIWAG AS A VEHICLE SERVICE WORKER II
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Fred J. Dakiwag to serve in the position of Vehicle Service Worker II, and

WHEREAS, Fred J. Dakiwag served as a member of the Fleet Maintenance Department of the Santa Cruz Metropolitan Transit District for the time period of May 12, 1977 to August 29, 2002, and

WHEREAS, Fred J. Dakiwag provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Fred J. Dakiwag served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Fred J. Dakiwag resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Fred J. Dakiwag served in the position of Vehicle Service Worker II, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Fred J. Dakiwag.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Vehicle Service Worker II, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Fred J. Dakiwag for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Fred J. Dakiwag, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
JAMES L. HOBBS AS A FACILITIES MAINTENANCE SUPERVISOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed James L. Hobbs to serve in the position of Facilities Maintenance Supervisor, and

WHEREAS, James L. Hobbs served as a member of the Facilities Maintenance Department of the Santa Cruz Metropolitan Transit District for the time period of March 11, 1985 to August 30, 2002, and

WHEREAS, James L. Hobbs provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, James L. Hobbs served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by James L. Hobbs resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that James L. Hobbs served in the position of Facilities Maintenance Supervisor, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by James L. Hobbs.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Facilities Maintenance Supervisor, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend James L. Hobbs for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to James L. Hobbs, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
LINDA R. GARBEZ AS A PERSONNEL TECHNICIAN
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Linda R. Garbez to serve in the position of Personnel Technician, and

WHEREAS, Linda R. Garbez served as a member of the Human Resources Department of the Santa Cruz Metropolitan Transit District for the time period of April 14, 1986 to August 30, 2002, and

WHEREAS, Linda R. Garbez provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Linda R. Garbez served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Linda R. Garbez resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Linda R. Garbez served in the position of Personnel Technician, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Linda R. Garbez

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Personnel Technician, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Linda R. Garbez for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Linda R. Garbez, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Resolution No. _____
On the Motion of Director: _____
Duly Seconded by Director: _____
The Following Resolution is adopted:

**A RESOLUTION OF
APPRECIATION FOR THE SERVICES OF
LINDA S. FRY AS A SERVICE PLANNING SUPERVISOR
FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the citizens of Santa Cruz County, and

WHEREAS, the provision of public transportation service requires a competent, dedicated workforce, and

WHEREAS, the Santa Cruz Metropolitan Transit District, requiring an employee with expertise and dedication appointed Linda S. Fry to serve in the position of Service Planning Supervisor, and

WHEREAS, Linda S. Fry served as a member of the Planning Department of the Santa Cruz Metropolitan Transit District for the time period of July 1, 1981 to August 30, 2002, and

WHEREAS, Linda S. Fry provided the Santa Cruz Metropolitan Transit District with dedicated service and commitment during the time of employment, and

WHEREAS, Linda S. Fry served the Metropolitan Transit District with distinction, and

WHEREAS, the service provided to the citizens of Santa Cruz County by Linda S. Fry resulted in reliable, quality public transportation being available in the most difficult of times, and

WHEREAS, during the time that Linda S. Fry served in the position of Service Planning Supervisor, METRO expanded service, developed new facilities, purchased new equipment, improved ridership, and enhanced the alternative transportation options for the citizens of Santa Cruz County, and

WHEREAS, the quality of life in Santa Cruz County was improved dramatically as a result of the exemplary service provided by Linda S. Fry.

NOW, THEREFORE, BE IT RESOLVED, that upon retirement as Service Planning Supervisor, the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Linda S. Fry for efforts in advancing public transit service in Santa Cruz County and expresses sincere appreciation on behalf of itself, METRO staff and all of the citizens of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Linda S. Fry, and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

PASSED AND ADOPTED this 27th day of September 2002 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED

SHERYL AINSWORTH
Chairperson

ATTEST

LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Elisabeth Ross, Finance Manager
SUBJECT: APPOINTMENT OF DIRECTORS TO SANTA CRUZ CIVIC IMPROVEMENT CORPORATION

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors appoint five members to the Santa Cruz Civic Improvement Corporation (SCCIC) Board of Directors, each for a two -year term.

II. SUMMARY OF ISSUES

- The Santa Cruz Civic Improvement Corporation (SCCIC) is an independent non-profit organization established by the Transit District to assist the District in financial transactions.
- The Board of Directors of the Transit District is the appointing authority for the Board of Directors of the SCCIC.
- The two-year terms of the current SCCIC Board members are expiring and appointment of new Directors is required at this time. Current members may be reappointed.
- While SCCIC Board members are not required to be members of the SCMTD Board, the Board has historically appointed its own Directors to serve on the SCCIC Board.

III. DISCUSSION

The bylaws of the Santa Cruz Civic Improvement Corporation (SCCIC) provide for the Board of Directors of the Santa Cruz Metropolitan Transit District to appoint the Directors to the SCCIC Board. Due to the expiration of the terms of the current Directors, the District Board must now consider the reappointment of current Directors or appointment of new Directors to the SCCIC Board.

The current members of the SCCIC Board are: Sheryl Ainsworth, Jan Beautz, Tim Fitzmaurice, Bruce Gabriel and Michelle Hinkle. Since the SCCIC is currently inactive, Directors are only required to attend the annual meeting of the SCCIC, which falls in October of each year.

IV. FINANCIAL CONSIDERATIONS

None.

V. ATTACHMENTS

None.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Elisabeth Ross, Finance Manager

SUBJECT: CONSIDERATION OF OFFERING OPTION FOR PUBLIC SERVICE CREDIT FOR PEACE CORPS OR AMERICORPS: VISTA SERVICE, FOR DISTRICT EMPLOYEES ENROLLED IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors consider authorizing staff to proceed with the process to offer employees enrolled in CalPERS the option to purchase public service credit for Peace Corps or AmeriCorps: VISTA service.

II. SUMMARY OF ISSUES

- UTU representatives have requested that the Board of Directors authorize a change in the CalPERS contract to offer employees the option of purchasing service credit for periods served in either the Peace Corps or AmeriCorps (VISTA) since there is no immediate cost to the District.
- If the Board wishes to offer this option, the contract with CalPERS must be amended, in accordance with the schedule which follows in the discussion section below.

III. DISCUSSION

In July of this year, the Board approved the final resolution to amend the CalPERS contract to provide a new retirement formula as well as service credit for periods of layoff.

Representatives of United Transportation Union Local 23 have requested that the Board consider offering the contract option of public service credit for periods of service in the Peace Corps or AmeriCorps (VISTA). This would allow an employee to purchase up to three years of service credit for any volunteer service in the Peace Corps or AmeriCorps: Volunteers In Service To America. As with the layoff service credit, the employee purchases the credit. There is no cost to the District except for a possible slight increase in future retirement benefits due to the additional years of service. It is believed that two employees may utilize the benefit at this time.

If the Board wishes to proceed with offering this option, the following contract amendment schedule is anticipated.

September 27, 2002

Board of Directors

Page 2

- 09/30/02 Notification to CalPERS to proceed with contract amendment
- 10/28/02 Receipt of CalPERS documents for Board packet (at least four weeks after notification date)
- 11/22/02 Board adoption of Resolution of Intent
- 12/27/02 Board adoption of Final Resolution (at least twenty days after Resolution of Intent adoption)
- 12/27/02 Effective date of contract amendment

IV. FINANCIAL CONSIDERATIONS

Any employee who wishes to utilize the service credit for periods of service in the Peace Corps or VISTA must purchase the service credit. There is no cost to the District other than a possible minimal incremental increase in monthly pension payments for participating employees.

V. ATTACHMENTS

None.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Mark Dorfman, Assistant General Manager

SUBJECT: CONSIDER A RESOLUTION AUTHORIZING THE GENERAL MANAGER OR HIS DESIGNEE TO SUBMIT APPLICATIONS AND EXECUTE GRANTS WITH THE U.S. DEPARTMENT OF TRANSPORTATION FOR FEDERAL FUNDING ASSISTANCE.

I. RECOMMENDED ACTION

Adopt a resolution authorizing the General Manager or his designee to submit applications and execute grants with the Federal Transit Administration.

II. SUMMARY OF ISSUES

- The U.S. Department of Transportation, Federal Transit Administration requires a resolution from the Board authorizing designated staff to submit applications and execute grants.
- In the past, the Board considered a similar resolution for each and every grant application. This overarching resolution will apply to all subsequent grants with the Federal Transit Administration.
- Adopting this resolution will enable the General Manager or, in his absence, his designee to submit applications and execute grant agreements with the Federal Transit Administration on behalf of the District.

III. DISCUSSION

The Federal Transit Administration requires that all grant recipients submit a resolution from the Board of Directors designating the person or persons authorized to execute grant applications and agreements on behalf of the District. The FTA maintains this resolution on file to verify the electronic signature (PIN) that staff uses to execute documents through the on-line Transportation Electronic Award Management system. In the past, the District submitted a resolution with each grant; now, using a single authorizing resolution for all grants to the FTA would be more efficient for both agencies.

This resolution also authorizes the General Manager to designate staff who may execute grant applications and agreements in his absence. Currently, only the General Manager is authorized. Due to changing project circumstances and the time limits on securing appropriated funds with a grant agreement, the District may need to expedite an application, an amendment or an agreement to preserve funds about to lapse. Should a critical deadline arise while the General

Manager is out of the office, another senior manager, such as the Assistant General Manager or Legal Counsel, could execute a document.

By adopting the attached resolution, the Board will reduce the number of Board resolutions associated with granted financial assistance. Adopting the attached resolution also will enable the General Manager to name the staff positions who may execute grants in his absence.

IV. FINANCIAL CONSIDERATIONS

None.

V. ATTACHMENTS

Attachment A: Authorizing Resolution

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____

On the Motion of Director: _____

Duly Seconded by Director: _____

The Following Resolution is Adopted:

**A RESOLUTION AUTHORIZING THE GENERAL MANAGER OR HIS DESIGNEE
TO SUBMIT APPLICATIONS AND EXECUTE GRANT AGREEMENTS
WITH THE U.S. DEPARTMENT OF TRANSPORTATION
ON BEHALF OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

WHEREAS, the U.S. Department of Transportation grants financial assistance for public transit planning, operating and capital projects; and

WHEREAS, grant agreements for financial assistance impose certain obligations upon the District, including the provision of the local share of project costs; and

WHEREAS, the U.S. Department of Transportation requires that grant recipients comply with Title VI of the Civil Rights Act of 1964, the Americans with Disabilities Act of 1990 and other laws established in its authorizing legislation; and

WHEREAS, the District establishes an annual goal to utilize disadvantaged business enterprises (DBEs) to the fullest extent possible in procurements assisted with Department of Transportation funds through definite procedures to ensure that DBEs have equal opportunity to compete for contracts.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Santa Cruz Metropolitan Transit District Board of Directors that the Secretary/General Manager or his Designee is authorized:

1. To submit applications to the U.S. Department of Transportation on behalf of the Santa Cruz Metropolitan Transit District for financial assistance in operating and capital projects pursuant to the Transportation Equity Act for the 21st Century and subsequent authorizing Acts.
2. To submit any other documents or assurances required by the U.S. Department of Transportation to effectuate Title VI of the Civil Rights Act of 1964.
3. To furnish such additional information as the U.S. Department of Transportation may require in connection with the project applications.
4. To establish affirmative Disadvantaged Business Enterprise policies in connection with procurement needs.

5. To execute grant agreements with the U.S. Department of Transportation on behalf of the Santa Cruz Metropolitan Transit District for financial assistance in accordance with the Transportation Equity Act for the 21st Century and subsequent authorizing Acts.

PASSED AND ADOPTED by the Board of Directors of the Santa Cruz Metropolitan Transit District of Santa Cruz County, State of California this 27th day of September, 2002 by the following vote:

AYES: Directors -

NOES: Directors -

ABSTAIN: Directors -

ABSENT: Directors -

APPROVED _____

SHERYL AINSWORTH
Chairperson

ATTEST _____

LESLIE R. WHITE
Secretary/General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 13, 2002

TO: Board of Directors

FROM: Tom Stickel, Manager of Fleet Maintenance

SUBJECT: CONSIDERATION OF AWARD OF CONTRACT FOR RELIABUILT CERTIFIED FACTORY REMANUFACTURED DETROIT DIESEL ENGINES

I. RECOMMENDED ACTION

District Staff recommends that the Board of Directors authorize the General Manager to execute a contract with Complete Coach Works for five (5) each Reliabuilt certified factory remanufactured Detroit Diesel engines.

II. SUMMARY OF ISSUES

- A competitive procurement was conducted to solicit bids from qualified firms.
- Five firms submitted bids for the District's review.
- District staff has reviewed all submitted bids.
- District staff is recommending that a contract be established with Complete Coach Works to provide five each Reliabuilt certified factory remanufactured Detroit Diesel engines.

III. DISCUSSION

The GMC RTS fleet that services the Highway 17 Express is scheduled for replacement when the high floor Suburban buses (on order with Orion Bus Industries) are delivered mid year of 2003. Until they are received, Fleet Maintenance will require five replacement engines in order to meet maintenance requirements for this fleet.

On July 29, 2002, District Invitation for Bid, 02-05 was mailed to several firms and was legally advertised. On August 26, 2002, bids were received and opened from five firms. District staff has reviewed all submitted bids. A list of the firms and a summary of the bids received are provided in Attachment A.

District staff is recommending that a contract be established with Complete Coach Works to provide five (5) each Reliabuilt certified factory remanufactured Detroit Diesel engines for an amount not to exceed \$ 102,276. Contractor will provide all engines meeting all District specifications and requirements.

IV. FINANCIAL CONSIDERATIONS

Funding for this contract is contained in the budget for the engine re-power project.

V. ATTACHMENTS

- A- Summary of bids received
- B- Contract with Complete Coach Works

NOTE: All attachments and exhibits to the contract were distributed to the Board only. A copy of these documents are available at the Administration Office if needed.

SUMMARY OF BIDS RECEIVED

BIDDER	TOTAL BID AMOUNT
Complete Coach Works of Riverside California	\$ 102,276.00
Aero International Inc. of Sterling, Virginia	\$ 93,184.40 *
Salinas Valley Ford Truck Sales of Salinas California	\$ 119,620.80
Bay Cities Diesel Engine Rebuilders of Milpitas California	\$ 122,499.65
Stewart & Stevenson of San Leandro California	\$ 127, 294.20

* Bid rejected as not meeting District specifications.

**CONTRACT FOR THE PROCUREMENT OF RELIABILT CERTIFIED
FACTORY REMANUFACTURED DETROIT DIESEL ENGINES (02-05)**

THIS CONTRACT is made effective on September 13, 2002 between the SANTA CRUZ METROPOLITAN TRANSIT DISTRICT, a political subdivision of the State of California ("District"), and **COMPLETE COACH WORKS** ("Contractor").

1. RECITALS

1.01 District's Primary Objective

District is a public entity whose primary objective is providing public transportation and has its principal office at 370 Encinal Street, Suite 100, Santa Cruz; California 95060.

1.02 District's Need for RELIABILT Certified Factory Remanufactured Detroit Diesel Engines

District requires the purchase of RELIABILT Certified Factory Remanufactured Detroit Diesel Engines to be used for standard purposes. In order to obtain said equipment, the District issued an Invitation for Bids, dated July 29, 2002 setting forth specifications for such equipment. The Invitation for Bids is attached hereto and incorporated herein by reference as Exhibit A.

1.03 Contractor's Bid Form

Contractor is a supplier of equipment desired by the District and whose principal place of business is 1863 Service Court, Riverside, California. Pursuant to the Invitation for Bids by the District, Contractor submitted a bid for Provision of said equipment, which is attached hereto and incorporated herein by reference as Exhibit B.

1.04 Selection of Contractor and Intent of Contract

On September 13, 2002 District selected Contractor as the lowest responsive, responsible bidder to provide said equipment. The purpose of this Contract is to set forth the provisions of this procurement.

1.05 Contractor and Supplier Synonymous

For the purposes of this Contract, the terms "contractor" and "supplier" are synonymous.

District and Contractor agree as follows:

2. INCORPORATED DOCUMENTS AND APPLICABLE LAW

2.01 Documents Incorporated in This Contract

The documents below are attached to this Contract and by reference made a part hereof. This is an integrated Contract. This writing constitutes the final expression of the parties' Contract, and it is a complete and exclusive statement of the provisions of that Contract, except for written amendments, if any, made after the date of this Contract in accordance with Section 13.14 of the General Conditions of the Contract.

a) Exhibit A

Santa Cruz Metropolitan Transit District's "Invitation for Bids" dated July 29, 2002.

b) Exhibit B (Bid Form)

Contractor's Bid Form to the District for RELIABILT Certified Factory Remanufactured Detroit Diesel Engines, signed by Contractor and dated August 26, 2002.

13-B-1

2.02 Conflicts

Where in conflict, the provisions of this writing supersede those of the above-referenced documents. Exhibits A and B. Where in conflict, the provisions of Exhibit A supersede Exhibit B.

2.03 Recitals

The Recitals set forth in Article I are part of this Contract.

3. TIME OF PERFORMANCE

3.0 1 General

Contractor shall perform work under this Contract at such times to enable it to meet the time schedules specified in the Specifications Section of the IFB. The Contractor shall not be responsible for delays caused by force majeure events described in Section 2 of the General Conditions of the Contract.

3.02 Term

The term of this Contract commences on the date of execution and shall remain in force for a one (1) year period thereafter. District and Contractor may extend the term of this Contract at any time for any reason upon mutual written consent.

4. COMPENSATION

4.01 Terms of Payment

Upon written acceptance, District agrees to pay Contractor as identified in the Bid Form, Exhibit B, an amount not to exceed \$8 1,820.80 for satisfactory delivery of all engines under the terms and provisions of this Contract within forty-five (45) days thereof. Contractor understands and agrees that if he/she exceeds the \$ 8 1,820.80 maximum amount payable under this contract, that it does so at its own risk.

4.02 Invoices

Contractor shall submit invoices with a purchase order number provided by the District. Contractor's invoices shall include detailed records showing quoted unit prices and delivery dates

Said invoice records shall be kept up-to-date at all times and shall be available for inspection by the District (or any grantor of the District, including, without limitation, any State or Federal agency providing project funding or reimbursement) at any time for any reason upon demand for not less than four (4) years after the date of expiration or termination of the contract. Under penalty of law, Contractor represents that all amounts billed to the District are (1) actually incurred; (2) reasonable in amount; (3) related to this contract; and (4) necessary for performance of the services. No expenses shall be paid by the District unless specifically allowed by this contract.

5. NOTICES

All notices under this Contract shall be deemed duly given upon delivery, if delivered by hand; or three (3) days after posting, if sent by registered mail, receipt requested; to a party hereto at the address hereinunder set forth or to such other address as a party may designate by notice pursuant hereto.

DISTRICT

Santa Cruz Metropolitan Transit District
370 Encinal Street
Suite 100
Santa Cruz, CA 95060

Attention: General Manager

CONTRACTOR

Complete Coach Works
1863 Service Court
Riverside, CA 92507

Attention: Macy Neshati

13-B-2

6. AUTHORITY

Each party has full power and authority to enter into and perform this Contract and the person signing this Contract on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this Contract, understands it, and agrees to be bound by it.

Signed on _____

DISTRICT--SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Leslie R. White
General Manager

CONTRACTOR-COMPLETE COACH WORKS

BY _____
Macy Neshati
Vice President Sales & Marketing

Approved as to Form:

Margaret Rose Gallagher
District Counsel

13-B-3

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Tom Stickel, Manager of Fleet Maintenance

SUBJECT: CONSIDER EXTENDING CONTRACTS WITH BLYMYER ENGINEERS, INC.

I. RECOMMENDED ACTION

District staff is recommending that the Board of Directors authorize the General Manager to extend the effective period of two separate contracts with Blymyer Engineers, Inc. for engineering and construction management services for the CNG Fuel Station and Minor Maintenance Facility CNG Retrofit projects and allow for additional compensation.

II. SUMMARY OF ISSUES

- The District has established two separate contracts with Blymyer Engineers, Inc. for engineering and construction management services for the CNG fuel station and Minor Maintenance Facility CNG retrofit projects.
- Both contracts will expire by the end of October.
- Construction contracts for both projects have recently been awarded.
- District will have to extend the effective period of both contracts to accommodate new completion schedules.
- Additional engineering requirements on both projects require additional compensation.

III. DISCUSSION

On September 23, 2001, District entered into a contract with Blymyer Engineers, Inc. for engineering and construction management services for the retrofit of the District's Minor Maintenance Facility at 138 Golf Club Drive to accommodate repairs to CNG powered vehicles. Plans and specifications were prepared and an invitation for bids was processed. Bids received exceeded District budget. District requested Blymyer Engineers to revise specifications by reducing specification requirements while still complying with Federal, State and local code requirements. A second invitation for bids was processed and the Board awarded a contract at the August 30, 2002 Board meeting.

On October 30, 2001, District entered into a contract with Blymyer Engineers, Inc. for engineering and construction management services for the construction of a CNG slow fill fueling station at the District's Minor Maintenance Facility at 138 Golf Club Drive to accommodate repairs to CNG powered vehicles. Plans and specifications were prepared and an

invitation for bids was processed. Purchase of a second compressor resulted in specification and engineered drawing changes that resulted in additional engineering charges. The Board awarded a contract at the August 30th Board meeting.

It is recommended that the Board of Directors authorize the General Manager to amend both contracts by extending the effective period of both contracts until completion of construction and allow an additional compensation of \$9,500 per contract for additional engineering services as requested by the District.

IV. FINANCIAL CONSIDERATIONS

Additional funds for these amendments are available in the bus stop improvement budget.

V. ATTACHMENTS

- A- Letters from Blymyer Engineers, Inc.
- B- Amendment to Contract 00-23
- C- Amendment to Contract 01-05

Change Order No: 1

**CHANGE ORDER
TO
WORK ORDER
AGREEMENT**

Date: July 26, 2002

BE1 Job No: 201094

Change Order originated by: Tom Mitchell

Client: Santa Cruz Metropolitan Transit District

Original Work Order No. 3109- voided after PO rec.

Dated: September 24, 2001

Site Location: Harvey West Industrial Park, Santa Cruz, CA.

The Work Order is revised as follows: Modify Scope to include Labor and Expenses expanded for Major Modification to the M.M.F. Retrofit Project's Bid Documents after completion.

The original Work Order amount	\$	75,960.00
Net change by previous Change Orders	\$	0.00
The Work Order amount will be increased in the amount of	\$	9,500.00
The new Work Order amount including this Change Order	\$	85,460.00

THE TERMS AND CONDITIONS OF THE ORIGINAL WORK ORDER AGREEMENT REMAIN IN EFFECT.

BLYMYER ENGINEERS, INC.

CLIENT Santa Cruz Metropolitan Transit District

Signature:

Signature:



By: Michael A. Rantz

By: David Konno

Title: President

Title: Manager of Facilities

CLIENT COPY

**CHANGE ORDER
TO
WORK ORDER
AGREEMENT**

Date: August 01, 2002

BEI Job No: 201105

Change Order originated by: Greg Mazur

Client: Santa Cruz Metropolitan Transit District

Original Work Order No. None

Dated: November 09, 2001

Site Location: Santa Cruz Operations Facility, 1200 River Street, Santa Cruz, CA.

The Work Order is revised as follows: Modify Design Drawings to reflect actual Equipment Submittal.
Revise Compressors to a Skid Mounted Unit.

The original Work Order amount	\$	65,786.00
Net change by previous Change Orders	\$	0.00
The Work Order amount will be increased in the amount of	\$	9,500.00
The new Work Order amount including this Change Order	\$	75,286.00

THE TERMS AND CONDITIONS OF THE ORIGINAL WORK ORDER AGREEMENT REMAIN IN EFFECT.

BLYMYER ENGINEERS, INC.

CLIENT Santa Cruz Metropolitan Transit District

Signature:



Signature:

By: Greg Mazur

By: David Konno

Title: Project Manager

Title: Manager of Facilities

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
FIRST AMENDMENT TO CONTRACT NO. 00-23
FOR RETROFITTING DISTRICT FACILITY FOR CNG VEHICLE MAINTENANCE**

This First Amendment to Contract No. 00-23 for retrofitting district facility for CNG vehicle maintenance is made effective September 27, 2002 between the Santa Cruz Metropolitan Transit District, a political subdivision of the State of California ("District") and Blymyer Engineers, Inc. ("Contractor").

I. RECITALS

- 1.1 District and Contractor entered into a Contract for retrofitting District facility for CNG vehicle maintenance ("Contract") on September 21, 2001.
- 1.2 The Contract allows for the extension upon mutual written consent.
- 1.3 District has requested additional engineering services of Contractor.

Therefore, District and Contractor amend the Contract as follows:

II. TERM

- 2.1 Article 4.01 is amended to include the following language:

This Contract shall continue through January 31, 2003. This Contract may be mutually extended by agreement of both parties.

III. REIMBURSEMENT FOR ADDITIONAL ENGINEERING SERVICES

- 3.1 District has requested and Contractor has provided additional engineering services to modify specifications and engineering drawings for the retrofit of the minor maintenance facility for CNG vehicle maintenance. District agrees to compensate Contractor an additional \$9,500 for additional engineering services. The new total contract amount shall not exceed \$85,460.

IV. REMAINING TERMS AND CONDITIONS

- 4.1 All other provisions of the Contract that are not affected by this amendment shall remain unchanged and in full force and effect.

V. AUTHORITY

- 5.1 Each party has full power to enter into and perform this First Amendment to the Contract and the person signing this First Amendment on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this First Amendment to the Contract, understands it, and agrees to be bound by it.

Signed on _____

DISTRICT
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Leslie R. White
General Manager

CONTRACTOR
BLYMYER ENGINEERS, INC.

BY _____
Michael A. Rantz
President

Approved as to Form:

Margaret R. Gallagher
District Counsel

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
FIRST AMENDMENT TO CONTRACT NO. 01-05
FOR ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT SERVICES
FOR THE CONSTRUCTION OF A CNG FUELING STATION**

This First Amendment to Contract No. 01-05 for engineering design and construction management services for the construction of a CNG fueling station is made effective September 27, 2002 between the Santa Cruz Metropolitan Transit District, a political subdivision of the State of California (“District”) and Blymyer Engineers, Inc.(“Contractor”).

I. RECITALS

1.1 District and Contractor entered into a Contract for engineering design and construction management services for the construction of a CNG fueling station (“Contract”) on November 1,200 1.

1.2 The Contract allows for the extension upon mutual written consent.

1.3 District has requested additional engineering services of Contractor.

Therefore, District and Contractor amend the Contract as follows:

II. TERM

2.1 Article 4.01 is amended to include the following language:

This Contract shall continue through January 3 1, 2003. This Contract may be mutually extended by agreement of both parties.

III. REIMBURSEMENT FOR ADDITIONAL ENGINEERING SERVICES

3.1 District has requested and Contractor has provided additional engineering services to modify specifications and engineering drawings for engineering design and construction management services for the construction of a CNG fueling station. District agrees to compensate Contractor an additional \$9,500 for additional engineering services. The new total contract amount shall not exceed \$75,286.

IV. REMAINING TERMS AND CONDITIONS

4.1 All other provisions of the Contract that are not affected by this amendment shall remain unchanged and in full force and effect.

V. AUTHORITY

5.1 Each party has full power to enter into and perform this First Amendment to the Contract and the person signing this First Amendment on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this First Amendment to the Contract, understands it, and agrees to be bound by it.

Signed on _____

DISTRICT
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Leslie R. White
General Manager

CONTRACTOR
BLYMYER ENGINEERS, INC.

BY _____
Michael A. Rantz
President

Approved as to Form:

Margaret R. Gallagher
District Counsel

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 13, 2002

TO: Board of Directors

FROM: Tom Stickel, Manager of Fleet Maintenance

SUBJECT: CONSIDER AMENDING PURCHASE ORDER/AGREEMENT WITH WEBER, HAYES AND ASSOCIATES

I. RECOMMENDED ACTION

District staff is recommending that the Board of Directors authorize the General Manager to execute a revision to the purchase order with Weber, Hayes and Associates to add an additional \$10,120 to the purchase order for additional field testing and laboratory analysis of lead and solvents detected at the Greyhound Bus Depot.

II. SUMMARY OF ISSUES

- On April 10, 2002, the District established a purchase order with Weber, Hayes and Associates for services to perform Phase I and II Environmental Site Assessment of the Greyhound Bus Depot for the Santa Cruz Metro Center Mixed Use Redevelopment Project.
- During the performance of this work, laboratory analysis of soil samples detected concentrations of lead and solvents at the site.
- Additional field-testing and laboratory analysis was requested by the District and performed by Weber, Hayes and Associates.

III. DISCUSSION

In mid February, District issued a Request for Proposals for services to perform Phase I & II Environmental Site Assessment of the Greyhound Bus Depot property for the Santa Cruz Metro Center Mixed Use Redevelopment Project. Work would include:

- A description of the scope and methodology of the assessment.
- A discussion of the local hydrogeologic setting.
- A review and discussion of past uses of the property.
- Interview of the property manager to determine current use of property.
- Inspection by firm of property to identify any potential sources of contamination.
- Review of the records of appropriate local, state and federal agencies overseeing environmental issues relating to property contamination.
- Based on the information developed in the course of the assessment findings, recommendations shall be presented with respect to the subject property and any identified or potential for contamination.

An evaluation committee composed of District staff and Santa Cruz City Redevelopment personnel found the firm of Weber, Hayes and Associates to be the most responsive proposal received. District purchase order 221208-A was issued for an amount not to exceed \$15,750.40.

Laboratory testing of field samples detected levels of lead and solvent at the site. Additional field-testing was requested to determine the extent of the contamination. Costs for the additional testing and laboratory analysis came to \$10,120. The new purchase order total will exceed \$25,000 requiring Board approval for this additional funding to pay for services received. It is recommended that the Board of Directors authorize the General Manager to execute a revision to the purchase order with Weber, Hayes and Associates for an additional \$10,120 with a new total amount not to exceed \$25,870.40.

IV. FINANCIAL CONSIDERATIONS

Funds are available in the Metro Center Renovation Project budget for this purchase order revision.

V. ATTACHMENTS

Copy of Purchase Order 221208-A

Santa Cruz Metropolitan
Transit District



BILL TO: 370 ENCINAL ST., STE. 100
SANTA CRUZ, CA 95060
(831) 426-6080

PURC ORDER
P.O. NUMBER 381200-A
DATE ORDERED Apr 10, 2002

VENDOR: WEBER, HAYES AND ASSOCIATES
120 WESTGATE DRIVE
WATSONVILLE CA 95076
TAX ID # 77-0267762

SHIP TO: SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
370 ENCINAL STREET, STE. 100
SANTA CRUZ, CA 95060
(831) 426-6080

2204206

APPLIED GRAPHICS, INC. - MONTEREY (831) 373-5224

VENDOR NO. 9 DESCRIPTION 11260

DATE ENTERED	DEPARTMENT NUMBER	SHIP VIA	PRIORITY	FOB	SHIP BY DATE	TERMS
Apr 01 2002	110033			Dest	May 01 2002	FT 30

NO.	ITEM NUMBER	DESCRIPTION	ACCOUNT NUMBER	QUANTITY	U/M	INIT COST	EXTENDED COST
1		SERVICES TO PERFORM PHASE I & II ENVIRONMENTAL SITE ASSESSMENT FOR THE GREYHOUND BUS DEPOT SITE AS PER SPECIFICATIONS AND CONDITIONS OF DISTRICT RFP T-01-29. TOTAL PURCHASE ORDER NOT TO EXCEED \$13,696.00	503031		LOT	13,696.00	13,696.00
2	REVISION 4-24-02	CHANGE ORDER TO INCREASE COMPENSATION BY 15% (\$ 2,054.40) FOR STRIKING PROVISIONS OUT OF CONTRACTOR'S GENERAL TERMS AND CONDITIONS OF THE SUPPORTING AGREEMENT DATED MARCH 18, 2002.	503031		LOT	2,054.40	2,054.40
3	REVISION 9-13-02 *	CHANGE ORDER TO PO 221440-A TO ENCUMBER AN ADDITIONAL \$10,120 FOR ADDITIONAL FIELD TESTING AND LABORATORY ANALYSIS OF LEAD AND SOLVENTS DETECTED AS SPECIFIED IN THE ATTACHED CONTRACT. NOT TO EXCEED \$25,870.40.	514010		LOT	10,120.00	10,120.00

PURCHASE ORDER NOT VALID WITHOUT AUTHORIZED SIGNATURE

VENDOR'S INSTRUCTIONS: SHIP PREPAID. BILL IN TRIPLICATE. PACKING SLIPS MUST ACCOMPANY ALL SHIPMENTS. THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL PACKAGES, INVOICES, & CORRESPONDENCE. RECEIVING HOURS 8:00-12:00 / 1:00-4:00 WEEKDAYS.

CONFIRMING ORDER
 ORIGINAL ORDER
 CHANGE ORDER

SUB-TOTAL 25,870.40
SALES TAX .00
SHIPPING .00

TOTAL 25,870.40

SEE REVERSE SIDE ALSO.

VENDOR COPY

Attachment A

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

STAFF REPORT

DATE: September 27, 2002

TO: Board of Directors

FROM: Margaret Gallagher, District Counsel

SUBJECT: CONSIDERATION OF AMENDING BYLAWS TO ENSURE REGULAR BOARD MEETINGS ARE NOT SCHEDULED WITHIN FIVE DAYS OF A RECOGNIZED DISTRICT HOLIDAY (THANKSGIVING, CHRISTMAS AND NEW YEAR'S DAY)

I. RECOMMENDED ACTION

Consider Amending the Bylaws to ensure that the Board of Directors' monthly meetings are not scheduled within five days of a recognized District holiday. (Thanksgiving, Christmas and New Year's Day)

II. SUMMARY OF ISSUES

- Santa Cruz Metropolitan Transit District staff has suggested that a discussion take place regarding whether it would be in the Santa Cruz Metro's best interest to change the Board of Directors meeting schedule to ensure that no meeting is scheduled within five working days of a recognized District holiday such as Thanksgiving, Christmas or New Year's Day.

III. DISCUSSION

Recently, the meeting schedule of the Santa Cruz Metropolitan Transit District Board of Directors was amended to set the regular meetings of the Board of Directors on the second and fourth Fridays of every month. The hours set for the Board of Directors meetings are currently the second Friday of each month from 9:00 a.m. to not later than 11:00 a.m. and the fourth Friday of each month from 9:00 a.m. to not later than noon. There is the option for the Board of Directors to extend the meeting times as necessary through Board action.

The regular meeting on the second Friday of the month is primarily a workshop format to review matters that are agendaized for the Regular Board Meeting scheduled for the fourth Friday of the month. However, the Board of Directors can take action at either regular Board meeting pursuant to the agenda prepared in accordance with California law and the current Bylaws.

As District staff began to schedule items for the November and December 2002 regular meetings, it has been brought to staff's attention that the fourth Friday of the month of November is the day after Thanksgiving and the fourth Friday of the month of December is two days after Christmas. Staff is concerned that it may be difficult to obtain a quorum of the Board for these

meetings if the schedule remains as is. Therefore, staff is recommending that a change to the Bylaws occur to ensure that no meeting is scheduled within five working days of a recognized District holiday, which would be Thanksgiving, Christmas or New Year's Day.

It was suggested that if a Board meeting is scheduled in a holiday month, i.e. November, December or January, and falls within five working days of Thanksgiving, Christmas or New Year's Day, that the Board of Directors would at a regular Board meeting held during the month preceding, determine when and if the affected meeting should be held. If the meeting is changed to a different date, District staff would be required to notify all those who are on the District's mailing list of the change, issue a press release and post the date change on the District's website. Another alternative to this suggestion would be for the Board to review the proposed regular meeting schedule in January of each year and consider the holiday issue at that time.

Specific language to amend the by-laws is attached for review and consideration.

IV. FINANCIAL CONSIDERATIONS

None

V. ATTACHMENTS

Attachment A: Bylaws Resolution 69-2-1 (Pertinent pages)

**RESOLUTION NO. 69-2-1
Amended 1-21-83, 6-16-89,
8-21-92, 4-15-94, 4-21-95, 4-27-97,
9-18-98, 4-16-99, 11-19-99, 6-16-00,
6-08-01, 6-15-01, 9-21-01, 02-15-02,
06-21-02,09-27-02,**

**On the Motion of Director:
Duly Seconded by Director:
Is Hereby Amended:**

**A RESOLUTION OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT BOARD OF
DIRECTORS
ESTABLISHING RULES, REGULATIONS, AND PROCEDURES FOR,
AND THE TIME AND PLACE OF MEETINGS OF THE BOARD; AND
CREATION OF OTHER OFFICES**

I. REGULAR MEETINGS

1.01 Regular Meetings; Time

- (a) Regular meetings of the Board of Directors shall be held on the second Friday of each month from 9:00 a.m. to not later than 11:00 a.m. and on the fourth Friday of each month from 9:00 a.m. to not later than noon. The Board of Directors may extend the meeting times as necessary through Board action.
- (b) The regular meeting on the second Friday of the month shall primarily be in a workshop format to review matters that may be agendaized for the Regular Board Meeting scheduled for the fourth Friday of the month. However, the Board of Directors may take action at either regular Board meeting pursuant to the agenda prepared in accordance with California law and these Bylaws.
- (c) **If any Board meeting is scheduled within five days of a recognized District holiday, i.e. Thanksgiving, Christmas or New Year's Day, the Board of Directors shall determine when, and if, the meeting shall take place. If the Board of Directors determines that the meeting should be changed to a different date, District staff shall notify all those who are on the District's mailing list of the change, issue a press release and post the date change on the District's website.**

**RESOLUTION NO. 69-2-1
Amended 1-21-83, 6-16-89,
8-21-92, 4-15-94, 4-21-95, 4-27-97,
9-18-98, 4-16-99, 11-19-99, 6-16-00,
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- (c) **In January, the Board of Directors will meet and review the Board meeting schedule for the next year and determine whether any meeting is scheduled within five days of a recognized District holiday, i.e. Thanksgiving, Christmas or New Year's Day. If the Board of Directors determine that any regular Board meeting falls within 5 working days of a recognized District holiday, it will determine if the meeting should be changed, and if so, for which date it should be rescheduled.**

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

STAFF REPORT

DATE: September 13, 2002

TO: Board of Directors

FROM: Margaret Gallagher, District Counsel

SUBJECT: CONSIDERATION OF APPROVAL OF SANTA CRUZ METRO ADVERTISING POLICY AND REGULATIONS

I. RECOMMENDED ACTION

Approve the attached Santa Cruz Metro Advertising Policy and Regulations.

II. SUMMARY OF ISSUES

- Santa Cruz Metro contracts with Obie Media to facilitate the placement of advertisements on the exterior sides of the buses.
- During the 5-years of the Obie Media contract, Santa Cruz Metro will have realized approximately \$712,000 in revenue from the advertisements according to the Finance Manager.
- The Obie Media contract is set to expire on December 1, 2002.
- Santa Cruz Metro issued a Request for Proposals for a contractor to place advertisements in and upon the buses for the next 3-5 years.
- It is appropriate for the Board of Directors to consider standards for advertising in and upon the buses.

III. DISCUSSION

Santa Cruz Metro has contracted with Obie Media, an advertising company, for the placement of advertisement on the exterior of the buses for the last 4 and a-half-years. The contract is set to expire by its terms on December 1, 2002. The Obie Media contract will have generated approximately \$712,000 during the term of the contract with approximately \$180,000 being earned in the last year of the contract, according to the Finance Manager.

Mark Dorfman, the Assistant General Manager, is issuing a Request for Proposals for the placement of advertisements in and upon the buses for the next 3-5 years.

The Obie Media contract contains certain restrictions on bus advertisements that the contractor is required to adhere to or risk a contract violation. The contract prohibited the following types of advertisements:

1. alcohol;

2. tobacco;
3. false, misleading or deceptive;
4. defamatory;
5. likely to hold up to scorn or ridicule any person or group;
6. obscene or pornographic;
7. advocacy of imminent lawlessness or violence.

During the last year questions have arisen regarding whether or not Santa Cruz Metro can restrict advertisements on the buses. Additionally, the Board of Directors was interested in finding out whether or not bus shelters could be reserved for public service announcements.

Although the Obie Media contract allows restrictions in bus advertisement based on content, any such restrictions are subject to the First Amendment to the United States Constitution's protection of freedom of speech. The right of free speech is not absolute and certain forms of speech are entirely outside the scope of constitutional protection. Witkin, Summary of California Law (1988) 9th Ed. Vol. 7 §289. Most of the advertisement restrictions in the Obie Media contract fall into the area of "unprotected speech." Unprotected speech may be prohibited without raising any First Amendment issues whatsoever. Types of unprotected speech include: defamation, fraudulent misrepresentation, obscenity, and advocacy of imminent lawless acts. Restrictions on unprotected speech do not raise First Amendment concerns.

First Amendment issues do arise when governmental entities restrict protected forms of speech. However, protected speech is not equally permissible in all places and at all times. Nothing in the Constitution requires the government freely to grant access to all who wish to exercise their right to free speech on every type of government property without regard to the nature of the property or to the disruption that might be caused by the speaker's activities. Recognizing the government, no less than a private owner of property has power to preserve the property under its control for the use to which it is lawfully dedicated, the United States Supreme Court has adopted a forum analysis as a means of determining when the government's interest in limiting the use of its property to its intended purpose outweighs the interest of those wishing to use the property for other purposes. Accordingly, the extent to which the government can control access depends on the nature of the relevant forum (Cornelius v. NAACP Legal Defense and Education Fund 473 U.S. 788. (1992))

If a governmental entity has created a public forum for ideas, restrictions on the content of protected speech are strictly scrutinized and generally impermissible (Police Dept. of City of Chicago v. Mosley 408 U.S. 92 (1972)). On the other hand, if a governmental entity has not created a public forum, then it may restrict the subject matter of speech so long as the restriction is not arbitrary, capricious or invidious. Restrictions based on the speaker's viewpoint are always impermissible (Lehman v. Shaker Heights, 418 U.S. 298 (1974)).

Where transit districts have permitted political ads or other forms of non-commercial speech, in or upon buses, courts have held that the transit districts have opened First Amendment forums

for the expression of ideas. In this type of forum, the transit district may impose content-based restrictions if necessary to serve a compelling state interest and if narrowly drawn to achieve that end. Wirta v. Alameda-Contra Costa Transit Dist. (1967) 68 C. 2d 51, 55; Gay Activists v. Washington Metropolitan Area Transit Authority No. 78-2217 (DDC, 1979). Or, the government may impose content neutral time, place and manner restrictions narrowly tailored to serve a significant government interest, which leaves open ample alternative channels of communication (United Postal Service v. Council of Greenburgh Civic Association, 453 U.S. 114, 101 S.Ct. 2676, 69 L.Ed. 2d 517(1981).

Where transit districts have permitted only commercial advertising, the Supreme Court has held that the transit districts have not opened up the advertising space as a forum for ideas Lehman at 778; Packer Corp. v. Utah, 285 U.S. 105 (1932). In those cases the Court has noted that the transit districts were engaged in commerce, the purpose of which was to provide rapid, convenient, pleasant and inexpensive service. "... When the transit agencies have limited the forum for the specific purpose of generating revenues, a transit system has discretion to develop and make reasonable choices concerning the type of advertising that may be displayed in its vehicles. (Lehman at 777). In order to be able to restrict advertisement in this type of forum, the transit district merely has to show that their restriction is reasonable; it need not be the most reasonable or the only reasonable limitation. In addition where the government is acting as a proprietor, its action will not be subjected to the heightened review to which its actions as a lawmaker may be subject. (International Society for Krishna Consciousness (ISKON), Inc. v. Lee 505 U.S. 672, 112 S. Ct. 2701, 120 L.Ed. 2d 541 (1992).

Currently, because Santa Cruz Metro allows political, religious and other issue-orientated advertisements, in and upon its buses, a court would most likely determine that Santa Cruz Metro had created a designated public forum. Therefore, in order to restrict any advertisement based on content, Santa Cruz Metro would have to show a compelling state interest. Because Santa Cruz Metro has never articulated any reasons for the limitations set forth in the Obie Media contract, it is unlikely that a compelling state interest could be articulated for the exclusions noted above, unless the speech was unprotected and, it is doubtful that a court would accept a rationale proposed after litigation was initiated.

It is appropriate for the Board of Directors to consider establishing the purpose of its bus-advertising program because First Amendment rights can be affected through restricting bus advertisements.

If Santa Cruz Metro wishes to maintain a designated public forum allowing all-comers to advertise, maintaining a place for public discourse and have the ability only to restrict unprotected speech, it can do so by continuing its current practices. Of course, should a tobacco or alcohol advertisement be proffered, the advertisement would have to be posted, unless Santa Cruz Metro can articulate a compelling state interest for such restrictions.

If Santa Cruz Metro wants to promote its commercial enterprise to the maximum extent possible, it can adopt the attached advertising policy. By adopting this policy, Santa Cruz Metro would be establishing a non-public forum for the purpose of promoting its commercial enterprise. In this

way Santa Cruz Metro is able to make reasonable limitations to promote the purpose of the forum, that is, the commercial enterprise not in conflict with its bus service.

With regard to whether Santa Cruz Metro can restrict advertisements on its bus shelters to public service announcements, the same forum analysis set forth above is required. Because the placement of the public service announcements is unrelated to any intended purpose of the shelter, other than to open public property for a discourse on a variety of topics, including health related issues such as AIDS and abortion, if a political or religious advertisement was proffered, it would most probably have to be accepted. The intention of a government entity to open its property for discourse results in the designation of that property as a public forum. Additionally, it could be argued that the bus shelters because of their location on public streets, if opened for advertisements, should be considered a traditional “public forum.” Therefore, to be able to only allow public service announcements, Santa Cruz Metro would have to have a compelling state interest. It is doubtful that such could be articulated as required to avoid a First Amendment violation, if a proffered advertisement was declined.

IV. FINANCIAL CONSIDERATIONS

Bids for the Advertisement contract are scheduled to be opened on October 1, 2002.

V. ATTACHMENTS

Attachment A: Proposed Santa Cruz Metropolitan Transit District’s Advertising Policy and Regulations

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

8/3/98

Regulation Number:

Computer Title: Advertising Regulation

Effective Date:

Pages:

TITLE: ADVERTISING POLICY AND REGULATIONS

Procedure History

NEW POLICY

SUMMARY OF POLICY

APPROVED

To Create a policy regarding advertising on buses

I. POLICY

- 1.01 Santa Cruz Metro sells space inside and upon its buses, for the display of commercial advertising. The purpose is to raise revenues, supplementary to those from fares and from tax proceeds, to be used to finance Santa Cruz Metro's operations. The display of advertising is solely for this purpose. It is not intended to provide a general public forum for purposes of communication, but rather to make use of property held in a proprietary capacity in order to generate revenue.
- 1.02 In order to realize the maximum benefit from the sale of advertising space, the program must be managed in a manner that will procure as much revenue as practicable, while ensuring that the advertising does not discourage the use of Santa Cruz Metro's transit system, does not diminish Santa Cruz Metro's reputation in the community it serves or the good will of its patrons, and is consistent with Santa Cruz Metro's principal purpose of providing safe, comfortable, efficient and affordable public transportation. To attain these objectives, Santa Cruz Metro's Board of Directors has established these regulations for the advertising displayed in and upon its buses.
- 1.03 In addition to the foregoing, noncommercial speech is excluded from advertising inside and upon the buses for the following reasons:
- a. Santa Cruz Metro wishes to maintain a position of neutrality on political, religious, environmental, or other public matters and issues in order to promote its commercial enterprise;

- b. If advertisement inside and upon the buses is not restricted, the buses and passengers could be subject to violence;
- c. Preventing a reduction in income earned from selling advertising space because commercial advertisers may be dissuaded from using the forum commonly used by those wishing to communicate political or religious;

II. APPLICABILITY

- 2.01 This procedure is applicable to all District employees and all independent contractors who contract with Santa Cruz Metro, for the placement of advertisement in and upon Santa Cruz Metro's buses.

III. DEFINITIONS:

- 3.01 Commercial advertising:

- a. Advertising the sole purpose for which is to sell or rent real estate or personal property for profit, or to sell services for profit.
- b. Any advertising that both offers to sell property or services and also conveys information about matters of general interest, political issues, religious, moral, or environmental matters or issues, or other public matters or issues, or expresses or advocates opinions or positions upon any of the foregoing.
- c. Does not convey whether expressly or implied, intentionally or unintentionally, by inference or innuendo, the religious, social, political, legal or moral view of any person or entity as such views are generally understood in Santa Cruz County Community.
- d. Does not cause the vehicles, if posted individually or in combination with other advertisements, to become a public forum for the dissemination, debate, and/or discussion of public issues.

- 3.02 Political Advertising:

- a. Any advertising that supports or opposes the election of any candidate or group of candidates for election to any federal, State, or local government office;

- b. Any advertising that supports or opposes any referendum conducted by the federal or State government, or by any local government, such as referenda on constitutional amendments, on bond issues, or on local legislation; or
- c. Any advertising that features any person whose prominence is based wholly or in part upon his or her past or present activity in political affairs, or that represents or implies any such person's approval or endorsement of the subject matter of the advertising.

IV. ADVERTISING STANDARDS:

- 4.01 All advertising displayed in or upon the Santa Cruz Metro's buses shall be strictly commercial in nature and purpose.
- 4.02 Santa Cruz Metro's transit system, in order to serve the purpose for which it has been established, must of necessity accommodate all persons without distinction of age. It is therefore necessary to exclude advertising unsuitable for exposure to children or persons with immature judgment. The following kinds of advertising therefore will not be displayed in or upon Santa Cruz Metro's buses:
 - 1. Advertising for cigars, cigarettes, pipe tobacco, chewing tobacco, and other tobacco products.
 - 2. Advertising for alcoholic beverages, including beer, wine, and distilled spirits.
 - 3. Advertising for products or services related to human reproduction or sexuality, including but not limited to contraceptive products or services, other products or services related to sexual hygiene, and counseling with regard to pregnancy, abortion, or other sexual matter.
 - 4. Advertising for products, services, or entertainment directed to sexual stimulation.
- 4.03 Advertising that explicitly and directly promotes or encourages the use of means of transportation in direct competition with Santa Cruz Metro's bus service shall not be displayed in or upon Santa Cruz Metro's buses.
- 4.04 No advertising shall be permitted that in any way denigrates Santa Cruz Metro's organization, or its operation, or its officers, agents, or employees. This prohibition includes advertising copy and illustrations that state or imply or could reasonably be

- expected to cause an inference, that Santa Cruz Metro's service or operations are anything but safe, efficient, affordable and convenient.
- 4.05 Santa Cruz Metro expects all advertising copy to be truthful. Advertising copy and illustrations should not be exaggerated, distorted, false, misleading or deceptive.
- 4.06 Medical products or treatments are to be treated in a restrained and inoffensive manner.
- 4.07 Testimonials are expected to be authentic, and advertisers using them will be required to indemnify Santa Cruz Metro against any action brought in connection with them. Advertising that promotes contests or giveaways is expected to comply with all applicable laws and regulations.
- 4.08 No advertising in or upon Santa Cruz Metro's buses shall include language, pictures, or other graphic representations that are unsuitable for exposure to persons of young age and immature judgment, or shall be derogatory or defamatory of any person or group because of race, color, national origin, ethnic background, religion, gender or sexual preference.
- 4.09 No advertising shall be displayed in or upon Santa Cruz Metro's buses if the display thereof would violate any federal or State law or regulation, or any law, regulation, or ordinance of any county or municipality in or through which Santa Cruz Metro buses are or may be operated.
- 4.10 No advertising that is obscene, as defined by federal or California law, shall be displayed in or upon Santa Cruz Metro's buses.
- 4.11 Proposed advertisements shall not be accepted if the use, or possession of the property proposed to be advertised, includes a product that is specifically prohibited from use or possession on Santa Cruz Metro's facilities including its buses and vehicles. These products include firearms, tobacco products, alcohol and weapons.
- 4.12 No advertising will be accepted if it advocates imminent lawlessness or violence.
- 4.13 Political advertising will not be accepted.
- 4.14 Advertising will not be accepted if it promotes or encourages unlawful activity.
- 4.15 Advertising will not be accepted if it supports or opposes an issue or cause and/or which advocates or opposes a religion or belief.

V. USE OF SANTA CRUZ METRO'S NAME

- 5.01 Use of Santa Cruz Metro's name, logo, slogans, or other graphic representations is subject to advance approval by Santa Cruz Metro. Santa Cruz Metro does not endorse or imply endorsement of any product or service.

VI. ADMINISTRATION OF ADVERTISING REGULATION

- 6.01 Advertising space on Santa Cruz Metro's buses is sold through an independent Contractor. The Contractor shall comply with the foregoing policies, and review all advertising with reference to them. They shall refer all such advertising that falls or may fall into any of the categories defined above to Santa Cruz Metro's designated representative responsible for administering the advertising program, who shall determine whether the proposed advertising will be accepted. If the proposed advertising is rejected, the party or parties proposing it may request that this decision be reconsidered. Upon such request, Santa Cruz Metro's representative shall consult with Santa Cruz Metro's District Counsel and with its General Manager or the officer designated by him/her for this purpose. The General Manager or his/her designee, on the basis of such consultation, shall determine whether the proposed advertising will be accepted or rejected.
- 6.02 Santa Cruz Metro will co-operate with the party or parties proposing the advertising, and with the independent contractor through whom it has been proposed, in a reasonable effort to revise it in order to produce advertising that can be accepted and displayed consistently with the foregoing policies.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002
TO: Board of Directors
FROM: Steve Paulson, Paratransit Administrator
SUBJECT: CONSIDERATION OF LETTER OF CORRECTION TO COMMUNITY BRIDGES TO ACHIEVE COMPLIANCE WITH CURRENT PARACRUZ CONTRACT

I. RECOMMENDED ACTION

Staff is recommending that the Board of Directors authorize the General Manager to issue a Letter of Correction to Community Bridges to achieve compliance with terms of current METRO ParaCruz Contract

II. SUMMARY OF ISSUES

- The Transit District entered into a contract for ADA complementary paratransit service (METRO ParaCruz) with Community Bridges July 1, 2002.
- There are clear and specific terms and conditions in the contract.
- The Board of Directors has previously expressed its expectations regarding adherence to the contract.
- Staff found instances of non-compliance during the first month of the contract period.
- Staff requests that the General Manager be authorized to issue a Letter of Correction detailing the areas of contract non-compliance and request that corrective measures be taken.

III. DISCUSSION

On July 1, 2002 the Transit District entered into a contract with Community Bridges for the provision of paratransit services (METRO ParaCruz) as required by the Americans with Disabilities Act (ADA). The new contract contains significant changes in both how the service is operated and reporting requirements.

There are now objective standards for evaluating ParaCruz services. They are:

Category	Minimum	Reported for July 2002
Ride productivity	1.6 rides per hour	2.205 per hour
Pick-ups within "ready window"	92%	93.6%
Telephone hold times	2 minute average	97.9% under 2 minutes

In a limited review of the data provided to support the monthly invoice, staff discovered the following instances of non-compliance:

- 2 out-of-service-area trips were provided and billed to the Transit District.
- 19 missed and/or excessively late (more than 40 minutes beyond ready window) trips.
- 4 non-ParaCruz passengers transported on District vehicles.
- 1 non-reported trip denial. (discovered during customer complaint investigation)
- Passengers without METRO ID, including registrants from other systems, were riding on “visitor” status in excess of that allowed for in the Contract.
- Instances of co-mingled trips.

As a result of these findings, 74 billable hours and 148 rides (\$3722.94) were deducted from July’s invoice, as well as liquidated damages for each of the missed / excessively late pick ups resulting in a deduction from the bill of (\$950.00). Total reductions to the July 2002 bill were \$4,672.94.

District staff recognizes that implementing new procedures may be challenging and continues to work with Community Bridges to improve compliance in all areas.

Staff will continue to provide statistical reports on METRO ParaCruz ridership and costs as it has in the past. Ridership and billing information for July 2002 will be included in October 2002 ADA Paracruz staff report.

Staff is recommending that the Board of Directors authorize the General Manager to issue a Letter of Correction to Community Bridges detailing the areas of non-compliance and requesting that corrective measures be taken.

IV. FINANCIAL CONSIDERATIONS

None

V. ATTACHMENTS

None

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Leslie R. White, General Manager

SUBJECT: CONSIDERATION OF THE ROLE OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT IN THE DEVELOPMENT AND CONSTRUCTION OF THE HIGHWAY 1 WIDENING PROJECT

I. RECOMMENDED ACTION

That the Board of Directors respond to the request for information from the Santa Cruz County Regional Transportation Commission (SCCRTC) regarding the authority which could be used by METRO to assist in the Highway 1 Widening Project.

II. SUMMARY OF ISSUES

- The Santa Cruz County Regional Transportation Commission has identified the widening of Highway 1 for High Occupancy Vehicle lanes as the highest priority project for the region.
- Currently, the SCCRTC and Caltrans are beginning the Environmental Analysis phase of the Highway 1 Widening Project which is proposed to be paid for by the utilization of \$3.8 million in Regional State Transportation Improvement Program (STIP) funds which have previously been held in reserve.
- The SCCRTC has expressed a desire to proceed with the Highway 1 Widening Project as rapidly as possible.
- The “design build” strategy for construction is currently being considered by the SCCRTC as a potential method to expedite the progress in implementing the Highway 1 Project.
- Financing for the Highway 1 Project will require the passage of a tax measure by the voters of Santa Cruz County. Revenues from the tax will be used to retire bonds which will need to be issued during the construction phase of the project.
- The implementing agency for the Highway 1 Project should possess the authority to acquire property by the use of eminent domain if necessary.
- The implementing agency for the Highway 1 Project should possess the authority to utilize bonding as a means to support the cash flow requirements of the construction phase of the project.
- The implementing agency for the Highway 1 Project should possess the authority to ask the voters of Santa Cruz County to approve an increase in taxes to provide the funding to implement the project.

- The implementing agency for the Highway 1 Project should possess the authority to utilize public/private partnerships in certain components of the project which may be beneficial.
- On September 5, 2002 the SCCRTC requested that the METRO Board of Directors evaluate what authorities are possessed by the Transit District which could be used to assist in the Highway 1 Project. The SCCRTC further requested that METRO present the result of the analysis of authority at a workshop meeting scheduled for the SCCRTC on October 17, 2002.

III. DISCUSSION

The Santa Cruz Regional Transportation Commission has identified the widening of Highway 1 for the construction of High Occupancy Vehicle (HOV) lanes as the highest priority project for the region. Currently, the Highway 1 Project is divided into three major phases. Phase 1 entails the reconstruction and enhancement of the Highway 1/17 interchange (Fishhook). Phase 2 is the construction of HOV lanes along Highway 1 from the Highway 1/17 interchange to State Park Drive. A potential Phase 3 would be the widening of Highway 1 for the purposes of construction of HOV lanes from State Park Drive to Larkin Valley Road. The second phase of the Highway 1 Widening Project is the primary focus of the discussion in this Staff Report.

In the discussions which have taken place at the SCCRTC, there has been a continued focus on finding methods to expedite the Highway 1 Project as much as possible. In order to move the Highway 1 Project forward, the SCCRTC has discussed organizational structures, election opportunities, state agency status and the use of a "design build" strategy. Each of the items that the SCCRTC has reviewed require that the implementing agency either currently possess certain authorities or that new legislation be enacted by the California State Legislature to convey the necessary powers on the designated lead agency. The key components of implementing the Highway 1 Widening Project will be taxing/bonding authority, eminent domain authority, design build (if desired) authority, and public/private partnership authority. Each of these components add to the ability of the implementing agency to either directly, or through contracts, cause the project to move forward in an expeditious manner.

On September 5, 2002, the SCCRTC requested that the METRO Board of Directors evaluate what authority the Transit District currently possessed that could be used to assist in the Highway 1 Project. Additionally, the SCCRTC requested information as to the feasibility of METRO becoming the implementing agency for the Highway 1 Project. The SCCRTC requested that METRO report to the Commission at their workshop meeting scheduled for October 17, 2002.

In evaluating the ability of METRO to function as the implementing agency for the Highway 1 Project, the four major areas of authority were reviewed, as well as potential impacts on current operations of the agency. Additionally, agency structure and capacity were examined. Additionally, it was necessary to evaluate whether or not the Highway 1 Project could be

considered a “Transit Project” in order to meet the purpose for the Transit District contained in it’s State enabling legislation.

Attachment A to this Staff Report contains a number of cites from the statutes of the State of California which address the issue of taxing authority and bonding authority. Currently, the Transit District has the ability to place tax measures on the ballot, so long as the tax measures are not inconsistent with the other statutes governing special tax measures. Specifically, there is a limit of 8.5% which is the maximum combined tax rate that can be implemented in any county. Currently, Santa Cruz County is at 8.0% and therefore, METRO could not advance for public consideration a tax measure that would exceed 0.5%. Additionally, the statutory requirements for a super majority vote of the citizens of Santa Cruz County would apply to a special tax measure that would be placed on the ballot by METRO. Also in Attachment A, are the relevant statutes which convey upon METRO the ability to issue bonds for the purposes of accumulating cash to meet requirements for major capital investment projects.

In order to implement a major construction project, it is necessary for the implementing agency to possess the power of eminent domain. In the State of California, cities and counties have “first position” eminent domain. That means that the respective general-purpose local governments can acquire property through the eminent domain process without consultation with any other jurisdiction. METRO has eminent domain as outlined in Attachment B to this Staff Report. However, like all other special purpose districts, the power of eminent domain is contingent upon the consent of the city or county where the property that needs to be acquired is located. While METRO actually exercises the eminent domain authority, it is not possible to do this absent the consent of the overriding general-purpose local government.

In recent months a significant amount of discussion has been given to utilizing a “design build” strategy for the final design and construction phase of the Highway 1 Project. Currently, public transit agencies in the State of California possess the power to implement major projects utilizing design build strategy. The design build approach has been controversial in the past and is likely to be so in the future. The authority for METRO to utilize design build strategies is outlined in Attachment C to this Staff Report. On a cautionary note, it is important for the Board of Directors to be aware that the utilization of design build strategies is very closely monitored and regulated by the State of California and is likely to generate opposition or litigation. However, it is also likely that METRO would prevail if a contract or a design build strategy was issued in accordance with the criteria outlined in Attachment C.

The development of a major transportation facility offers the opportunity to enhance the effectiveness of the facility through the development of public/private partnerships for a variety of purposes. In 2002 the Legislature enacted, and the Governor signed AB 1937 which conveys joint development authority on public transit systems in the State of California. The specific public/private joint development authority provisions are outlined in Attachment D to this Staff Report.

In evaluating the attachments to this Staff Report, it appears that METRO possesses all of the statutory powers necessary to carry out the Highway 1 Project, providing that a defensible finding can be made by the Board of Directors that the HOV lanes constitute a transit project.

Staff recommends that the Board of Directors give consideration to the impact of undertaking a project of the magnitude of Highway 1 on the other operations at METRO. Currently, METRO is continuing to struggle to implement a maintenance facility project that will provide stability for the provision of service in future years. Additionally, METRO and the City of Santa Cruz are attempting to gain support and achieve a design for a revitalized METRO Center facility in Santa Cruz. It is hoped that the opportunities provided by this project will have far-reaching impacts on both the transit service and the operations at METRO. Beyond these two major undertakings, there is the necessity to sustain, to the degree possible, the level of fixed-route and Paratransit service offered to our community. The current economic situation makes it difficult for us to sustain the level of service that is currently in place. The budget difficulties that face METRO in 2002-2003 are not over as revenue shortfalls begin to materialize. The prospect for the 2003-2004 budget is becoming more grim. Therefore, Staff also cautions the Board that undertaking a major project which would cause the Board of Directors to lose focus on the primary purpose of METRO could be detrimental to the service that the citizens of Santa Cruz County currently enjoy. Clearly, the attention of the Board of Directors, and to a lesser degree the General Manager, would be captured in some degree by the Highway 1 Project. It would be my intention to recommend to the Board of Directors, were METRO to be the implementing agency for the Highway 1 Project, that a "turn-key" approach be utilized to the degree possible. This would entail the employment of contractors, consultants and staff that would be devoted entirely to the Highway 1 Project. There is no capacity at METRO to redirect the efforts of current staff to this project. It would also be my intention to recommend to the Board of Directors that the highest degree of collaboration be employed to ensure that participants from the cities, the counties and the SCCRTC are intimately involved along with Caltrans in every facet of preparing for the Highway 1 Project.

Clearly, the opportunity of using an existing agency for the implementation of the Highway 1 Project in a way that does not require new State legislation has its advantages. Just as clearly, the loss of focus, momentum and support for the primary purpose of METRO has its drawbacks. Staff recommends that the Board of Directors review the information attached to this Staff Report to satisfy itself that the statutory authority to carry out a project such as Highway 1 exists. Staff further recommends that the Board of Directors then give consideration to whether or not the attention of the Board can accommodate the additional issues that would be raised by undertaking the Highway 1 Project. Lastly, Staff recommends that the Board of Directors set as a principal, that no current METRO funds be redirected to the implementation of the Highway 1 Project.

IV. FINANCIAL CONSIDERATIONS

All financial implications of undertaking the Highway 1 Widening Project would need to be offset by revenues from Caltrans, the SCCRTC or a new tax source.

V. ATTACHMENTS

Attachment A: Statutes Relating to Taxing/Bonding Authority

Attachment B: Statutes Relating to Eminent Domain Authority

Attachment C: Statutes Relating to Design Build Authority

Attachment D: Statutes Relating to Public-Private Partnership Development Authority

Article 6

Attachment **A**

INDEBTEDNESS

Section
98260. Notes payable from current tax levy.
9826 1. Repealed.
98262. Limitation on bond issue.
98263. Federal aid.

Article 6 was added by Stats.1967, c. 978,p.2548, § 1.

Library References

Municipal Corporations ~~§~~869, 870, 908. C.J.S. Municipal Corporations §§ 1835 et
WESTLAW Topic No. 268. seq., 1869, 1904.

§ 98260. Notes payable From current tax levy

The district may borrow money for the purpose of defraying the expenses of the district lawfully incurred after the commencement of the fiscal year, but prior to the time moneys from the tax levy for the fiscal year are received by the district, in an amount, including interest to be paid thereon, which shall not exceed its estimated tax revenues for the fiscal year, and may evidence such borrowing by notes bearing interest at a rate not to exceed 6 percent per annum. The notes shall be payable from the tax levy from the then current fiscal year, which levy shall contain a sum sufficient to provide for the payment of the notes and the interest thereon. The form of the notes and the proceedings relating to their issuance and sale, shall be governed by the applicable provisions contained in Article 7 (commencing with Section 53820) of Chapter 4 of Part 1 of Division 2 of Title 5 of the Government Code. (Added by Stats.1967, c. 978, p. 2548, § 1. Amended by Stats.1977, c. 672, p. 2190, § 4.)

§ 98261. Repealed by Stats.1977, c. 672, p. 2190, § 5

Historical and Statutory Notes

The repealed section was added by Stats. 1967, c. 978, § 1, amended by Stats.1969, c. 195, § 1, and related to tax anticipation borrowing by the district to meet necessary expenses during the first two years of the district's existence.

§ 98262. Limitation on bond issue

The district shall not incur an indebtedness under Chapter 7 (commencing with Section 98310) of this part which in the aggregate exceeds one (1) percent of the assessed value of all the real and personal property within the district.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98263. Federal aid

The district may accept, without limitation by any other provisions of this part requiring approval of indebtedness, contributions or loans from the

United States, this state, or any department, instrumentality, or agency of either thereof, for the purpose of financing the acquisition, construction, maintenance, and operation of transit facilities, and may enter into contracts and cooperate with and accept cooperation from, the United States, this state, or any department, instrumentality, or agency of either thereof, in the acquisition, construction, maintenance, and operation, and in financing the acquisition, construction, maintenance, and operation, of any such transit facilities in accordance with any legislation which Congress or the Legislature of the State of California may have heretofore adopted or may hereafter adopt, under which aid, assistance, and cooperation may be furnished by the United States or this state in the acquisition, construction, maintenance and operation of any such transit facilities. The district may do any and all things necessary in order to avail itself of such aid, assistance, and cooperation under any federal or state legislation now or hereafter enacted. Any evidence of indebtedness issued under this section shall constitute a negotiable instrument.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Article 7

INVESTMENTS

Section

98270. Surplus money; compensation for county treasurer's investment services.

Article 7 was added by Stats.1967, c. 978, p. 2548, § 1.

Library References

Municipal Corporations ¶884.
WESTLAW Topic No. 268.
 C.J.S. Municipal Corporations § 1881.

§ 98270. Surplus money; compensation for county treasurer's investment services

The district may invest any surplus money in its treasury. The county treasurer shall act as treasurer of the district and he shall handle such investments as the board determines to make in accordance with the same policies and procedures that he follows in the investment of surplus county funds.

The board shall pay a reasonable fee to the county for the investment services of the county treasurer.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Article 8
PROPERTY TAXATION

Section	
98280.	Limitation on taxing power.
98280.5.	Tax to supplement operation revenues.
98281.	Tax to cover bonded debt; sinking fund.
98282.	Duties of board.
98283.	County and state assessments as basis for district taxation.
98284.	Auditor's statement of value.
98285.	Rate; basis; assessment and levy.
98286.	Statement of rate.
98287.	Collection.
98288.	Apportionment of money paid for redemption of tax sold property.
98289.	Compensation for services of county.
98289.3.	Lien.
98289.5.	Operative effect of Article 8; cancellation of tax installment.

Article 8 was added by Stats. 1967, c. 978, p. 2548, § 1.

Heading of Article 8 Taxation, was amended to read as it now appears by Stats. 1977 c. 672, p. 2190, § 6.

Operative effect of Article 8, see § 98289.5.

§ 98280. Limitation on taxing power

The district may levy, and collect or cause to be collected, taxes for any lawful purpose subject to a maximum limit of five cents (\$0.05) per one hundred dollars (\$100) of assessed value of all real estate and personal property within the district; provided, however, that the district shall have the further power to levy, collect or cause to be collected, said property taxes to a maximum limit of ten cents (\$0.10) if the matter is first submitted to the voters in the district and a majority of those voting vote in favor of raising the maximum tax limit.

(Added by Stats. 1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ~~§~~ 956(1).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1978 et seq.

§ 98280.5. Tax to supplement operation revenues

If, in the opinion of the board, the transit operation revenues will not be sufficient for any and all lawful purposes the board shall levy a tax for such purpose or purposes and fix the amount of money necessary to be raised **therefor** by taxation as part of the general tax levy as set forth in Section **98280.**

(Added by Stats. 1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ↯961.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1992 et seq.

§ 98281. Tax to cover bonded debt; sinking fund

The board shall, as part of the general tax levy as set forth in Section 98280, levy and collect annually until the district's bonds are paid, or until there is a sum in the treasury of the district set apart for that purpose to meet all sums coming due for principal and interest on the bonds as they become due a tax sufficient to pay the annual interest on the bonds and such part of the principal thereof as becomes due before the proceeds of a tax levied at the next general tax levy will be available. If the maturity of the indebtedness created by the issue of bonds begins more than one year after the date of the issuance thereof, the tax shall be levied and collected annually at the time and in the manner aforesaid, sufficient to pay the interest on the indebtedness as it falls due and to constitute a sinking fund for the payment of the principal on or before maturity.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ↯964, 965.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations §§ 1997, 1998.

§ 98282. Duties of board

The board may provide for the assessment, levy, and collection of taxes by the district.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ↯968(1), 971(2),
978(1). WESTLAW Topic No. 268.
C.J.S. Municipal Corporations §§ 2033, 2035,
2043, 2071 et seq.

§ 98283. County and state assessments as basis for district taxation

The board shall avail itself of the assessments made by the assessor of the county and of the assessments made by the State Board of Equalization for the county and shall take such assessments as the basis for the district taxation and have its taxes collected by the tax collector of the county, as part of the annual tax bill.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Cross References

Assessments, see Revenue and Taxation Code § 201 et seq.
Collection of taxes, see Revenue and Taxation Code § 2.501 et seq.

Library References

Municipal Corporations ⇨971(1), 972(1), C.J.S. Municipal Corporations §§ 2042 et
978(1). seq., 2071 et seq.
WESTLAW Topic No. 268.

§ 98284. Auditor's statement of value

In such case the county auditor shall, on or before the third Monday in August of each year, transmit to the board a statement in writing showing the total value of all property within the district, ascertained from the assessments referred to in Section 98283 as equalized.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ⇨972(4).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 2046.

§ 98285. Rate; basis; assessment and levy

The board shall on or before the first day of September fix the rate of taxes, designating the number of cents upon each one hundred dollars (\$100) using as a basis the value of property transmitted to the board by the county auditor, which rate of taxation shall be sufficient to raise the amount previously fixed by the board. These acts by the board shall constitute a valid assessment of the property and a valid levy of the taxes so fixed but the rate of taxation shall not exceed the limit imposed by this article.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ⇨971(1).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 2042 et seq.

§ 98286. Statement of rate

The board shall immediately after fixing the rate of taxes as above provided transmit to the county auditor of the county a statement of the rate of taxes fixed by the board.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98287. Collection

The district's taxes so levied shall be collected at the same time and in the same manner as county taxes. When collected the net amount, ascertained as provided in this article, shall be paid to the treasurer of the district, under the general requirements and penalties provided by law for the settlement of other taxes.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Cross References

Collection of taxes, see Revenue and Taxation Code § 2501 et seq.

Library References

Municipal Corporations ⇨978(1).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 2071 et seq.

§ 98288. Apportionment of money paid for redemption of tax sold property

Whenever any real property has been sold for taxes and has been redeemed, the money paid for redemption shall be apportioned and paid to the district by the county treasurer in the proportion which the tax due to the district bears to the total tax for which the property was sold.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ⇨980(5).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 2089.

§ 98289. Compensation for services of county

The compensation to be charged by and paid to any county for the performance of services under this article shall be fixed by agreement between the board of supervisors of the county and the board. The compensation shall in no event exceed one-half of 1 percent of all money collected for the district. The compensation collected by the county shall be placed to the credit of the county general fund.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ⇨978(2).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 2072.

§ 98289.3. Lien

All taxes levied under this article are a lien on the property on which they are levied and shall become a lien at the same time as county taxes. The enforcement of the collection of such taxes shall be in the same manner and by the same means provided by law for the enforcement of liens for county taxes, all the provisions of law relating to the enforcement of the latter being made a part of this article so far as applicable.

(Formerly § 98290, added by Stats.1967, c. 978, p. 2548, § 1. Renumbered § 98289.3 and amended by Stats.1977, c. 672, p. 2191, § 8.)

Historical and Statutory Notes

The 1977 amendment substituted "article" for "part" throughout the section.

Library References

Municipal Corporations ¶975.
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 2058 to
2063.

§ 98289.5. Operative effect of Article 8; cancellation of tax installment

(a) On and after the operative date of the transactions and use tax ordinance pursuant to Article 8.5 (commencing with Section 98290) of this chapter, none of the provisions of this article shall be operative except this section and Section 98289.3.

(b) That portion of any property tax installment payable to the district is canceled if the installment may be paid without a delinquent penalty pursuant to Chapter 2.1 (commencing with Section 2700) of Part 5 of Division 1 of the Revenue and Taxation Code on or after the operative date of the transactions and use tax ordinance.

(Added by Stats.1977, c. 672, p. 2191, § 7.)

Article 8.5

RETAIL TRANSACTIONS AND USE TAX

Section

98290. Ordinance; authority to adopt; law governing; majority vote of electors.

98291. Operative date of ordinance.

98292. Contract with state board of equalization; costs; resolution of disputes.

98293. Contract with state board of equalization; functions relating to ordinance.

98294. Contract with state board of equalization; necessity; operative date of ordinance.

98295. Repeal of ordinance; operative date.

98296. Bonded indebtedness; ordinance calling election; contents.

Article 8.5 was added by Stats.1977, c. 672, p. 2191, § 9.

§ 98290. Ordinance; authority to adopt: law governing; majority vote of electors

A retail transactions and use tax ordinance may be adopted by the board in accordance with the provisions of Part 1.6 (commencing with Section 7251), Division 2 of the Revenue and Taxation Code, provided that a majority of the electors voting on the measure vote to authorize its enactment at a special election called for that purpose by the board.

(Added by Stats.1977, c. 672, p. 2191, § 9.)

Historical and Statutory Notes

Former § 98290, added by Stats.1967, c. 978, § 1, was renumbered § 98289.3 and amended by Stats.1977, c. 672, p. 2191, § 8.

Library References

Taxation ¶1208.

WESTLAW Topic No. 371.

C.J.S. Licenses §§ 7 to 10.

§ 98291. Operative date of ordinance

Any transactions and use tax ordinance adopted shall be operative on the first day of the first calendar quarter commencing not less than 180 days after adoption of the ordinance.

(Added by Stats.1977, c. 672, p. 2191, § 9.)

Library References

Taxation ☞1221.
WESTLAW Topic No. 371.
C.J.S. Licenses §§ 12 to 14.

§ 98292. Contract with state board of equalization; costs; resolution of disputes

The district may contract with the State Board of Equalization for its service in the preparations necessary to administer a transactions and use tax ordinance. The costs to be covered by the contract are to be for services of the types described in Section 7272 of the Revenue and Taxation Code for preparatory work up to the date of the adoption of the ordinance. Any dispute as to the amount of the costs shall be resolved in the same manner as provided in that section.

(Added by Stats.1977, c. 672, p. 2191, § 9.)

Library References

Taxation ☞1331, 1337.
WESTLAW Topic No. 371.
C.J.S. Licenses §§ 51 to 55.

§ 98293. Contract with state board of equalization; functions relating to ordinance

Prior to the operative date of the transactions and use tax ordinance, the district shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of the ordinance.

(Added by Stats.1977, c. 672, p. 2191, § 9.)

§ 98294. Contract with state board of equalization; necessity; operative date of ordinance

If the district shall not have contracted with the State Board of Equalization prior to the operative date of its transactions and use tax ordinance, it shall nevertheless so contract, and, in such case, the operative date shall be the first day of the first calendar quarter following the execution of the contract.

(Added by Stats.1977, c. 672, p. 2191, § 9.)

§ 98295. Repeal of ordinance: operative date

Repeal of the transactions and use tax ordinance shall not be operative earlier than the first day of the first calendar quarter following the adoption of the ordinance of repeal.

(Added by Stats.1977, c. 672, p. 2191, § 9.)

§ 98296. Bonded indebtedness; ordinance calling election; contents

Whenever a bond election is held to authorize a bonded indebtedness pursuant to Article 1 (commencing with Section 98310) of Chapter 7, the ordinance calling the election may include a statement that the transactions and use taxes, or a stated portion thereof, shall be levied, or continued to be levied, and used to the extent required to pay the principal of, and interest on, the bonds as they become due, to provide any sinking fund payments required therefor, and to create or maintain any reserve fund required therefor.

A vote in favor of the issuance of the bonds shall authorize the use of such taxes for such purposes. The transactions and use tax ordinance shall not be repealed until all bonds payable from the revenues derived from such taxes have been fully paid or provision has been made for their payment in full.

(Added by Stats.1977, c. 672, p. 2191, § 9.)

Library References

Municipal Corporations ↯950(1).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1957.

Chapter 6.5

EXISTING SYSTEMS

Section

- 98300. Definitions.
- 98301. Notice to existing system of proposed competing system.
- 98302. Offer to buy facilities.
- 98303. Purchase price; basis.
- 98304. Purchase price; determination.
- 98305. Exemption from control of Public Utilities Commission over transfer,

Chapter 6.5 was added by Stats.1967, c. 978, p. 2548, § 1.

Library References

Municipal Corporations ↯287.
WESTLAW Topic No. 268.
C.J.S. Electricity § 8.
C.J.S. Gas § 2.

§ 98300. Definitions

As used in this chapter:

- (a) "Establish" includes establish, construct, complete, acquire, extend or reroute. It does not, however, include the maintenance and operation of any existing system by the district.

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established by arbitration and upon the method of naming arbitrators and the method of conducting such arbitration. If they do not, the purchase price may be fixed and judgment entered thereon in a suit brought either by the public utility or the district in the superior court in and for the county in which is located that portion of the existing system to be acquired by the district which has the highest value.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98305. Exemption from control of Public Utilities Commission over transfer

Section 851 of the Public Utilities Code does not apply to any contract for sale or sale of an existing system, or any portion thereof, pursuant to this chapter, and the Public Utilities Commission shall have no jurisdiction with respect thereto.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Chapter 7

BONDS

Article	Section
1. Issuance	98310
2. Form and Content	98330
3. Issue and Sale	98340
4. Refunding	98350
5. Status as Investments	98360
6. Validation	98370
7. Revenue Bonds	98380

Chapter 7 was added by Stats.1967 c. 978, p. 2548, § 1.

Cross References

Limitation on borrowing under this chapter, see § 98262.

Article 1

ISSUANCE

- Section
- 98310. Authorization; purpose; limitation.
 - 98311. Determination of necessity; ordinance for special election.
 - 98312. Ordinance for special election; contents.
 - 98313. Propositions at election.
 - 98314. Election; consolidation of elections.
 - 98315. Publication of ordinance as notice of election.
 - 98316. Compliance with Elections Code.
 - 98317. Vote required.
 - 983 18. Resubmission of defeated proposal; mandatory delay.

Article 1 was added by Stats.1967, c. 978, p. 2548, § 1.

§ 98310. Authorization; purpose: limitation

The district may from time to time incur a bonded indebtedness as provided in this chapter to pay the cost of acquiring, constructing or completing the whole or any portion of any transit facilities, or for acquiring any works, lands, structures, rights, equipment, or other property necessary or convenient to carry out the objects, purposes, or powers of the district. The total amount of bonds issued and outstanding shall not exceed 1 percent of the assessed value of the taxable property of the district as shown by the last equalized assessment roll of the County of Santa Cruz.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Cross References

Equalized county assessment roll, see Revenue and Taxation Code § 2050 et seq.

Library References

Municipal Corporations §910, 916.
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1905, 1906,
1912.

§ 98311. Determination of necessity; ordinance for special election

Whenever the board by resolution passed by vote of two-thirds of all its members determines that the public interest or necessity demands the acquisition, construction, or completion by the district of any transit facilities or any works, lands, structures, rights, equipment, or other property necessary or convenient to carry out the objects, purposes, or powers of the district, the cost of which will be too great to be paid out of the ordinary annual income and revenue of the district, it may at any subsequent meetings of the board provide by ordinance for the submission of the proposition of incurring a bonded indebtedness for the purpose set forth in the resolution to the voters of the district at a special bond election held for that purpose.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations §918(2).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1922 to
1925.

§ 98312. Ordinance for special election; contents

The ordinance calling a special bond election shall fix the date on which the election will be held, and the manner of holding the election and of voting for or against incurring the indebtedness. It shall also recite the objects and purposes for which the indebtedness is proposed to be incurred, the estimated cost of the transit facilities, works, lands, structures, rights, equipment, or other property proposed to be acquired, constructed, or completed, the amount of the principal of the indebtedness to be incurred therefor, and the maximum rate of interest to be paid on the indebtedness, which shall not exceed 6 percent per annum, payable semiannually or annually the first year and thereafter semiannually.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98313. Propositions at election

Propositions for incurring indebtedness for more than one object or purpose may be submitted at the same election.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ~~§~~918(4).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1928.

§ 98314. Election; consolidation of elections

Any special bond election may be held separately, or may be consolidated with any other election, the provisions of this chapter setting forth the procedure for the calling and holding of the special bond election shall be complied with, except that the ordinance calling the election need not set forth election precincts, polling places, and officers of election, but may provide that the precincts, polling places, and officers of election shall be the same as those set forth in the ordinance, notice, or other proceedings calling the election with which the special bond election is consolidated, and shall refer to the ordinance, notice, or other proceedings by number and title, or by other definite description.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ~~§~~918(4).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1928.

§ 98315. Publication of ordinance as notice of election

The ordinance shall be published, and no other notice of election need be given.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ~~§~~918(3).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations §§ 1921, 1926.

§ 98316. Compliance with Elections Code

The board shall comply with the provisions of Article 3, (commencing with Section 3780) of Chapter 2 of Division 4 of the Elections Code, the provisions of which are applicable to any bond election held pursuant to this article. Wherever the words "county clerk" appear in the Elections Code the words "secretary of the board" shall be substituted, for the purposes of this article, and wherever the words "board of supervisors" appear in the Elections Code, the words "board of directors" shall be substituted, and wherever the words

“district attorney or county counsel” appear in the Elections Code, the words “attorney for the district” shall be substituted.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations Ⓔ918(4).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1928.

§ 98317. Vote required

The votes of two-thirds ($\frac{2}{3}$) of all voters voting on the proposition at the election are required to authorize the issuance of bonds under this chapter.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98318. Resubmission of defeated proposal; mandatory delay

If the proposition submitted at a special bond election fails to receive the requisite number of votes, the board shall not within six months after the election hold another special election for the submission of a proposition of incurring a bonded indebtedness substantially the same as the proposition voted upon at the prior election unless a petition signed by voters within the district equal in number to at least 15 percent of the total vote cast at the last general statewide election is filed with the board, requesting that the proposition, or a proposition substantially the same, be submitted at an election to be called for that purpose.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations Ⓔ918(5).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1929.

Article 2**FORM AND CONTENT****Section**

- 98330. Maturities.
- 98331. Series; maturities.
- 98332. Interim or temporary obligations.
- 98333. Denominations.
- 98334. Call and redemption provisions.
- 98335. Signatures and countersignatures; coupons.

Article 2 was added by Stats. 1967, c. 978, p. 2548, § 1.

§ 98330. Maturities

Bonds authorized by this chapter shall mature serially in amounts to be fixed by the board; except that payment shall begin not later than 10 years

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from the date thereof and shall be completed in not more than 50 years from that date.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ↻923 et seq.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1935 et seq.

§ 98331. Series: maturities

The board may divide any issue of bonds authorized pursuant to this chapter into two or more series, and may fix different dates of issuance and different maturity dates for the bonds of each series. The bonds of each series shall mature serially in amounts to be fixed by the board, and the board shall fix a date not more than 10 years from the date of issuance of each series for the earliest maturity of such series and shall fix a date not more than 50 years from the date of issuance of each series for the final maturity of such series.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98332. Interim or temporary obligations

Pending the actual issuance or delivery of bonds, a district may issue temporary or interim bonds, certificates, or receipts, of any denomination whatsoever, with or without coupon, and in such form as may be prescribed by the board, to be exchanged for definite bonds when ready for delivery.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98333. Denominations

The bonds shall be issued in such denominations as the board determines, except that no bonds shall be issued of a denomination less than one thousand dollars (\$1,000) and shall be payable on the day and at the place or places fixed in the bond, and with interest at the rate specified therein, payable semiannually.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98334. Call and redemption provisions

The board may at any time prior to the issuance and sale of any bonds provide for the call and redemption of any or all of the bonds on any interest payment date prior to their fixed maturity at not exceeding the par value and accrued interest plus a premium of not exceeding 5 percent upon the principal amount of the bonds, in which event the call price of such redemption shall be set forth on the face of the bond. Notice of such redemption shall be published. If there is no newspaper of general circulation printed and published within the district, then the publication shall be made in a newspa-

§ 98334**TRANSIT DISTRICTS****Div. 10**

per of general circulation, printed and published within the district, then the publication shall be made in a newspaper of general circulation, printed and published within the county, or any part thereof is situated. The first publication shall be at least 30 days prior to the date fixed for the redemption. After the date fixed for such redemption interest on the bonds thereafter shall cease.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98335. Signatures and countersignatures; coupons

The bonds shall be signed by the chairman of the board or by such officer of the district as the board shall by resolution authorize and designate for that purpose. They shall also be signed by the treasurer, and be countersigned by the auditor. The coupons of the bonds shall be numbered consecutively and be signed by the treasurer. All signatures and countersignatures on the bonds, except one of the signatures or countersignatures on the bonds, may be printed, lithographed or engraved. If any officer whose signature or countersignature appears on the bonds or coupons ceases to be such officer before the delivery of the bonds to the purchaser, the signature or countersignature is nevertheless valid and sufficient for all purposes as if he had remained in office until the delivery of the bonds.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Article 3**ISSUE AND SALE****Section**

98340. Price; bids; award; private sale.

98341. Disposition of funds.

98342. Initial interest payments from proceeds in lieu of immediate tax levy.

Article 3 was added by Stats. 1967, c. 978, p. 2548, § 1.

§ 98340. Price; bids; award; private sale

The bonds may be issued and sold for not less than their par value, but otherwise as the board determines. Before selling any bonds, or any part thereof, the board shall give notice inviting sealed bids in such manner as the board may prescribe. If satisfactory bids are received, the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received, or if the board determines that the bids received are not satisfactory as to the price or responsibility of the bidders, the board may reject all bids received, if any, and either again give notice inviting bids or sell the bonds at private sale.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

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§ 98341. Disposition of funds

All premiums and accrued interest received on the sale of bonds shall be placed in the fund to be used for the payment of principal of and interest on the bonds. The remainder of the proceeds of the bonds shall be placed in the district treasury to the credit of the proper fund, and shall be used exclusively for the objects or purposes for which the bonds were voted; provided that when such objects and purposes have been accomplished any moneys remaining shall be transferred to the fund to be used for the payment of principal and interest on the bonds shall have been paid, any balance of money then remaining shall be transferred to the general fund of the district.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98342. Initial interest payments from proceeds in lieu of immediate tax levy

In lieu of the immediate levy of a tax to pay the interest or any part thereof on any bonded indebtedness incurred in accordance with this part the board may, in the estimate of the amount of money necessary to be raised by the bonds, include a sum sufficient to pay interest on all of the bonds or part thereof during the period of acquisition, construction, or completion, but for no period in excess of five years.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Article 4

REFUNDING

Section

- 98350. Authorization.
- 98351. Effect of refunding bonds; call and redemption provisions.
- 98352. Law applicable.
- 98353. Interest rate.
- 98354. Use of proceeds.
- 98355. Exchange.
- 98356. Cancellation of refunded bonds.

Article 4 was added by Stats.1967, c. 978, p. 2548, § 1.

§ 98350. Authorization

Whenever the board by resolution passed by a vote of two-thirds of all its members determines that the refunding of the whole or any portion of the bonded indebtedness will be of advantage to the district, the board may refund the bonded indebtedness or any portion thereof and issue refunding bonds of the district therefor.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98351. Effect of refunding bonds; call and redemption provisions

The issuance of refunding bonds shall not be construed as the incurring or increase of an indebtedness within the meaning of this act, and the approval of the voters is not required for the issuance of refunding bonds. The board may provide for the call and redemption of any or all of the bonds on any interest payment date prior to their fixed maturity in the ordinance authorizing the issuance of the refunding bonds.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98352. Law applicable

Except as otherwise provided, the provisions of this chapter shall substantially govern as to all matters pertaining to the issuance of refunding bonds, including and without limiting the generality of the foregoing, the form, execution, issuance, maturity, redemption, refunding, validation, the payment of interest from bond funds, and the status of the bonds as investments.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98353. Interest rate

Refunding bonds shall bear interest at a rate not exceeding the interest rate on the refunded bonds, but payment of the refunding bonds shall begin not later than one year from the date thereof and be completed in not more than 40 years from that date.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98354. Use of proceeds

The proceeds of the sale of refunding bonds shall be applied only to the purchase, or retirement at not more than par and accrued interest, or the call price, of the bonded indebtedness for which the refunding bonds were issued.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98355. Exchange

In lieu of selling refunding bonds and using the proceeds to purchase or retire the bonds to be refunded, the board may exchange refunding bonds at not less than par and accrued interest for the bonds so refunded,

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98356. Cancellation of refunded bonds

Wherever outstanding bonds are refunded they shall be surrendered to the treasurer of the district, who shall cancel them by endorsing on their face the manner in which the refunding was effected, whether by exchange or purchase, and the amount for which so purchased, (if any) and by perforating

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(Added by Stats.1967, c. 978, p. 2548, § 1.)

Article 5

STATUS AS INVESTMENTS

Section

98360. Legal investments.

9836 1. Legal security.

Article 5 was added by Stats. 1967, c. 978, p. 2548, § 1.

Library References

Municipal Corporations ¶92 1(1).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1930 to
1933.

§ 98360. Legal investments

All bonds including refunding bonds issued by a district are legal invest-
ments for all trust funds and for the funds of all insurance companies, banks,
both commercial and savings, and trust companies, and for the State School
Fund and for all sinking funds under the control of the State Treasurer.
Whenever any money or funds may be invested in or loaned upon the security
of the bonds of the district; and whenever bonds of cities, cities and counties,
counties, or school districts by law may be used as security for the faithful
performance or execution of any court or private trust or of any other act,
bonds of the district may be used.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98361. Legal security

All bonds of the district, to the same extent as bonds of any other municipi-
pality, are legal for use by any other municipality, are legal for use by any
state or national bank or banks in the state as security for the deposit of funds
of the state or of any county, city and county, city, municipality or other
public or municipal corporation within the state.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Article 6

VALIDATION

Section

98370. Action.

Article 6 was added by Stats. 1967, c. 978, p. 2548, § 1.

Library References

Municipal Corporations ⇨917(2).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1919.

§ 98370. Action

An action to determine validity of bonds, including refunding bonds, may be brought pursuant to Chapter 9 (commencing with Section 860) of Title 10 of Part 2 of the Code of Civil Procedure.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Article 7**REVENUE BONDS****Section**

98380. Authorization.
98381. Local agency; enterprise.

Article 7 was added by Stats.1967 c. 978, p. 2548, § 1.

Library References

Municipal Corporations ⇨950(1) et seq.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1957.

§ 98380. Authorization

As an alternative procedure for the raising of funds, the districts may issue bonds, payable from revenues of any facility or enterprise to be acquired or constructed by the district, in the manner provided by the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code), all of the provisions of which are applicable to the district.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98381. Local agency: enterprise

The district is a local agency within the meaning of the Revenue Bond Law of 1941 (Chapter 6 (commencing with Section 54300) of Part 1 of Division 2 of Title 5 of the Government Code). The term "enterprise" as used in the Revenue Bond Law of 1941 shall, for all purposes of this part, include transit facilities and any and all parts thereof and all additions, extensions and improvements thereto and all other facilities authorized to be acquired, constructed, or completed by a district or, in the alternative, may issue revenue bonds under the Revenue Bond Law of 1941, for the acquisition, construction and completion of any one of such facilities. Nothing in this article shall prevent the district from availing itself of, or making use of, any procedure provided in this part for the issuance of bonds of any type or

character for any of the facilities or works authorized hereunder, and all proceedings may be carried on simultaneously or in the alternative, as the directors may determine.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Chapter 8
ANNEXATION

Section

- 98390. Authority.
- 98391. Finding; resolution; approval.
- 98392. Resolution; contents.
- 98393. Publication of resolution.
- 98394. Hearing; determination; boundaries.
- 98395. Order for annexation.
- 98396. Liabilities and benefits of annexed territory.

Chapter 8 was added by Stats. 1967, c. 978, p. 2.548, § 1.

§ 98390. Authority

Territory may be annexed to the district in the manner provided in this chapter. Territory to be annexed need not be contiguous to the present district.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations [§29\(2\)](#).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 43.

§ 98391. Finding; resolution; approval

Whenever the board finds and determines that additional territory will be benefited by annexation to the district, it shall pass a resolution to that effect. Approval of the local agency formation commission shall be required for such annexation, and shall be obtained before the board holds its hearing.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations [§33\(2\)](#).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 53.

§ 98392. Resolution; contents

The resolution shall be passed by a vote of two-thirds of the members of the board and shall:

- (a) Describe the boundaries of the territory proposed to be annexed.

Section

99025. Powers granted by chapter deemed additional.
99026. Short title.

Chapter 1 was added by Stats.1968, c. 1325, p. 2510, § 1.

§ 99000. Power to incur bonded indebtedness; resolution

Whenever the board of directors of any transit district or rapid transit district finds that areas adjacent to any transit station of the district, exclusive of any right-of-way of a common carrier, receive special benefit by reason of the operation thereof and deems it necessary to incur a bonded indebtedness for the acquisition, construction, completion or repair of any or all improvements, works, property or facilities otherwise authorized by law for such district, or convenient *or* necessary to carry out the powers of the district, and to provide for such bonded indebtedness to be payable from a special assessment tax levied upon less than all the real property of the district, it shall, by resolution adopted by a vote of two-thirds of all members of the board so declare and state:

(a) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs incidental to or connected with the accomplishment of such purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant, bond and other reserve funds, working capital, bond interest estimated to accrue during the construction period and for a period not to exceed three years thereafter, and expenses of all proceedings for the authorization, issuance and sale of the bonds;

(b) The estimated cost of accomplishing said purposes and the amount of the principal of the indebtedness to be incurred;

(c) That the board intends to form a special benefit district of a portion of the district which in the opinion of the board will be benefited, the exterior boundaries of which portion are set forth on a map on file with the secretary of the district, which map shall govern for all details as to the extent of the proposed benefit district, and to call an election in such proposed benefit district on a date to be fixed, for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the district for said benefit district;

(d) That assessments for the payment of said bonds and the interest thereon shall be levied exclusively upon the taxable land in the benefit district, except for any right-of-way of a common carrier;

(e) The extent to which, if at all, all or a portion of the revenues of the district are to be used to pay the principal of, interest on, and sinking fund payments for, said bonds, including the establishment and maintenance of any reserve fund therefor;

(f) That a general description of the proposed construction area, together with a map showing the exterior boundaries of said proposed benefit district with relation to the territory immediately contiguous thereto and to the

proposed improvement is on file with the secretary of the district and is available for inspection by any person or persons interested;

(g) The time and place for a hearing by the board on the questions of the formation of said proposed benefit district, the extent thereof, the proposed construction, the estimated cost and the amount of debt to be incurred;

(h) That at the time and place specified in the resolution any person interested, including all persons owning property in the district or in the proposed benefit district, will be heard; and

(i) That at the same time as the board of supervisors is required by law to fix the general tax levy and in the manner provided for such general tax levy, the board of directors shall levy and collect upon all land in the proposed benefit district, except for any right-of-way of a common carrier, an **ad valorem** assessment at a uniform rate which is sufficient, together with revenues already collected and available therefor, to pay the interest on the said bonds as the same will become due and such part of the principal thereof, including any sinking fund installments required by any of the district's agreements with holders of bonds issued for the benefit district, as will become due before the proceeds of an assessment levied at the time of the next general tax levy will be available for such purposes, and sufficient to provide or to restore such reserve fund to the amount required by any of the district's agreements with holders of bonds issued for the benefit district.
(Added by Stats.1968, c. 1325, p. 2510, § 1.)

Law Review Commentaries

Rapid transit financing: Use of special assessment. (1977) 29 *Stan.L.R.* 795.

Library References

Municipal Corporations ¶962, 969(1).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1993, 1994,
2037 et seq.

§ 99001. Establishment of special benefit districts; separate zones

The board of directors of any transit district or rapid transit district may establish one or more special benefit districts within the district pursuant to this chapter. Any special benefit district may contain separate zones, which may consist of either contiguous or noncontiguous areas of land within the district. Each zone within a special benefit district shall be an area adjacent to a transit station which the board determines will receive special benefit by reason of the operation of transit facilities but all zones within a special benefit district need not be adjacent to the same transit station.

(Added by Stats.1968, c. 1325, p. 2511, § 1.)

Library References

Municipal Corporations ¶450(1), (2).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations § 1359 et seq.

§ 99002. District containing two or more zones; resolution incurring bonded indebtedness

Whenever the board of directors of any transit district or rapid transit district finds that areas adjacent to two or more transit stations of the district, exclusive of any right-of-way of a common carrier, receive special benefit by reason of the operation thereof and deems it necessary to form a special benefit district containing two or more zones, in order to incur a bonded indebtedness for the acquisition, construction, completion or repair of any or all improvements, works, property or facilities otherwise authorized by law for such district, or convenient or necessary or carry out the powers of the district, and in order to provide for such bonded indebtedness to be payable from a special assessment tax levied upon less than all the real property of the district, it shall, by a resolution adopted by a vote of two-thirds of all members of the board, declare and state:

(a) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs incidental to or connected with the accomplishment of such purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant, bond and other reserve funds, working capital, bond interest estimated to accrue during the construction period and for a period not to exceed three years thereafter, and expenses of all proceedings for the authorization, issuance and sale of the bonds;

(b) The estimated cost of accomplishing said purposes and the amount of the principal of the indebtedness to be incurred;

(c) That the board intends to form a special benefit district composed of a specified number of zones within a portion of the territory of the district, which in the opinion of the board will be benefited, and that the exterior boundaries of each such zone within the special benefit district are set forth on a map on file with the secretary of the district, which map shall govern for **all** details as to the extent of the zones within the proposed benefit district;

(d) That the board intends to call an election in all zones of the proposed benefit district on a date to be fixed for the purpose of submitting to the qualified voters of the proposed benefit district the proposition of incurring indebtedness by the issuance of bonds of the district for the special benefit district, which shall be deemed for all purposes to be a single election;

(e) That assessments for the payment of the bonds and the interest thereon shall be levied exclusively upon the taxable land in all zones of the benefit district, except for any right-of-way of a common carrier, at a uniform rate to pay the indebtedness of the entire special benefit district;

(f) The extent to which, if at all, all or a portion of the revenues of the district are to be used to pay the principal of, interest on, and sinking fund payments for, said bonds, including the establishment and maintenance of any reserve fund therefor;

(g) That a general description of each proposed construction area, together with a map showing the exterior boundaries of each zone of the benefit

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district with relation to the territory contiguous thereto and to the proposed improvements, is on file with the secretary of the district and is available for inspection by any person or persons interested;

(h) The time and place for a hearing by the board on the questions of the formation of said proposed benefit district, the extent thereof, the proposed construction, the estimated cost and the amount of debt to be incurred;

(i) That at the time and place specified in the resolution any person interested, including all persons owning property in the district or in the proposed benefit district, will be heard; and

(j) That at the same time as the board of supervisors is required by law to fix the general tax levy and in the manner provided for such general tax levy, the board of directors shall levy and collect upon all land in each zone of the proposed benefit district, except for any right-of-way of a common carrier, an **ad valorem** assessment at a uniform rate which is sufficient, together with revenues already collected and available therefor, to pay the interest on the said bonds as the same will become due and such part of the principal thereof, including any sinking fund installments required by any of the district's agreements with holders of bonds issued for the benefit district, as will become due before the proceeds of an assessment levied at the time of the next general tax levy will be available for such purposes, and sufficient to provide or to restore such reserve fund to the amount required by any of the district's agreements with holders of bonds issued for the benefit district.

(Added by Stats.1968, c. 1325, p. 2512, § 1.)

Library References

Municipal Corporations **§ 969(1)**.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations **§ 2037 et seq.**

§ 99003. Hearing: notice

The notice of the time and place of hearing specified in either Section 99000 or Section 99002 shall be given by publishing a copy of the resolution declaring the necessity pursuant to Section 6066 of the Government Code prior to the time fixed for the hearing in at least one newspaper published in the district.

(Added by Stats.1968, c. 1325, p. 2513, § 1.)

Library References

Municipal Corporations **§ 969(1)**.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations **§ 2037 et seq.**

§ 99004. Proceeding with hearing

At the time and place so fixed, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the district or within the proposed benefit district, may appear and present

any matters material to the questions set forth in the resolution declaring the necessity.

(Added by Stats.1968, c. 1325, p. 2513, § 1.)

§ 99005. Power of board to make changes; presumption

The board shall have power to change the purposes for which the proposed debt is to be incurred, or the estimated cost, or the amount of bonded debt to be incurred, or the boundaries of said proposed benefit district or any zone therein, or one or all of said matters; provided, however, that said board shall not change such boundaries so as to include any territory which will not, in its judgment, be benefited by said construction. For all purposes of this chapter, it shall be conclusively presumed that any right-of-way of a common carrier will not be benefited by said construction.

(Added by Stats.1968, c. 1325, p. 2513, § 1.)

Library References

Municipal Corporations ¶911.

WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1907, 1908.

§ 99006. Notice of intention to make changes

The purposes, estimated cost, amount of bonded debt or boundaries shall not be changed by said board except after notice of its intention to do so, given by publication pursuant to Section 6061 of the Government Code in at least one newspaper published in the district. Said notice shall state the changed purposes and estimated cost and debt proposed and that the exterior boundaries as proposed to be changed are set forth on a map on file with the secretary of the district, which map shall govern for all details as to the extent of the proposed benefit district and as to any zone contained therein, and specify the time and place for hearing on such change or changes, which time shall be at least ten days after publication of said notice.

(Added by Stats.1968, c. 1325, p. 2514, § 1.)

§ 99007. Proceeding with hearing on changes

At the time and place so fixed, or at any time and place to which the hearing is adjourned, the board shall proceed with the hearing. At the hearing any person interested, including any person owning property within the district or the proposed benefit district, may appear and present any matters material to the changes stated in the notice.

(Added by Stats.1968, c. 1325, p. 2514, § 1.)

§ 99008. Resolution of necessity to incur bonded indebtedness and purposes

At the conclusion of the hearing the board shall by resolution determine whether it is deemed necessary to incur the bonded indebtedness, and, if so,

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the resolution shall also state the purposes for which said proposed debt is to be incurred, the estimated cost of accomplishing said purposes, the amount of the proposed debt, that the exterior boundaries of the portion of the district which will be benefited are set forth on a map on file with the secretary of the district, which map shall govern for all details as to the extent of the benefit district, and that said portion of the district set forth on said map shall thereupon constitute and be known as "Benefit District No. __ of the _____ Transit District," and the determinations made in said resolution shall be final and conclusive.

(Added by Stats.1968, c. 1325, p. 2514, § 1.)

§ 99009. Proceedings for authorization and issuance of bonds; assessments

After the formation of such benefit district within the district and after the assessments have been confirmed pursuant to this chapter, all proceedings for the authorization and issuance of bonds of the district for such benefit district shall be limited and shall apply only to the benefit district; and assessments for the payment of said bonds and the interest thereon, except as otherwise provided in the resolution of necessity, shall be levied exclusively upon the land in the benefit district, except for any right-of-way of a common carrier; and the revenues of the district shall be used only to the extent set forth in the resolution declaring the necessity. If zones have been established within the benefit district, the ad valorem assessment shall be imposed at a uniform rate throughout all zones of the benefit district to pay the principal and interest on all bonds of the district issued for the benefit district.

(Added by Stats.1968, c. 1325, p. 2514, § 1.)

Library References

Municipal Corporations **§**971(1).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations **§** 2042 et seq.

§ 99010. Election ordinance; contents

After the board has made its determination of the matters required to be determined by this chapter, and if the board deems it necessary to incur the bonded indebtedness, the board shall by ordinance call a special election in said benefit district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the district for said benefit district. Said ordinance shall state:

- (a) That the board deems it necessary to incur the bonded indebtedness.
- (b) The purposes for which the bonded indebtedness will be incurred.
- (c) The estimated cost of accomplishing said purposes.
- (d) The amount of the principal of the indebtedness to be incurred.
- (e) The benefit district to be benefited by said indebtedness, as set forth in the resolution making determinations, and that a map showing the exterior

boundaries of said benefit district and all zones contained therein is on file with the secretary of the district, which map shall govern for all details as to the extent of the benefit district.

(f) That assessments for the payment of such bonds and the interest thereon shall be levied exclusively and at a uniform rate upon the land in said benefit district and all zones contained therein, except for any right-of-way of a common carrier; and that revenues of the district shall be used only to the extent set forth in the resolution declaring the necessity.

(g) The maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 50 years from the date thereof or the date of each series thereof.

(h) The maximum rate of interest to be paid, which shall not exceed 6 percent per annum.

(i) The proposition to be submitted to the voters which may include one or more purposes.

(j) The date of the election.

(k) The manner of holding the election and the procedure for voting for and against the measure.

(Added by Stats.1968, c. 1325, p. 2515, § 1.)

Law Review Commentaries

Police and fire service special assessments under Proposition 13. (1982) 16 U.S.F.L.Rev. 781.

Library References

Municipal Corporations ¶918(2).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1922 to 1925.

§ 99011. Notice of election; conduct; counting of votes

Notice of the holding of such election shall be given by publishing, pursuant to Section 6066 of the Government Code, the ordinance calling the election in at least one newspaper published in such district. No other notice of such election need be given. Except as otherwise provided in the ordinance, the election shall be conducted as other district elections. If a special benefit district has been divided into zones, the votes cast in all zones shall be counted as in the case of a benefit district without such zones to determine the outcome of the election.

(Added by Stats.1968, c. 1325, p. 2515, § 1.)

Law Review Commentaries

Police and fire service special assessments under Proposition 13. (1982) 16 U.S.F.L.Rev. 781.

Library References

Municipal Corporations ¶918(3), (4).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1921, 1926, 1928.

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§ 99012. Resubmission; waiting period; exception

If any proposition is defeated by the electors, the board shall not call another election on a substantially similar proposition to be held within six months after the prior election. If a petition requesting submission of such a proposition, signed by 15 percent of the benefit district electors, as shown by the votes cast for all candidates for governor at the last gubernatorial election, is filed with the board, it may call an election before the expiration of six months.

(Added by Stats.1968, c. 1325, p. 2515, § 1.)

Law Review Commentaries

Police and fire service special assessments under Proposition 13. (1982) 16 U.S.F.L.Rev. 781.

Library References

Municipal Corporations ¶918(5).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1929.

§ 99013. Required vote for approval; resolution for issuance; amount; maturity; term; form of bonds and coupons; time for payment of principal

If $66\frac{2}{3}$ percent of the electors in the entire benefit district voting on the proposition vote for it, then the board may, by resolution, at such time or times as it deems proper, issue bonds of the district for the benefit district for the whole or any part of the amount of the indebtedness so authorized and may from time to time, by resolution, provide for the issuance of such amounts as the necessity thereof may appear, until the full amount of such bonds authorized shall have been issued. Said full amount of bonds may be divided **into** two or more series and different dates and different dates of payment fixed for the bonds of each series. A bond need not mature on an anniversary of its date. The maximum term the bonds of any series shall run before maturity shall not exceed 50 years from the date of each series respectively. In such resolution or resolutions the board shall prescribe the form of the bonds (including, without limitation, registered bonds and coupon bonds) and the form of any coupons to be attached thereto, the registration, conversion and exchange privileges, if any, pertaining thereto, and fix the time when the whole or any part of the principal shall become due and payable.

(Added by Stats.1968, c. 1325, p. 2516, § 1.)

Law Review Commentaries

Police and fire service special assessments under Proposition 13. (1982) 16 U.S.F.L.Rev. 781.

Library References

Municipal Corporations ~~§~~918(4), 923 et seq. WESTLAW Topic No. 268. C.J.S. Municipal Corporations §§ 1928, 1935 et seq.

§ 99013.5. Districts authorized to issue bonds subject to approval by other than 66²/₃ percent of electors voting; application for approval

Notwithstanding the provisions of Section 99013, if a rapid transit district is authorized to issue bonds subject to approval by a percentage of the electors voting other than 66²/₃ percent, such other percentage of the electors voting shall apply for purposes of the approval of bonds issued by the rapid transit district under this chapter.

(Added by Stats.1969, c. 635, p. 1286, § 1.)

Law Review Commentaries

Police and fire service special assessments under Proposition 13. (1982) 16 U.S.F.L.Rev. 781.

Library References

Municipal Corporations ~~§~~906. WESTLAW Topic No. 268. C.J.S. Municipal Corporations §§ 1902 to 1904.

§ 99014. Interest; call and redemption prior to maturity; denominations; payment of principal and interest; signatures

The bonds shall bear interest at a rate or rates not exceeding 6 percent per annum, payable semiannually, except that the first interest payable on the bonds or any series thereof may be for any period not exceeding one year as determined by the board. In the resolution or resolutions providing for the issuance of such bonds the board may also provide for call and redemption of such bonds prior to maturity at such times and prices and upon such other terms as it may specify, provided that no bond shall be subject to call or redemption prior to maturity unless it contains a recital to that effect or unless a statement to that effect is printed thereon. The denomination or denominations of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one thousand dollars (\$1,000). The principal of and interest on such bonds shall be payable in lawful money of the United States at the office of the treasurer of the district or at such other place or places as may be designated, or at either place or places at the option of the holders of the bonds. The bonds shall be dated, numbered consecutively and shall be signed by the president and treasurer, countersigned by the secretary and the official seal of the district attached. The interest coupons of such bonds shall be signed by the treasurer. All such signatures, countersignatures and seal may be printed, lithographed or mechanically reproduced, except that one of such signatures or countersignatures on the bonds shall be manually affixed. If any officer whose signature or countersignature appears

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on bonds or coupons ceases to be such officer before the delivery of the bonds, his signature is as effective as if he had remained in office.

(Added by Stats.1968, c. 1325, p. 2516, § 1.)

Library References

Municipal Corporations ~~§~~923 to 926, 953, C.J.S. Municipal Corporations §§ 1935 to 954.
WESTLAW Topic No. 268. 1941, 1955.

§ 99015. Minimum prices: bids; readvertisement or private sale

The bonds may be sold as the board determines by resolution but for not less than par. Before selling the bonds, or any part thereof, the board shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received or if the board determines that the bids received are not satisfactory as to price or responsibility of the bidders the board may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

(Added by Stats.1968, c. 1325, p. 2517, § 1.)

Library References

Municipal Corporations ~~§~~921(1). C.J.S. Municipal Corporations §§ 1930 to WESTLAW Topic No. 268. 1933.

§ 99016. Delivery of bonds: payment in cash or bank credits

Delivery of any bonds may be made at any place either inside or outside the state, and the purchase price may be received in cash or bank credits.

(Added by Stats.1968, c. 1325, p. 2517, § 1.)

Library References

Municipal Corporations ~~§~~929.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1948.

§ 99017. Division of sale proceeds

All accrued interest and premiums received on the sale of bonds shall be placed in the fund to be used for the payment of principal of and interest on the bonds and the remainder of the proceeds of the bonds shall be placed in the treasury to the credit of the proper benefit fund and applied exclusively to the purposes for which the debt was incurred; provided, however, that when said purposes have been accomplished any moneys remaining in such benefit fund (a) shall be transferred to the fund to be used for the payment of principal of and interest on the bonds, or (b) shall be placed in a fund to be used for the purchase of outstanding bonds of the benefit district from time to time in the open market at such prices and in such manner, either at public or private sale or otherwise, as the board may determine. Bonds so purchased shall be canceled immediately.

(Added by Stats.1968, c. 1325; p. 2517, § 1.)

Library References

Municipal Corporations §921(3).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1934.

§ 99018. Ordinance invalidating authorization to issue unsold bonds

After the expiration of three years after a bond election the board may determine, by ordinance adopted by a vote of two-thirds of all the members of the board, that any or all of the bonds authorized at said election remaining unsold shall not be issued or sold. When the ordinance takes effect, the authorization to issue said bonds shall become void.

(Added by Stats.1968, c. 1325, p. 2517, § 1.)

Library References

Municipal Corporations §929.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1948.

§ 99019. Issuance of bonds or use of proceeds for other purposes; ordinance calling election

Whenever the board deems that the expenditure of money for the purposes for which the bonds were authorized by the voters is impractical or unwise, it may, by ordinance adopted by a vote of two-thirds of all members of the board, so declare and call an election to be held in the district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of such bonds for some other purposes or, in the case where bonds have been sold, the proposition to use the proceeds for some other purposes. The procedure, so far as applicable, shall be the same as when a bond proposition is originally submitted.

(Added by Stats.1968, c. 1325, p. 2517, § 1.)

Library References

Municipal Corporations §929.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1948.

§ 99020. Refunding bonds

The board may provide for the issuance, sale or exchange of refunding bonds to redeem or retire any bonds issued by the district upon the terms, at the times and in the manner which it determines. Refunding bonds may be issued in a principal amount sufficient to pay all or any part of the principal of such outstanding bonds, the interest thereon and the premiums, if any, due upon call and redemption thereof prior to maturity and all expenses of such refunding. The provisions of this chapter for issuance and sale of bonds apply to the issuance and sale of such refunding bonds; except that (i) no election need be called or held for the purpose of authorizing the issuance of refunding bonds, and (ii) when refunding bonds are to be exchanged for

outstanding bonds the method of exchange shall be as determined by the board.

(Added by Stats.1968, c. 1325, p. 2517, § 1.)

Library References

Municipal Corporations **§**913.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations **§** 1910.

§ 99021. Applicable statutes

The provisions of Article 4 (commencing with Section 53500) of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code are applicable to the district.

(Added by Stats.1968, c. 132.5, p. 2518, § 1.)

§ 99022. Legal investments

Any bonds which shall be issued under the provisions of this chapter shall be legal investment for all trust funds; for the funds of insurance companies, banks-both commercial and savings-and trust companies; and for state school funds; and whenever any money or funds may, by any law now or hereafter enacted, be invested in bonds of cities, cities and counties, counties, school districts, or other districts within the State of California, such money or funds may be invested in the bonds issued under this part, and whenever bonds of cities, cities and counties, counties, school districts, or other districts within this state may, by any law now or hereafter enacted, be used as security for the performance of any act or the deposit of any public moneys, the said bonds issued under this part may be so used. The provisions of this article shall be in addition to all other laws relating to legal investments and shall be controlling as the latest expression of the Legislature with respect thereto.

(Added by Stats.1968, c. 1325, p. 2518, § 1.)

Library References

Municipal Corporations **§**921(1). C.J.S. Municipal Corporations **§§** 1930 to
WESTLAW Topic No. 268. 1933.

§ 99023. Actions contesting validity of formation of district or of bonds; limitation

Any action or proceeding, wherein the validity of the formation of the benefit district or of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three (3) months from the date of such election; otherwise, said bonds and all proceedings in relation thereto, including the formation of the benefit district, shall be held to be valid and in every respect legal and incontestable.

(Added by Stats.1968, c. 1325, p. 2518, § 1.)

Library References

Municipal Corporations \S 450(1), 917(2).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations $\S\S$ 1359 et
seq., 1919.

§ 99024. Certification to assessor; levy and collection of assessments

If $66\frac{2}{3}$ percent of the electors of the benefit district voting on the proposition at the special election called pursuant to Section 99011 have voted in favor of it and the board has issued a resolution for the issuance of bonds and has imposed the assessments, the secretary shall so certify to the assessor of the county or counties in which territory of the benefit district is located and deliver to the assessor copies of all maps and diagrams of the benefit district and the assessments to be levied on the lots or parcels of land therein. The assessments authorized by this chapter shall be levied and collected at the same time and in the same manner by the county or counties as taxes are levied and collected.

(Added by Stats.1968, c. 1325, p. 2518, \S 1.)

Library References

Municipal Corporations \S 972(5).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations \S 2053.

§ 99025. Powers granted by chapter deemed additional

The powers granted to transit districts and rapid transit districts by this chapter shall be in addition to any powers otherwise granted to such districts by law.

(Added by Stats.1968, c. 1325, p. 2518, \S 1.)

Library References

Municipal Corporations \S 60.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations $\S\S$ 142, 153.

§ 99026. Short title

This part may be cited as "the Mills Act."

(Added by Stats.1968, c. 1325, p. 2518, \S 1.)

Chapter 2**LOCAL TRANSPORTATION SYSTEMS****Section**

99100. Power to incur bonded indebtedness; resolution.

99101. Establishment of special benefit districts; separate zones.

99102. District containing two or more zones; resolution incurring bonded indebtedness.

99103. Hearing; notice.

99104. Proceeding with hearing.

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99105. Power to make changes; exception; presumption.
99106. Notice of intention to make changes.
99107. proceeding with hearing on changes.
99108. Resolution of necessity to incur bonded indebtedness and purposes.
99109. proceeding for authorization and issuance of bonds; assessments.
99110. Election ordinance; contents.
99111. Notice of election; counting of votes.
99112. Resubmission; waiting period; exception.
99113. Required vote for approval; resolution for issuance; amount; maturity; term; form of bonds and coupons; time for payment of principal.
99114. Interest; call and redemption prior to maturity; denominations; payment of principal and interest; signatures.
99115. Minimum prices; bids; readvertisement or private sale.
99116. Delivery of bonds; payment in cash or bank credits.
99117. Division of sale proceeds.
99118. Ordinance invalidating authorization to issue unsold bonds.
99119. Issuance of bonds or use of proceeds for other purposes; ordinance calling election.
99120. Refunding bonds.
99121. Applicable statutes.
99122. Legal investments.
99123. Actions contesting formation of district or of bonds; limitation.
99124. Certification to assessor; levy and collection of assessments.
99125. Pledge of general fund revenues to pay bonded indebtedness.

Chapter 2 was added by Stats.1968, c. 1325, p. 2.519, § 1.

§ 99100. Power to incur bonded indebtedness; resolution

Whenever the legislative body of any city, or the board of supervisors of any city and county owns, a municipal transportation system, either by means of an independent transit authority established by charter or otherwise, and the legislative body or board of supervisors finds that areas adjacent to any station of the transportation system or along the route or lines of the transportation system, exclusive of any right-of-way of a common carrier, receive special benefit by reason of the operation thereof and the legislative body or board of supervisors deems it necessary to incur a bonded indebtedness for the acquisition, construction, completion or repair of any or all improvements, works, property or facilities for such system, or convenient or necessary to carry out the purposes of the system, and to provide for such bonded indebtedness to be payable from a special assessment levied upon less than all the real property of the city or city and county, it shall, by a resolution adopted by a vote of two-thirds of all members of the legislative body or board of supervisors, declare and state:

(a) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs incidental to or connected with the accomplishment of such purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant, bond and other reserve funds, working capital, bond interest estimated to accrue during the construction period and for a period not to exceed three years thereafter, and expenses of all proceedings for the authorization, issuance and sale of the bonds;

(b) The estimated cost of accomplishing said purposes and the amount of the principal of the indebtedness to be incurred;

(c) That the legislative body or board of supervisors intends to form a special benefit district of a portion of the territory of the city or city and county which in the opinion of the legislative body or board of supervisors will be benefited, the exterior boundaries of which portion are set forth on a map on file with the clerk of the legislative body or the clerk of the board of supervisors, which map shall govern for all details as to the extent of the proposed benefit district, and to call an election in such proposed benefit district on a date to be fixed, for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the city or city and county for said benefit district;

(d) That assessments for the payment of said bonds and the interest thereon shall be levied exclusively upon the taxable land in the benefit district, except for any right-of-way of a common carrier;

(e) The extent to which, if at all, all or a portion of the revenues of the city or city and county are to be used to pay the principal of, interest on, and sinking fund payments for, said bonds, including the establishment and maintenance of any reserve fund therefor;

(f) That a general description of the proposed construction area, together with a map showing the exterior boundaries of said proposed benefit district with relation to the territory immediately contiguous thereto and to the proposed improvement is on file with the clerk of the legislative body or the clerk of the board of supervisors and is available for inspection by any person or persons interested;

(g) The time and place for a hearing by the legislative body or the board of supervisors on the questions of the formation of said proposed benefit district, the extent thereof, the proposed construction, the estimated cost and the amount of debt to be incurred;

(h) That at the time and place specified in the resolution any person interested, including all persons owning property in the city or city and county or in the proposed benefit district, will be heard; and

(i) That at the same time as the board of supervisors is required by law to fix the general tax levy and in the manner provided for such general tax levy, the legislative body of any city, or the board of supervisors of any city and county shall levy and collect upon **all land** in the proposed benefit district, except for any right-of-way of a common carrier, an **ad valorem** assessment at a uniform rate which is sufficient, together with revenues already collected and available therefor, to pay the interest on the said bonds as the same will become due and such part of the principal thereof, including any sinking fund installments required by any of the system's agreements with holders of bonds issued for the benefit district, as will become due before the proceeds of an assessment levied at the time of the next general tax levy will be available for such purposes, and sufficient to provide or to restore such

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reserve fund to the amount required by any of the system's agreements with holders of bonds issued for the benefit district.

(Added by Stats.1968, c. 1325, p. 2519, § 1.)

Library References

Municipal Corporations **§§** 962, 969(1).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations **§§** 1993, 1994,
2037 et seq.

§ 99101. Establishment of special benefit districts; separate zones

The legislative body of any city or the board of supervisors of any city and county may establish one or more special benefit districts within the city and county pursuant to this chapter.

Any special benefit district may contain separate zones, which may consist of either contiguous or noncontiguous areas of land within the city or city and county. Each zone within a special benefit district shall be an area adjacent to a station of the municipal transportation system or along the route or lines of such system which the legislative body or board of supervisors determines will receive special benefit by reason of the operation of transportation facilities but all zones within a special benefit district need not be adjacent to the same station or adjacent to the same portion of the route or lines.

(Added by Stats.1968, c. 1325, p. 2520, § 1.)

Library References

Municipal Corporations **§§** 450(1), (2).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations **§§** 1359 to
1362.

§ 99102. District containing two or more zones; resolution incurring bonded indebtedness

Whenever the legislative body of a city or the board of supervisors of a city and county finds that areas adjacent to two or more stations of the municipal transportation system or adjacent to different portions of the system's route or lines, exclusive of any right-of-way of a common carrier, receive special benefit by reason of the operation of such system and deems it necessary to form a special benefit district containing two or more zones, in order to incur a bonded indebtedness for the acquisition, construction, completion or repair of any or all improvements, works, property or facilities for the municipal transportation system, or convenient or necessary to carry out the functions of the system, and in order to provide for such bonded indebtedness to be payable from a special assessment tax levied upon less than all the real property of the city or city and county, it shall, by a resolution adopted by a vote of two-thirds of all members of the board, declare and state:

(a) The purposes for which the proposed debt is to be incurred, which may include all costs and estimated costs incidental to or connected with the accomplishment of such purposes, including, without limitation, engineering, inspection, legal, fiscal agents, financial consultant, bond and other reserve

funds, working capital, bond interest estimated to accrue during the construction period and for a period not to exceed three years thereafter, and expenses of all proceedings for the authorization, issuance and sale of the bonds;

(b) The estimated cost of accomplishing said purposes and the amount of the principal of the indebtedness to be incurred;

(c) That the legislative body or board of supervisors intends to form a special benefit district composed of a specified number of zones within a portion of the territory of the city or city and county, which in the opinion of the legislative body or board of supervisors will be benefited, and that the exterior boundaries of each such zone within the special benefit district are set forth on a map on file with the clerk of the legislative body or board of supervisors, which map shall govern for all details as to the extent of the zones within the proposed benefit district;

(d) That the legislative body or board of supervisors intends to call an election in all zones of the proposed benefit district on a date to be fixed for the purpose of submitting to the qualified voters of the proposed benefit district the proposition of incurring indebtedness by the issuance of bonds of the city or city and county for the special benefit district, which shall be deemed for all purposes to be a single election;

(e) That assessments for the payment of the bonds and the interest thereon shall be levied exclusively upon the taxable land in all zones of the benefit district, except for any right-of-way of a common carrier, at a uniform rate to pay the indebtedness of the entire special benefit district;

(f) The extent to which, if at all, all or a portion of the revenues of the city or city and county are to be used to pay the principal of, interest on, and sinking fund payments for, said bonds, including the establishment and maintenance of any reserve fund therefor;

(g) That a general description of each proposed construction area, together with a map showing the exterior boundaries of each zone of the benefit district with relation to the territory contiguous thereto and to the proposed improvements, is on file with the clerk of the legislative body or board of supervisors and is available for inspection by any person or persons interested;

(h) The time and place for a hearing by the legislative body or board of supervisors on the questions of the formation of said proposed benefit district, the extent thereof, the proposed construction, the estimated cost and the amount of debt to be incurred;

(i) That at the time and place specified in the resolution any person interested, including all persons owning property in the county or city and county or in the proposed benefit district, will be heard; and

(j) That at the same time as the board of supervisors is required by law to fix the general tax levy and in the manner provided for such general tax levy, the legislative body of any city, or the board of supervisors of any city and county shall levy and collect upon all land in the proposed benefit district, except for any right-of-way of a common carrier, an ad valorem assessment at

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(Added by Stats.1968, c. 1325, p. 2521, § 1.)

§ 99103. Hearing; notice

Notice of the time and place of the hearing specified in Section 99100 or 99102 shall be given by publishing a copy of the resolution declaring the necessity pursuant to Section 6066 of the Government Code prior to the time fixed for the hearing in at least one newspaper published in the city or city and county.

(Added by Stats.1968, c. 1325, p. 2522, § 1.)

Library References

Municipal Corporations ~~§~~969(1).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 2037 et seq.

§ 99104. Proceeding with hearing

At the time and place so fixed, or at any time and place to which the hearing is adjourned, the legislative body or board of supervisors shall proceed with the hearing. At the hearing any person interested, including any person owning property within the city or city and county or within the proposed benefit district, may appear and present any matters material to the questions set forth in the resolution declaring the necessity.

(Added by Stats.1968, c. 1325, p. 2522, § 1.)

§ 99105. Power to make changes; exception; presumption

The legislative body or board of supervisors shall have power to change the purposes for which the proposed debt is to be incurred, or the estimated cost, or the amount of bonded debt to be incurred, or the boundaries of said proposed benefit district, or one or all of said matters; provided, however, that the legislative body or board of supervisors shall not change such boundaries so as to include any territory which will not, in its judgment, be benefited by said construction. For all purposes of this chapter, it shall be conclusively presumed that any right-of-way of a common carrier will not be benefited by said construction.

(Added by Stats.1968, c. 1325, p. 2522, § 1.)

Library References

Municipal Corporations ↔ 9 11.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations §§ 1907, 1908.

§ 99106. Notice of intention to make changes

The purposes, estimated cost, amount of bonded debt or boundaries shall not be changed by the legislative body or board of supervisors, except after notice of its intention to do so, given by publication pursuant to Section 6061 of the Government Code in at least one newspaper published in the city or city and county. Said notice shall state the changed purposes and estimated cost and debt proposed and that the exterior boundaries as proposed to be changed are set forth on a map on file with the clerk of the legislative body or board of supervisors, which map shall govern for all details as to the extent of the proposed benefit district and as to any zone contained therein, and specify the time and place for hearing on such change or changes, which time shall be at least 10 days after publication of said notice.

(Added by Stats.1968, c. 1325, p. 2523, § 1.)

§ 99107. Proceeding with hearing on changes

At the time and place so fixed, or at any time and place to which the hearing is adjourned, the legislative body or board of supervisors shall proceed with the hearing. At the hearing any person interested, including any person owning property within the city or city and county or the proposed benefit district, may appear and present any matters material to the changes stated in the notice.

(Added by Stats.1968, c. 1325, p. 2523, § 1.)

§ 99108. Resolution of necessity to incur bonded indebtedness and purposes

At the conclusion of the hearing, the legislative body or board of supervisors shall by resolution determine whether it is deemed necessary to incur the bonded indebtedness, and, if so, the resolution shall also **state** the purposes for which said proposed debt is to be incurred, the estimated cost of accomplishing said purposes, the amount of the proposed debt, that the exterior boundaries of the portion of the district which will be benefited are set forth on a map on file with the clerk of the legislative body or the board of supervisors, which map shall govern for all details as to the extent of the benefit district, and that said portion of the district set forth on said map shall thereupon constitute and be known as "Benefit District No. _____ of the _____" and the determinations made in said resolution shall be final and conclusive.

(Added by Stats.1968, c. 1325, p. 2523, § 1.)

§ 99109. Proceeding for authorization and issuance of bonds; assessments

After the formation of such benefit district within the city or city and county and after the assessments have been confirmed pursuant to this chapter, all proceedings for the authorization and issuance of bonds of the city or city and county for such benefit district shall be limited and shall apply only to the benefit district; and assessments for the payment of said bonds and the interest thereon, except as otherwise provided in the resolution of necessity, shall be levied exclusively upon the land in the benefit district, except for any right-of-way of a common carrier; and the revenues of the city or city and county shall be used only to the extent set forth in the resolution declaring the necessity. If zones have been established within the benefit district, the ad valorem assessment shall be imposed at a uniform rate throughout all zones of the benefit district to pay the principal and interest on all bonds of the city or city and county issued for the benefit district. (Added by Stats.1968, c. 1325, p. 2523, § 1.)

Library References

Municipal Corporations § 971(1).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 2042 et seq.

§ 99110. Election ordinance: contents

After the legislative body or board of supervisors has made its determination of the matters required to be determined by this chapter, and if the legislative body or board of supervisors deems it necessary to incur the bonded indebtedness, the legislative body or board of supervisors shall by ordinance call a special election in said benefit district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of bonds of the district for said benefit district. Said ordinance shall state:

- (a) That the legislative body or board of supervisors deems it necessary to incur the bonded indebtedness.
- (b) The purposes for which the bonded indebtedness will be incurred.
- (c) The estimated cost of accomplishing said purposes.
- (d) The amount of the principal of the indebtedness to be incurred.
- (e) The benefit district to be benefited by said indebtedness, as set forth in the resolution making determinations, and that a map showing the exterior boundaries of said benefit district and all zones contained therein is on file with the clerk of the legislative body or board of supervisors, which map shall govern for all details as to the extent of the benefit district.
- (f) That assessments for the payment of such bonds and the interest thereon shall be levied exclusively and at a uniform rate upon the land in said benefit district and all zones contained therein, except for any right-of-way of a common carrier; and that revenues of the city or city and county shall be used only to the extent set forth in the resolution declaring the necessity.

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(g) The maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 50 years from the date thereof or the date of each series thereof.

(h) The maximum rate of interest to be paid, which shall not exceed 6 percent per annum.

(i) The proposition to be submitted to the voters which may include one or more purposes.

(j) The date of the election.

(k) The manner of holding the election and the procedure for voting for and against the measure.

(Added by Stats.1968, c. 1325, p. 2524, § 1.)

Library References

Municipal Corporations Ⓔ918(2).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1922 to 1925.

§ 99111. Notice of election: counting of votes

Notice of the holding of such election shall be given by publishing, pursuant to Section 6066 of the Government Code, the ordinance calling the election in at least one newspaper published in such city or city and county. No other notice of such election need be given. Except as otherwise provided in the ordinance, the election shall be conducted as other city or city and county elections. If a special benefit district has been divided into zones, the votes cast in all zones shall be counted as in the case of a benefit district without such zones to determine the outcome of the election.

(Added by Stats.1968, c. 1325, p. 2524, § 1.)

Library References

Municipal Corporations Ⓔ918(3), (4).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1921 to 1928.

§ 99112. Resubmission: waiting period: exception

If any proposition is defeated by the electors, the legislative body or board of supervisors shall not call another election on a substantially similar proposition to be held within six months after the prior election. If a petition requesting submission of such a proposition, signed by 15 percent of the benefit district electors, as shown by the votes cast for all candidates for governor at the last gubernatorial election, is filed with the legislative body or board of supervisors, it may call an election before the expiration of six months.

(Added by Stats.1968, c. 1325, p. 2525, § 1.)

Library References

Municipal Corporations Ⓔ918(5).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1929.

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PUBLIC TRANSIT PROVISIONS
Pt. 11

§ 99114

§ 99113. Required vote for approval; resolution for issuance; amount; maturity; term: form of bonds and coupons; time for payment of principal

If $66\frac{2}{3}$ percent of the electors in the entire benefit district voting on the proposition vote for it, then the legislative body or board of supervisors may, by resolution, at such time or times as it deems proper, issue bonds of the city or city and county for the benefit district for the whole or any part of the amount of the indebtedness so authorized and may from time to time, by resolution, provide for the issuance of such amounts as the necessity thereof may appear, until the full amount of such bonds authorized shall have been issued. Said full amount of bonds may be divided into two or more series and different dates and different dates of payment fixed for the bonds of each series. A bond need not mature on an anniversary of its date. The maximum term the bonds of any series shall run before maturity shall not exceed 50 years from the date of each series respectively. In such resolution or resolutions the legislative body or board of supervisors shall prescribe the form of the bonds (including, without limitation, registered bonds and coupon bonds) and the form of any coupons to be attached thereto, the registration, conversion and exchange privileges, if any, pertaining thereto, and fix the time when the whole or any part of the principal shall become due and payable.

(Added by Stats.1968, c. 1325, p. 2525, § 1.)

Library References

Municipal Corporations §918(4), 923 et seq. C.J.S. Municipal Corporations §§ 1928, 1935 et seq.
WESTLAW Topic No. 268.

§ 99114. Interest: call and redemption prior to maturity; denominations; payment of principal and interest; signatures

The bonds shall bear interest at a rate or rates not exceeding 6 percent per annum, payable semiannually, except that the first interest payable on the bonds or any series thereof may be for any period not exceeding one year as determined by the legislative body or board of supervisors. In the resolution or resolutions providing for the issuance of such bonds the legislative body or board of supervisors may also provide for call and redemption of such bonds prior to maturity at such times and prices and upon such other terms as it may specify, provided that no bond shall be subject to call or redemption prior to maturity unless it contains a recital to that effect or unless a statement to that effect is printed thereon. The denomination or denominations of the bonds shall be stated in the resolution providing for their issuance, but shall not be less than one thousand dollars (\$1,000). The principal of and interest on such bonds shall be payable in lawful money of the United States at the office of the treasurer of the city or city and county or at such other place or places as may be designated, or at either place or places at the option of holders of the bonds. The bonds shall be dated, numbered consecutively and shall be signed by the mayor and treasurer, countersigned by the secretary and the official seal of the city or city and county attached.

The interest coupons of such bonds shall be signed by the treasurer. All such signatures, countersignatures and seal may be printed, lithographed or mechanically reproduced, except that one of such signatures or countersignatures on the bonds shall be manually affixed. If any officer whose signature or countersignature appears on bonds or coupons ceases to be such officer before the delivery of the bonds, his signature is as effective as if he had remained in office.

(Added by Stats.1968, c. 1325, p. 2525, § 1.)

Library References

Municipal Corporations ¶923 to 926, 953, 954. C.J.S. Municipal Corporations §§ 1935 to 1941, 1955.
WESTLAW Topic No. 268.

§ 99115. Minimum prices; bids; readvertisement or private sale

The bonds may be sold as the legislative body or board of supervisors determines by resolution but for not less than par. Before selling the bonds, or any part thereof, the legislative body or board of supervisors shall give notice inviting sealed bids in such manner as it may prescribe. If satisfactory bids are received the bonds offered for sale shall be awarded to the highest responsible bidder. If no bids are received or if the legislative body or board of supervisors determines that the bids received are not satisfactory as to price or responsibility of the bidders the legislative body or board of supervisors may reject all bids received, if any, and either readvertise or sell the bonds at private sale.

(Added by Stats.1968, c. 1325, p. 2526, § 1.)

Library References

Municipal Corporations ¶921(1). C.J.S. Municipal Corporations §§ 1930 to 1933.
WESTLAW Topic No. 268.

§ 99116. Delivery of bonds; payment in cash or bank credits

Delivery of any bonds may be made at any place either inside or outside the state, and the purchase price may be received in cash or bank credits.

(Added by Stats.1968, c. 1325, p. 2526, § 1.)

Library References

Municipal Corporations ¶929.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1948.

§ 99117. Division of sale proceeds

All accrued interest and premiums received on the sale of bonds shall be placed in the fund to be used for the payment of principal of and interest on the bonds and the remainder of the proceeds of the bonds shall be placed in the treasury to the credit of the proper benefit fund and applied exclusively to the purposes for which the debt was incurred. However, when those pur-

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§ 99119

poses have been accomplished any moneys remaining in the benefit fund shall be (a) transferred to the fund to be used for the payment of principal of and interest on the bonds, or (b) placed in a fund to be used for the purchase of outstanding bonds of the benefit district from time to time in the open market at those prices and in the manner, either at public or private sale or otherwise, as the legislative body or board of supervisors may determine. Bonds so purchased shall be canceled immediately.

(Added by Stats.1968, c. 1325, p. 2526, § 1. Amended by Stats.1981, c. 714, p. 2762, § 396.)

Library References

Municipal Corporations Ⓔ921(3).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1934.

§ 99118. Ordinance invalidating authorization to issue unsold bonds

After the expiration of three years after a bond election the legislative body or board of supervisors may determine, by ordinance adopted by a vote of two-thirds of all the members of the legislative body or board of supervisors, that any or all of the bonds authorized at said election remaining unsold shall not be issued or sold. When the ordinance takes effect, the authorization to issue said bonds shall become void.

(Added by Stats.1968, c. 1325, p. 2526, § 1.)

Library References

Municipal Corporations Ⓔ929.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1948.

§ 99119. Issuance of bonds or use of proceeds for other purposes; ordinance calling election

Whenever the legislative body or board of supervisors deems that the expenditure of money for the purposes for which the bonds were authorized by the voters is impractical or unwise, it may, by ordinance adopted by a vote of two-thirds of all members of the legislative body or board of supervisors, so declare and call an election to be held in the benefit district for the purpose of submitting to the qualified voters thereof the proposition of incurring indebtedness by the issuance of such bonds for some other purposes or, in the case where bonds have been sold, the proposition to use the proceeds for some other purposes. The procedure, so far as applicable, shall be the same as when a bond proposition is originally submitted.

(Added by Stats.1968, c. 1325, p. 2527, § 1.)

Library References

Municipal Corporations Ⓔ929.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1948.

§ 99120. Refunding bonds

The legislative body or board of supervisors may provide for the issuance, sale or exchange of refunding bonds to redeem or retire any bonds issued by the city or city and county upon the terms, at the times and in the manner which it determines. Refunding bonds may be issued in a principal amount sufficient to pay all or any part of the principal of such outstanding bonds, the interest thereon and the premiums, if any, due upon call and redemption thereof prior to maturity and all expenses of such refunding. The provisions of this chapter for issuance and sale of bonds apply to the issuance and sale of such refunding bonds; except that (i) no election need be called or held for the purpose of authorizing the issuance of refunding bonds, and (ii) when refunding bonds are to be exchanged for outstanding bonds the method of exchange shall be as determined by the legislative body or board of supervisors.

(Added by Stats.1968, c. 1325, p. 2527, § 1.)

Library References

Municipal Corporations ~~§~~913.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1910.

§ 99121. Applicable statutes

The provisions of Article 4 (commencing with Section 53500) of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code are applicable to a city or city and county issuing bonds pursuant to the authorization provided in this chapter.

(Added by Stats.1968, c. 1325, p. 2527, § 1.)

§ 99122. Legal investments

Any bonds which shall be issued under the provisions of this chapter shall be legal investment for all trust funds; for the funds of insurance companies, banks-both commercial and savings-and trust companies; and for state school funds; and whenever any money or funds may, by any law now or hereafter enacted, be invested in bonds of cities, cities and counties, counties, school districts, or other districts within the State of California, such money or funds may be invested in the bonds issued under this chapter, and whenever bonds of cities, cities and counties, counties, school districts, or other districts, within this state may, by any law now or hereafter enacted, be used as security for the performance of any act or the deposit of any public moneys, the said bonds issued under this chapter may be so used. The provisions of this chapter shall be in addition to all other laws relating to legal investments and shall be controlling as the latest expression of the Legislature with respect thereto.

(Added by Stats.1968, c. 1325, p. 2527, § 1.)

Library References

Municipal Corporations ~~§~~921(1).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1030 to
1033.

§ 99123. Actions contesting formation of district or of bonds; limitation

Any action or proceeding, wherein the validity of the formation of the benefit district or of any such bonds or of the proceedings in relation thereto is contested, questioned or denied, shall be commenced within three months from the date of such election; otherwise, said bonds and all proceedings in relation thereto, including the formation of the benefit district, shall be held to be valid and in every respect legal and incontestable.

(Added by Stats.1968, c. 1325, p. 2528, § 1.)

Library References

Municipal Corporations ~~§~~450(1), 917(2).
WESTLAW Topic No. 268.

C.J.S. Municipal Corporations §§ 1359 et
seq., 1919.

§ 99124. Certification to assessor: levy and collection of assessments

If $66\frac{2}{3}$ percent of the electors of the benefit district voting on the proposition at the special election called pursuant to Section 99111 have voted in favor of it and the legislative body or board of supervisors has issued a resolution for the issuance of bonds and has imposed the assessments, the clerk of the legislative body or the board of supervisors shall so certify to the assessor of the county and deliver to the assessor copies of all maps and diagrams of the benefit district and the assessments to be levied on the lots or parcels of land therein. The assessments authorized by this chapter shall be levied and collected at the same time and in the same manner by the county as taxes are levied and collected.

(Added by Stats.1968, c. 1325, p. 2528, § 1.)

Library References

Municipal Corporations ~~§~~972(5).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 2053.

§ 99125. Pledge of general fund revenues to pay bonded indebtedness

Notwithstanding any other provision of this chapter, no city nor city and county shall pledge any portion of its general fund revenues to pay any part of any bonded indebtedness unless the provisions of Section 18 of Article XI of the Constitution ¹ of the State of California are complied with.

(Added by Stats.1968, c. 1325, p. 2528, § 1.)

¹ Repealed. See, now, Const. Art. 16, § 18.

Library References

Municipal Corporations ~~§~~950(10).
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 1957.

§ 98210

TRANSIT DISTRICTS
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Article	Section
3. Purchases [Repealed]	98230
4. Property	98233
5. Transit Facilities and Service	98240
6. Indebtedness	98260
7. Investments	98270
8. Property Taxation	98280
8.5. Retail Transactions and Use Tax	98290

Chapter 6 was added by Stats.1967, c. 978, p. 2548, § 1.

Article 1

CORPORATE POWER

Section

- 98210. Succession; seal.
- 98211. Suits.
- 98212. Eminent domain; extent of power.
- 98213. Eminent domain; municipal property.
- 98214. Eminent domain; railroad property.

Article 1 was added by Stats. 1967, c. 978, p. 2548, § 1.

§ 98210. Succession; seal

The district has perpetual succession and may adopt a seal and alter it at its pleasure.

(Added by Stats.1967, c. 978, p. 2548, §1.)

Library References

- Municipal Corporations ⇨57.
- WESTLAW Topic No. 268.
- C.J.S. Municipal Corporations § 106 et seq.

§ 98211. suits

The district may sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

- Municipal Corporations ⇨1016.
- WESTLAW Topic No. 268.
- C.J.S. Municipal Corporations § 2186.

§ 98212. Eminent domain; extent of power

The district may exercise the right of eminent domain to take any property necessary or convenient to the exercise of the powers granted in this part. The district, in exercising such power, in addition to the damage for the

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§ 98214

taking, injury, or destruction of property, shall also pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, cables, or poles of any public utility or public district which is required to be moved to a new location.

(Added by Stats.1967, c. 978, p. 2548, § 1. Amended by Stats.1975, c. 1176, p. 2901, § 11.)

Law Revision Commission Comment
1975 Amendment

The deleted portions of Section 98212 are superseded by provisions of the Eminent Domain Law. See Code Civ.Proc. §§ 1230.020 (uniform procedure), 1240.510 et seq. (compatible use), 1240.610 et seq. (more necessary public use), 1250.210 and Comment thereto (identification of plaintiff).

Historical and Statutory Notes

The 1975 amendment rewrote the section which previously read:

"The district shall have or exercise the right of eminent domain in the manner provided by law for the condemnation of private property for public use. The district may take any property necessary or convenient to the exercise of the powers granted in this part whether the property is already devoted to the same use or otherwise. In the proceedings, venue, and trial relative to the exercise of the right, the district has all the rights, powers, and privileges of an incorporated city and all rights, powers, and

privileges conferred in this part. The district shall proceed in the name of the district in condemnation proceedings. The district, in exercising such power, in addition to the damage for the taking, injury, or destruction of property, shall also pay the cost of removal, reconstruction, or relocation of any structure, railways, mains, pipes, conduits, cables, or poles of any public utility or public district which is required to be moved to a new location."

Operative effect of 1975 amendment, see note under § 25703.

Cross References

Eminent domain, see Code of Civil Procedure § 1230.010 et seq.

Library References

Eminent Domain ¶9, 17, 46, 47(1), 149(7). Eminent domain law. 13 Cal.L.Rev.Comm. WESTLAW Topic No. 148. Reports 1001 (1975). C.J.S. Eminent Domain §§ 23, 64, 74 et seq., 86, 163, 164.

§ 98213. Eminent domain: municipal property

No action in eminent domain to acquire property or interests therein within any incorporated city or any county shall be commenced unless the legislative body of the affected city or county has consented to such acquisition by resolution.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

§ 98214. Eminent domain; railroad property

No such taking or acquisition by the district which would involve the abandonment, removal, relocation, or use of property of a railroad corporation, as defined in Section 230 of this code, shall be permitted, unless the Public Utilities Commission, after hearing, shall find and determine that the public interest and necessity require the abandonment, removal, relocation,

or use of such property and that such taking or acquisition will not unreasonably impair the ability of the railroad corporation involved to provide safe, adequate, economical, and efficient service.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Article 2
CONTRACTS

Section

98220. Power.

98221. Conflicts of interest.

Article 2 was added by Stats.1967, c. 978, p. 2548, § 1.

§ 98220. Power

The district may make contracts and enter into stipulations of any nature whatsoever, either in connection with eminent domain proceedings or otherwise, including, without limiting the generality of the foregoing, contracts and stipulations to indemnify and hold harmless, to employ labor, and to do all acts necessary and convenient for the full exercise of the powers granted in this part.

(Added by Stats.1967, c. 978, p. 2548, § 1.)

Library References

Municipal Corporations ↯226.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 976 et seq.

§ 98221. Conflicts of interest

No officer or employee of the district shall in any manner be interested directly or indirectly, in any contract awarded or to be awarded by the board, or in the profits to be derived therefrom contrary to the provisions of Article 4 (commencing with Section 1090), Chapter 1, Division 4, Title 1 of the Government Code.

(Added by Stats.1967, c. 978, p. 2.548, § 1.)

Library References

Municipal Corporations ↯231(1) et seq.
WESTLAW Topic No. 268.
C.J.S. Municipal Corporations § 988 et seq.

Article 3
PURCHASES [REPEALED]

Article 3, Purchasers, consisting of §§ 98230 to 98232, added by Stats.1967, c. 978, § 1, was repealed by Stats.1982, c. 465, § 25.

**WEST'S ANNOTATED CALIFORNIA CODES
PUBLIC CONTRACT CODE
DIVISION 2. GENERAL PROVISIONS
PART 3. CONTRACTING BY LOCAL AGENCIES
CHAPTER 1. LOCAL AGENCY PUBLIC CONSTRUCTION ACT
ARTICLE 6.8. TRANSIT DESIGN-BUILD CONTRACTS**

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Current through ch. 21 of 2002 Reg.Sess. urgency
legislation & ch. 2 of 3rd Ex.Sess. & March 5, 2002 election

§ 20209.5. Definitions

As used in this article, the following terms have the following meanings:

- (a) "Best value" means a value determined by objective criteria and may include, but is not limited to, price, features, functions, life-cycle costs, and other criteria deemed appropriate by the transit district.
- (b) "Design-build" means a procurement process in which both the design and construction of a project are procured from a single entity.
- (c) "Design-build entity" means a partnership, corporation, or other legal entity that is able to provide appropriately licensed contracting, architectural, and engineering services as needed pursuant to a design-build contract.
- (d) "RFP" means request for proposal.
- (e) "Transit operator" means any transit district, included transit district, municipal operator, included municipal operator, or transit development board, as defined in Section 99210 of the Public Utilities Code, or any joint powers authority formed to provide transit service.

CREDIT(S)

2002 Electronic Update

(Added by Stats.2000, c. 541 (A.B.958), § 2.)

< General Materials (GM) - References, Annotations, or Tables >

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

2000 Legislation

Stats.2000, c. 541 (A.B.958), § 1, provides:

“(a) The Legislature finds and declares that the design-build process is a valuable alternative to the existing three-step process for public transit entities. The design-build process can improve the project delivery process by accelerating delivery schedules and saving costs by promoting improved coordination between contractor and architect, shifting management risk from the public entity to the design-build entity, and minimizing change orders

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through early collaboration between design and construction disciplines.

"(b) The Legislature has recognized the merits of the design-build procurement process in the past by authorizing its use for projects undertaken by certain transit districts, the University of California, joint-venture public school projects, specified local government projects, and several state office buildings under construction in Oakland, San Francisco, and Los Angeles. The design-build procurement process has also been approved for use by public entities in other states, as well as by the federal government.

"(c) Therefore, it is the intent of the Legislature in enacting this act to define the transit design-build construction procurement process and to establish the parameters for its use for public transit projects.

"(d) In addition, it is the intent of the Legislature that the full scope of design, construction, and equipment awarded to a design-build entity shall be authorized in a single funding phase. The funding phase may be authorized concurrently with, or separately from, the phase that authorizes the creation of the performance criteria and concept drawings.

"(e) It is the intent of the Legislature that transit design-build procurement as authorized by this act shall not be construed to extend, limit, or change in any manner the legal responsibility of public agencies and contractors to comply with existing laws requiring prompt and timely payment of progress payments and retention proceeds pursuant to the terms of the construction contract."

West's Ann. Cal. Pub. Con. Code § 20209.5

CA PUB CONT § 20209.5

END OF DOCUMENT

**WEST'S ANNOTATED CALIFORNIA CODES
PUBLIC CONTRACT CODE
DIVISION 2. GENERAL PROVISIONS
PART 3. CONTRACTING BY LOCAL AGENCIES
CHAPTER 1. LOCAL AGENCY PUBLIC CONSTRUCTION ACT
ARTICLE 6.8. TRANSIT, DESIGN-BUILD CONTRACTS**

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Current through ch. 21 of 2002 Reg.Sess. urgency
legislation & ch. 2 of 3rd Ex.Sess. & March 5, 2002 election

§ 20209.6. Design-build contracts entered into by transit operator

When it is in the best interest of the transit operator, the transit operator may enter into a design-build contract for both the design and construction of a project under this article. After evaluation of the traditional design, bid, and build process of transit construction and of the design-build process in a public meeting, the transit operator shall make written findings that use of the design-build process on the specific project under consideration will accomplish one of the following objectives: reduce project costs, expedite the project's completion, provide design features not achievable through the design-bid-build method, prior to entering into a design-build contract. In the design-build project proposal, the written findings shall be included as part of any application for state funds pursuant to this chapter.

CREDIT(S)

2002 Electronic Update

(Added by Stats.2000, c. 541 (A.B.958), § 2.)

<General Materials (GM) - References, Annotations, or Tables >

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

2000 Legislation

Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

West's Ann. Cal. Pub. Con. Code § 20209.6

CA PUB CONT § 20209.6

END OF DOCUMENT

WEST'S ANNOTATED CALIFORNIA CODES
PUBLIC CONTRACT CODE
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Current through ch. 21 of 2002 Reg.Sess. urgency
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§ 20209.7. Design-build projects; progress in three-step process

Design-build projects shall progress in a three-step process, as follows:

(a) The transit operator shall prepare a set of documents setting forth the scope of the project. The documents may include, but are not limited to, the size, type, and desired design character of the buildings, transit facilities, and site, performance specifications covering the quality of materials, equipment, and workmanship, preliminary plans or building layouts, or any other information deemed necessary to describe adequately the transit operator's needs. The performance specifications and any plans shall be prepared by a design professional duly licensed or registered in California.

(b) Any architectural or engineering firm or individual retained by the transit operator to assist in the development criteria or preparation of the request for proposal shall not be eligible to participate in the competition with the design-build entity.

(c) The transit operator shall establish and enforce a labor compliance program containing the requirements outlined in Section 1771.5 of the Labor Code or shall contract with a third party to operate a labor compliance program containing the requirements outlined in Section 1771.5 of the Labor Code. This requirement shall not apply to projects where the transit operator or the design-build entity has entered into a collective bargaining agreement that binds all of the contractors performing work on the project.

(d)(l) Each RFP shall identify the basic scope and needs of the project or contract, the expected cost range, and other information deemed necessary by the contracting agency to inform interested parties of the contracting opportunity.

(2) Each RFP shall invite interested parties to submit competitive sealed proposals in the manner prescribed by the contracting agency.

(3) Each RFP shall include a section identifying and describing:

(A) All significant factors that the agency reasonably expects to consider in evaluating proposals, including cost or price and all nonprice related factors.

(B) The methodology and rating or weighting scheme that will be used by the agency in evaluating competitive proposals and specifically whether proposals will be rated according to numeric or qualitative values.

(C) The relative importance or weight assigned to each of the factors identified in the RFP. If a nonweighted system is used, the agency shall specifically disclose whether all evaluation factors other than cost or price, when combined, are any of the following:

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- (i) Significantly more important than cost or price.
- (ii) Approximately equal in importance to cost or price
- (iii) Significantly less important than cost or price

(D) If the contracting agency wishes to reserve the right to hold discussions or negotiations with offerors, it shall specify the same in the RFP and shall publish separately or incorporate into the RFP applicable rules and procedures to be observed by the agency to ensure that any discussions or negotiations are conducted in a fair and impartial manner.

(e)(1) The transit operator shall establish a procedure to prequalify design-build entities using a standard questionnaire developed by the Director of Industrial Relations. The standardized questionnaire may not require prospective bidders to disclose any violations of Chapter 1 (commencing with Section 1720) of Part 7 of Division 2 of the Labor Code committed prior to January 1, 1998, if the violation was based on a subcontractor's failure to comply with these provisions and the bidder had no knowledge of the subcontractor's violations and the bidder complied with the conditions set forth in subdivision (b) of Section 1775 of the Labor Code. In preparing the questionnaire, the director shall consult with the construction industry, transit operators, and other affected parties. This questionnaire shall require information including, but not limited to, all of the following:

(A) A listing of all the contractors that are part of the design-build entity.

(B) Evidence that the members of the design-build entity have completed, or demonstrated the experience, competency, capability, and capacity to complete, projects of similar size, scope, or complexity, and that proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of the project.

(C) The licenses, registrations, and credentials required to design and construct the project, including information on the revocation or suspension of any license, credential, or registration.

(D) Evidence that establishes that the design-build entity has the capacity to obtain all required payment and performance bonding, liability insurance, and errors and omissions insurance, as well as a financial statement that assures the transit operator that the design-build entity has the capacity to complete the project.

(E) Any prior serious or willful violation of the California Occupational Safety and Health Act of 1973, contained in Part 1 (commencing with Section 6300) of Division 5 of the Labor Code or the Federal Occupational Safety and Health Act of 1970 (P.L. 91-596), settled against any member of the design-build entity, and information concerning a contractor member's workers' compensation experience history and worker safety program.

(F) Information concerning any debarment, disqualification, or removal from a federal, state, or local government public works project. Any instance where an entity, its owners, officers, or managing employees submitted a bid on a public works project and were found by an awarding body not to be a responsible bidder.

(G) Any instance where the entity, its owner, officers, or managing employees defaulted on a construction contract.

(H) Any violations of the Contractors' State License Law (Chapter 9 (commencing with Section 7000) of Division 3 of the Business and Professions Code), excluding alleged violations of federal or state law, including the payment of wages, benefits, apprenticeship requirements, or personal income tax withholding, or of Federal Insurance Contribution Act (FICA) withholding requirements settled against any member of the design-build entity.

(I) Information concerning the bankruptcy or receivership of any member of the entity, and information

concerning all legal claims, disputes, or lawsuits arising from any construction project of any member of the entity during the past three years, including information concerning any work completed by a surety.

(J) If the design-build entity is a partnership, limited partnership, or other association, a listing of all of the partners, general partners, or association members who will participate as subcontractors in the design-build contract.

(K) Evidence that the members of the design-build entity have completed, or demonstrated the experience, competency, capability, and capacity to complete, projects of similar size, scope, or complexity. and that proposed key personnel have sufficient experience and training to competently manage and complete the design and construction of the project.

(L) Information concerning all settled adverse claims, disputes, or lawsuits between the owner of a public works project and any member of the design-build entity during the five-year period immediately preceding submission of a bid pursuant to this section, in which the claim, settlement, or judgment exceeds fifty thousand dollars (\$50,000). Information shall also be provided concerning any work completed by a surety during this period.

(M) In the case of a partnership or other association that is not a legal entity, a copy of the agreement creating the partnership or association and specifying that all partners or association members agree to be liable for full performance under the design-build contract.

(2) The information required pursuant to this subdivision shall be verified under oath by the entity and its members in the manner in which civil pleadings in civil actions are verified. Information that is not a public record pursuant to the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1 of the Government Code) shall not be open to public inspection.

(f) The transit operator shall establish a procedure for final selection of the design-build entity. Selection shall be based on either of the two following procedures, except that in no case may the transit operator award a contract to a design-build entity pursuant to this article for a rail project unless that project exceeds fifty million dollars (\$50,000,000) in cost:

(1) For projects with costs from ten million dollars (\$10,000,000) to twenty million dollars (\$20,000,000), inclusive, the contract shall be awarded to the lowest responsible bidder.

(2) For projects costing over twenty million dollars (\$20,000,000), the transit operator may award the projects using either the lowest responsible bidder or by best value.

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(Added by Stats.2000, c. 541 (A.B.958), § 2. Amended by Stats.2001, c. 159 (S.B.662), § 167.)

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Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

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§ 20209.8. Evaluation of proposals; criteria

Criteria used in the evaluation of proposals may include, but need not be limited to, the proposed design approach, life-cycle costs, project features, and project functions.

(a) Competitive proposals shall be evaluated by using only the criteria and source selection procedures specifically identified in the RFP. Once the evaluation is complete, all responsive bidders shall be ranked from most advantageous to least advantageous to the awarding agency.

(b) Any architectural or engineering firm or individual retained by the governing body to assist in the development criteria or preparation of the solicitation shall not be eligible to participate in the competition with any design-build entity.

(c) The award of the contract shall be made to the responsible bidder whose proposals are determined, in writing, to be the best value to the awarding body.

(d) Proposals shall be evaluated and scored solely on the basis of the factors and source selection procedures identified in the RFPs. However, the following minimum factors shall collectively represent at least 50 percent of the total weight or consideration given to all criteria factors: price, technical expertise, life cycle costs over 15 years or more, skilled labor force availability, and acceptable safety record.

(e) The contracting agency shall issue a written decision supporting its contract award and stating in detail the basis of the award. The decision and the contract file shall be sufficient to satisfy an external audit.

(f) Notwithstanding any provision of the Public Contract Code, upon issuance of a contract award, the contracting agency shall publicly announce its award, identifying the contractor to whom the award is made, the winning contractor's price proposal, and its overall combined rating on the RFP evaluation factors. The notice of award shall also include the agency's ranking of all other offerors and their respective price proposals and a summary of the agency's rationale for the contract award.

(g) For the purposes of this section, "skilled labor force availability" shall be determined by the existence of an agreement with a registered apprenticeship program, approved by the California Apprenticeship Council, which has graduated apprentices in each of the preceding five years. This graduation requirement shall not apply to programs providing apprenticeship training for any craft that has not been deemed by the Department of Labor and the Department of Industrial Relations to be an apprenticeable craft in the five years prior to enactment of this act.

(h) For the purposes of this section, a bidder's "safety record" shall be deemed "acceptable" if his or her experience modification rate for the most recent three-year period is an average of 1.0 or less and his or her average total recordable injury/illness rate and average lost work rate for the most recent three-year period does

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not exceed the applicable statistical standards for its business category or if the bidder is a party to an alternative dispute resolution system as provided for in Section 320 1.5 of the Labor Code.

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(Added by Stats.2000, c. 541 (A.B.958), § 2.)

< General Materials (GM) - References. Annotations, or Tables >

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2000 Legislation

Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

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§ 20209.9. Transit capital projects; awards by transit operator

If the governing body of a transit operator elects to award a transit capital project through the design-build selection process pursuant to this article, all of the following apply:

(a) The retention proceeds withheld by the transit operator from the design- build entity listed at the time of bid shall not exceed 5 percent.

(b) The transit operator shall not withhold retention from payments to the design-build entity for actual costs incurred and billed for design services, construction management services, or where applicable, for completed operations and maintenance services.

(c) In a contract between the design-build entity and a subcontractor, **and** in a contract between a subcontractor and any subcontractor thereunder, the percentage of the retention proceeds withheld may not exceed the percentage specified in the contract between the transit operator and the design-build entity. If the design-build entity provides written notice to any subcontractor who is not a member of the design-build entity, prior to or at the time that the bid is requested, that a bond may be required and the subcontractor subsequently is unable or refuses to furnish a bond to the design-build entity, then the design-build entity may withhold retention proceeds in excess of the percentage specified in the contract between the transit operator and the design-build entity from any payment made by the design-build entity to the subcontractor.

(d) In accordance with the provisions of applicable state law, the design- build entity may be permitted to substitute securities in lieu of the withholding from progress payments specified in subdivision (b). Substitutions shall be made in accordance with Section 22300 of the Public Contract Code.

(e) Upon request, the transit operator shall provide a list of parties who have requested a bid package.

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(Added by Stats.2000, c. 541 (A.B.958), § 2.)

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Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

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4 20209.10. Bonding; errors and omissions insurance coverage; requirements; bids

(a) Any design-build entity that is selected to design and build a project pursuant to this article shall possess or obtain sufficient bonding and errors and omissions insurance coverage sufficient to cover all design and architectural services provided in the contract consistent with this article. Nothing in this article prohibits a general or engineering contractor from being designated the lead entity on a design-build entity for the purposes of purchasing necessary bonding to cover the activities of the design-build entity.

(b) Any payment or performance bond written for the purposes of this article shall be written using a bond form developed by the Department of General Services pursuant to subdivision (i) of Section 14661 of the Government Code. The purpose of this subdivision is to promote uniformity of bond forms to be used on transit operator design-build projects throughout the state.

(c) All subcontracts that were not listed by the design-build entity in accordance with Section 20209.6 shall be awarded by the design-build entity. The design-build entity shall do both of the following:

(1) Provide public notice of the availability of work to be subcontracted in accordance with the publication requirements applicable to the competitive bidding process of the public entity.

(2) Provide a fixed date and time on which the subcontracted work will be awarded.

(d) Subcontractors bidding on contracts pursuant to this article shall be afforded the protections contained in Chapter 4 (commencing with Section 4100) of Part 1 of Division 2 of the Public Contract Code.

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2002 Electronic Update

(Added by Stats.2000, c. 541 (A.B.958), § 2.)

<General Materials (GM) - References, Annotations, or Tables >

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Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

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§ 20209.11. Minimum performance criteria and design standards; determination of project price

(a) The minimum performance criteria and design standards established pursuant to this article by a transit operator for quality, durability, longevity, life-cycle costs, and other criteria deemed appropriate by the transit operator shall be adhered to by the design-build entity. Any deviations from those standards may only be allowed by written consent of the transit operator. The transit operator may retain the services of a design professional through the course of the project in order to ensure compliance with this article.

(b) The total price of the project shall be determined pursuant to subdivision (f) of Section 20209.6.

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(Added by Stats.2000, c. 541 (A.B.958), § 2.)

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2000 Legislation

Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

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§ 20209.12. Reports to Legislative Analyst's office

Each transit operator that elects to proceed under this article and use the design-build method on a public works project shall prepare and deliver to the Legislative Analyst's office before December 1, 2005, a report containing a description of each public works project financed with public funds, procured through the design-build process, and completed on or before November 1, 2005. However, if a project has been commenced, but not completed on or before November 1, 2005, the transit operator shall complete a report no later than 120 days after completion of the project. The report shall include, but not be limited to, all of the following information:

- (a) The type of facility.
- (b) The gross square footage of the facility.
- (c) The company or contractor who was awarded the project.
- (d) The estimated and actual length of time to complete the project.
- (e) The findings established pursuant to Section 20133 of the Public Contract Code.
- (f) Any Labor Code violations discovered during the course of construction or following completion of the project, as well as any fines or penalties assessed.
- (g) The estimated and actual project cost.
- (h) A description of any written protests concerning any aspect of the solicitation, bid, proposal, or award of the design-build project, including the resolution of the protest.
- (i) An assessment of the prequalification process and criteria.
- (j) An assessment of the impact of retaining 5 percent retention on the project.
- (k) A description of the labor force compliance program and an assessment of the project impact, where required.
- (l) A description of the method used to award the contract. If best value was the method, the factors used to evaluate the bid shall be described, including the weighting of each factor and an assessment of the effectiveness of the methodology.
- (m) An assessment of the project impact of "skilled labor force availability."

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(n) An assessment of the design-build dollar limits on transit projects. This shall include projects where the transit operator wanted to use design-build and was precluded by the dollar limitation. It shall also include projects where the best value method of awarding contracts was not used, due to dollar limitations.

(o) An assessment of the most appropriate uses for the design-build approach

(p) Any transit operator that elects not to use the authority granted may also submit a report to the entities named in accordance with the schedule in this section. This report may include an analysis of why the authority granted was not used by the operator.

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2002 Electronic Update

(Added by Stats.2000, c. 541 (A.B.958), § 2.)

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2000 Legislation

Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

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§ 20209.13. Scope of article

Unless expressly set forth in this article, nothing in this article is intended to affect, expand, alter, or limit any rights or remedies otherwise available at law.

CREDIT(S)

2002 Electronic Update

(Added by Stats.2000, c. 541 (A.B.958), § 2.)

<General Materials (GM) - References, Annotations, or Tables >

HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

2000 Legislation

Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

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§ 20209.14. Duration of article

This article shall remain in effect only until January 1, 2005, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2005, deletes or extends that date.

CREDIT(S)

2002 Electronic Update

(Added by Stats.2000, c. 541 (A.B.958), § 2.)

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HISTORICAL AND STATUTORY NOTES

2002 Electronic Update

2000 Legislation

Legislative findings, declarations and intent relating to Stats.2000, c. 541, see Historical and Statutory Notes under Public Contract Code § 20209.5.

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BILL NUMBER: AB 1937 CHAPTERED
BILL TEXT

CHAPTER 270
FILED WITH SECRETARY OF STATE AUGUST 26, 2002
APPROVED BY GOVERNOR AUGUST 26, 2002
PASSED THE ASSEMBLY AUGUST 15, 2002
PASSED THE SENATE AUGUST 12, 2002
AMENDED IN SENATE JUNE 25, 2002
AMENDED IN SENATE APRIL 24, 2002

INTRODUCED BY Assembly Member Dutra
(Coauthor: Senator Torlakson)

FEBRUARY 12, 2002

An act to add Article 9 (commencing with Section 99420) to Chapter 4 of Part 11 of Division 10 of the Public Utilities Code, relating to transportation.

LEGISLATIVE COUNSEL'S DIGEST

AB 1937, Dutra. Transportation.

Existing law authorizes specified transportation entities to enter into agreements for the joint use or joint development of property or rights.

This bill would authorize any transit operator, as defined, to enter into agreements with a public agency, public utility, or person or entity, to be performed within the district or a transportation corridor or land that will be acquired by the transit operator, for the joint use or joint development of property or rights. The bill would provide that its provisions shall not supersede any existing authority of a transit operator for joint development.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Article 9 (commencing with Section 99420) is added to Chapter 4 of Part 11 of Division 10 of the Public Utilities Code, to read:

Article 9. Joint Development Authority

99420. (a) Notwithstanding any other provision of law, a transit operator may enter into agreements with a public agency, public utility, or person or entity, to be performed within the district, or a transportation corridor or land that shall be acquired by the transit operator, for the joint use or joint development of any property or rights of the transit operator or of the public agency, public utility, or person or entity for the establishment of through routes, joint fares, transfer of passengers, pooling rights, sales or leasing, or for any other purpose necessary for, incidental to, or convenient for, the full exercise of the powers granted to transit operators.

(b) As used in this section, the following terms have the following meanings:

(1) "Joint development" or "jointly develop" means the joint planning, financing, construction, operation, or use of any land, building, facility, or equipment other than vehicles, or interest therein, either of the transit operator or adjacent to, physically related to, or functionally related to transit facilities of the transit operator. Joint development may be for public, commercial, residential, or mixed uses.

(2) "Transit operator" means an entity that qualifies as a claimant under Section 99203 and is eligible to receive allocations under this chapter, and includes a joint powers authority formed to operate a public transportation system.

(c) The purpose of any joint development project entered into in accordance with this section shall be to foster transit use, enhance the transit service, or foster the integration of land use and transportation.

(d) For purposes of this section, a transit operator is prohibited from engaging in agreements unrelated to the transportation purposes and mission of the transit operator.

(e) Any transit oriented joint development project undertaken pursuant to this section shall comply with the land use and zoning regulations of the city, county, or city and county in which the project is located in accordance with the Planning and Zoning Law (Chapter 1 (commencing with Section 65000) of Division 1 of Title 7 of the Government Code) relating to zoning.

(f) This section shall not supersede any existing authority of a transit operator for joint development.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Leslie R. White, General Manager

SUBJECT: CONSIDERATION OF A RESOLUTION TO APPROVE A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR ACQUISITION OF 425 FRONT STREET, SANTA CRUZ (APN # 005-152-30) FOR METRO CENTER RENOVATION – PUBLIC HEARING WILL BE HELD AT THE 9/27/02 BOARD MEETING

I. RECOMMENDED ACTION

Adopt a resolution approving a Mitigated Negative Declaration and Mitigation Monitoring Plan for acquisition of 425 Front Street, Santa Cruz (APN# 005-152-30)

II. SUMMARY OF ISSUES

- In June, 2000, the California Legislature enacted the Traffic Congestion Reduction Program (TCRP), which granted \$1,000,000 to the District for Metro Center renovation and expansion, including right-of-way acquisition.
- The City of Santa Cruz Redevelopment Agency provides project management services for the Metro Center expansion in accordance with a Memorandum of Understanding between the City and the District.
- The District conducted an Environmental Assessment/Initial Study to identify any environmental issues at the Greyhound property and circulated a Mitigated Negative Declaration for acquiring the property.
- Adopting the attached resolution enables the District to conclude the environmental process and advance to the next project phase, right-of-way acquisition.

III. DISCUSSION

The California Traffic Congestion Reduction Program granted \$1,000,000 to METRO through Caltrans for the conceptual design, environmental review and right-of-way acquisition for renovating and expanding Santa Cruz Metro Center. Acquiring the Greyhound property adjacent to Metro Center would allow expansion and reconfiguration of bus lanes and concessions to better serve METRO passengers. To incorporate the renovation into the City's overall redevelopment of south Pacific Avenue, the District executed a Memorandum of Understanding with the Santa Cruz Redevelopment Agency for project management services, including the environmental review.

As a public agency, the District must comply with the California Environmental Quality Act (CEQA) in any publicly funded transit projects. Caltrans requires completion of the environmental review according to CEQA guidelines prior to starting an appraisal or other property acquisition procedure.

Environmental Review: The District contracted Weber Hayes Associates to prepare an Initial Study and Phase I Environmental Site Assessment (ESA) on the Greyhound property to determine the potential presence of any toxic substances. The Phase I ESA identified the potential presence of several toxic contaminants. Weber Hayes then conducted a Phase II ESA soil and groundwater sampling regime to confirm the existence and location of toxic substances on the property.

The Phase II ESA identified lead contamination ranging from 270-1,100 parts per million (ppm) in soils underlying approximately 1,600 sq. ft. of the lot, a concentration that exceeds the State Hazardous Waste Limits of 1,000 ppm. Weber Hayes Associates estimates contaminated soil removal would cost from \$57,000 to \$140,000.

Based upon the Environmental Site Assessment, a Mitigated Negative Declaration was prepared and circulated for public review. Mitigation of potential contamination dispersal requires the removal of contaminated soils prior to any disturbance on the property. The California Department of Toxic Substances Control responded with information on its voluntary clean-up program. District staff then submitted the Phase II ESA to the County Environmental Health Department, which has regulatory responsibility for site remediation. Neither agency has as yet directed the disposition of the contamination. Even though the adopting the attached Mitigated Negative Declaration concludes the environmental review and disclosure of impacts required by CEQA, the regulations of the County Environmental Health Department or State Department of Toxic Substances Control may require that the property owner decontaminant the site.

No other environmental issues were identified. No other comments were received during the public comment period on the draft Mitigated Negative Declaration. District staff also provided a copy of the Phase I/II ESA to the Greyhound property owner as a courtesy to notify them of the existing contamination. The District received no comment from the owner.

Next Steps: Adopting the attached resolution to conclude the environmental review process will enable the District to proceed to the next phase of the project, acquisition of the project right-of-way. District staff can request a funding allocation from the California Transportation Commission to purchase the property after the Board adopts the attached Mitigated Negative Declaration for California Environmental Quality Act compliance. The CTC would typically award funds for right-of-way purchase approximately sixty days after receiving the request.

Prior to appraising the property; however, the District needs to know the County Environmental Health Department's requirements, if any, regarding the known lead contamination. These requirements will have a direct bearing on subsequent negotiations

to purchase the Greyhound property, if the District still intends to buy the property after receiving notification of the final disposition. Santa Cruz County Environmental Health Department staff indicated that their review of the Phase I/II Assessment would take about 60 days. Given this schedule, their requirements would be known before the CTC grants funds for property acquisition activities, which begin with an appraisal. The District will direct the Redevelopment Agency to appraise the Greyhound property only after receiving final comments from the Environmental Health Department.

IV. FINANCIAL CONSIDERATIONS

Adopting the Mitigated Negative Declaration has no financial impact. Upon approving METRO's application for the next phase of the project, the California Transportation Commission will allocate \$800,000 to the District to acquire the Greyhound property.

V. ATTACHMENTS

- Attachment A:** Resolution for Board Action Adopting Mitigated Negative Declaration
- Attachment B:** Mitigated Negative Declaration and Mitigation Monitoring Plan
- Attachment C:** Public/agency comment and response
- Attachment D:** Initial Study
- Attachment E:** Phase I/II Summary of Soils Tests and Remediation Cost Estimates

**BEFORE THE BOARD OF DIRECTORS OF THE
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Resolution No. _____

On the Motion of Director: _____

Duly Seconded by Director:

The Following Resolution is adopted:

**ADOPTION OF MITIGATED NEGATIVE DECLARATION
AND MITIGATION MONITORING PLAN
FOR ACQUISITION OF
425 FRONT STREET, SANTA CRUZ (APN # 005-152-30)**

WHEREAS, the Santa Cruz Metropolitan Transit District desires to acquire the property at 425 Front Street, Santa Cruz, for continued use as part of the Metro Center operation, and

WHEREAS, the Santa Cruz Metropolitan Transit District is bound by California law to implement the requirements of the California Environmental Quality Act (CEQA) in the pursuit of transit projects using public funding, and

WHEREAS, the Santa Cruz Metropolitan Transit District has caused to be performed an Environmental Assessment/Initial Study, including Phase I/II soil testing, in compliance with the California Environmental Quality Act and its Guidelines for the implementation of CEQA, and

WHEREAS, the Santa Cruz Metropolitan Transit District Board of Directors finds, based upon the whole record before it, that there is no substantial evidence that the acquisition of 425 Front Street will have a significant effect on the environment with implementation of mitigation measures specified, and

WHEREAS, the Mitigated Negative Declaration dated July 28, 2002 reflects the independent judgment and analysis of the Santa Cruz Metropolitan Transit District Board of Directors, and

WHEREAS, all environmental documents and other materials that constitute the record of proceedings upon which this decision is based are located at 370 Encinal Street, Santa Cruz, CA 95060.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT, that it hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring Plan as included in the Initial Study/Mitigated Negative Declaration dated July 23, 2002 for the acquisition of 425 Front Street.

PASSED AND ADOPTED by the Board of Directors of the Santa Cruz Metropolitan Transit District on September 27, 2002, by the following vote:

AYES DIRECTORS –

NOES: DIRECTORS –

ABSENT: DIRECTORS –

SHERYL AINSWORTH
Chairperson

ATTEST:

LESLIE WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Negative Declaration

The Administrator of Environmental Quality of the Santa Cruz Metropolitan Transit District has prepared this Negative Declaration for the following described project:

Case No.: 02-01 Project Location: 425 Front Street, Santa Cruz, California (APN # 005-152-30).
The property is located between Pacific Avenue and Front Street, south of Cathcart Street in Downtown Santa Cruz.

Project Description: The project consists of acquisition of property located at 425 Front Street (APN # 005-152-30) by the Santa Cruz Metropolitan Transit District (SCMTD). The property is currently owned and used by Greyhound Bus Lines as a bus station, providing daily service to several destinations. In the short-term, this use will be continued. In the event that Greyhound operations are moved to other parts of the Transit Center, the project site would continue to be used for bus storage in the parking area and for storage and/or office space in the existing 3,124 square foot building. For the purposes of this Initial Study, the project consists of property acquisition and use for transit-related storage and office uses.

In the long-term, the SCMTD intends to prepare an alternatives analysis to review the feasibility of possible future development and redevelopment options for the site, including housing. At this time the feasibility analysis has not been completed, and there are no specific land uses or intensity proposed. Future uses that are unknown at this time could include expanded structural development that could accommodate a mix of transit-related offices or facilities. Although the SCMTD has indicated that housing may be a future use, residential uses are not currently permitted in the PF zone district, and a rezoning would be required to accommodate housing.

Since the long-term use of the property has not been defined or specified, it is not possible to analyze project impacts as such future long-term uses are not "reasonably foreseeable" and any analysis would be highly speculative. Future development, depending on the type and intensity, could result in additional traffic and public service demands. As the site is currently developed and paved, future redevelopment is not likely to result in significant physical impacts.

The State CEQA Guidelines define "project" as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. It also refers to the activity which is being approved and subject to several discretionary approvals [State CEQA Guidelines, section 15378(c)]. In the present case, future redevelopment and/or expanded development of the site may be considered by the SCMTD upon completion and review of an alternatives feasibility analysis. Any future development would be subject to approval of use permits from the City during which time project-specific environmental review would be conducted.

Applicant: Santa Cruz Metropolitan Transit District

Applicant Address: 370 Encinal Street, Santa Cruz, CA 95060

The Santa Cruz Metropolitan Transit District has reviewed the proposed project and has determined that the project, based on the Initial Study attached hereto, will not have a significant effect on the environment. An Environmental Impact Report is not required pursuant to the California Environmental Quality Act of 1970. This environmental review process and Negative Declaration is done in accordance with the State CEQA Guidelines and the local Santa Cruz Metropolitan Transit District CEQA Guidelines and Procedures.

The following mitigation measures will be incorporated into the project design or as conditions of approval, to ensure that any potential environmental impacts will not be significant.

Impact

Contaminated Soils - Levels of lead in the portions soils on the site above State Hazardous Waste Limits and Risk Based Screening Levels for Residential and Industrial

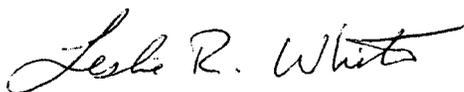
Mitigation

The lead contaminated portion of the property remains undisturbed in its present use, since it is entirely paved. This will require completion of a risk assessment, a deed restriction, and regulatory approval.

or

- | If any new construction is planned on the contaminated portion of the site the contaminated soil should be excavated and transported to an acceptable hazardous waste dump site prior to any construction activity.

Mitigation Monitoring - No new construction shall occur on the contaminated portion of the site until the contaminated soils are removed.



Les White, General Manager

Administrator of Environmental Quality

July 23, 2002

Date

Santa Cruz Metropolitan Transit District
370 Encinal Street
Santa Cruz, CA 95060

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Mitigation Monitoring Program

Project Title: Acquisition of 425 Front Street

Date Prepared: July 23, 2002

Prepared by: Joe Hall, City of Santa Cruz
Tom Hiltner, SCMTD

Approving Body: Santa Cruz Metropolitan Transit District

Hearing Date: 9/1 3/02

Agencies Assigned to Monitor Project: see below

The following monitoring program is designed to insure compliance with mitigation measures proposed in the Negative Declaration to reduce or avoid potentially significant impacts:

<u>Impact</u>	<u>Mitigation/Monitoring</u>
Contaminated Soils - Levels of lead in the portions soils on the site above State Hazardous Waste Limits and Risk Based Screening Levels for Residential and Industrial	The lead contaminated portion of the property remains undisturbed in its present use, since it is entirely paved. This will require completion of a risk assessment, a deed restriction, and regulatory approval. or If any new construction is planned on the contaminated portion of the site the contaminated soil should be excavated and transported to an acceptable hazardous waste dump site prior to any construction activity.

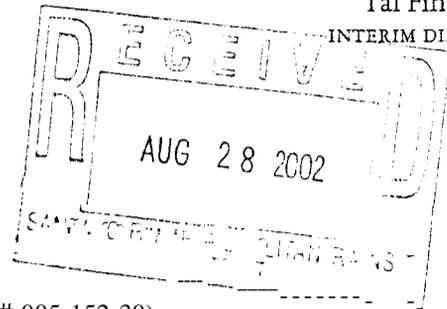
Mitigation Monitoring - No new construction shall occur on the contaminated portion of the site until the contaminated soils are removed. The Santa Cruz Metropolitan Transit District will be responsible for compliance with this mitigation measure. If the property is purchased a risks assessment will be made as part of the planning for continued use of this property and appropriate deed restrictions recorded with respect to the know contaminants on the site. The Santa Cruz Metropolitan Transit District will be responsible for compliance with this mitigation measure.



STATE OF CALIFORNIA

Governor's Office of Planning and Research
State ClearinghouseGray Davis
GOVERNOR

August 27, 2002

Tal Finney
INTERIM DIRECTORLes White
Santa Cruz Metropolitan Transit District
370 Encinal Street, Suite, 100
Santa Cruz, CA 95060Subject: Acquisition of Property located at 425 Front Street (APN # 005-152-30)
SCH#: 2002072099

Dear Les White:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on August 26, 2002, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions **regarding** the environmental review process.

Sincerely,

Terry Roberts
Director, State ClearinghouseEnclosures
cc: Resources Agency1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
916-445-0613 FAX 916-323-3018 www.opr.ca.gov

**Document Details Report
State Clearinghouse Data Base**

SCH# 2002072099

Project Title Acquisition of Property located at 425 Front Street (APN # 005-I 52-30)

Lead Agency Santa Cruz Metropolitan Transit District

Type Neg Negative Declaration

Description The project consists of acquisition of property located at 425 Front Street (APN #005-152-30) by the Santa Cruz Metropolitan Transit District (SCMTD).

Lead Agency Contact

Name Les White

Agency Santa Cruz Metropolitan Transit District

Phone 83114266080

Fax

email

Address 370 Encinal Street, Suite, 100

City Santa Cruz

State CA

Zip 95060

Project Location

County Santa Cruz

City Santa Cruz

Region

Cross Streets Cathchart & Front Streets

Parcel No. 005-I 52-30

Township

Range

Section

Base

Proximity to:

High ways

Airports

Railways

Waterways San Lorenzo River

Schools

Land Use Land Use Parking and Greyhound BUS Depot

Zoning: PF Public Facility

Project Issues Toxic/Hazardous

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 3; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 5; Regional Water Quality Control Board, Region 3; Department of Toxic Substances Control; Native American Heritage Commission; State Lands Commission

Date Received 07/26/2002

Start of Review 07/26/2002

End of Review 08/26/2002

Note: Blanks in data fields result from insufficient information provided by lead agency.



Department of Toxic Substances Control

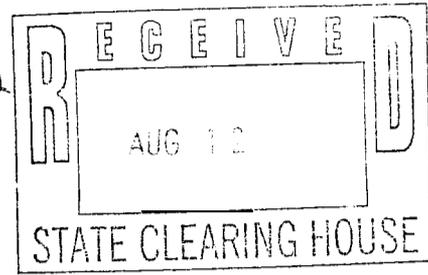


Edwin F. Lowry, Director
700 Heinz Avenue, Suite 200
Berkeley, California 9471 0-2721

Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency
August 8, 2002

Gray Davis
Governor

*Alex
8-26-02
E*



Mr. Les White
Santa Cruz Metropolitan District
370 Encinal Street
Santa Cruz, California 95060

Dear Mr. White:

Thank you for the opportunity to comment on proposed Negative Declaration for the Acquisition of Property located at 425 Front Street [SCH#2002072099]. The project proposes to develop an existing bus terminal in a mixed commercial/residential area. The project site is located in the downtown area of the City of Santa Cruz in Santa Cruz County.

As you may be aware, the California Department of Toxic Substances Control (DTSC) oversees the cleanup of sites where hazardous substances have been released pursuant to the California Health and Safety Code, Division 20, Chapter 6.8. As a potential Resource Agency, DTSC is submitting comments to ensure that the environmental documentation prepared for this project to address the California Environmental Quality Act (CEQA) adequately addresses any required remediation activities which may be required to address any hazardous substances release.

The project consists of the property acquisition and use for transit-related storage and office use. The project will also review possible options into later development of the Site including residential housing. The Site has soil contaminated with lead in an estimated 1,600 square foot area. The property is currently paved or is covered with a building. Due to the potential for significant impact, DTSC concurs that further investigation is needed to address all issues in the CEQA compliance document.

For example, if the remediation activities include the need for soil excavation, the CEQA associated with the excavation activities; (2) identification of any applicable local standards which may be exceeded by the excavation activities, including dust levels and noise; (3) transportation impacts from the removal or remedial activities; and (4) risk of upset should be there an accident at the Site.

DTSC can assist your agency in overseeing characterization and cleanup activities through our Voluntary Cleanup Program. A fact sheet describing this program is

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at www.dtsc.ca.gov.

Mr. Les White
August 8, 2002
Page 2

enclosed. We are aware that projects such as this one are typically on a compressed schedule, and in an effort to use the available review time efficiently, we request that DTSC be included in any meetings where issues relevant to our statutory authority are discussed.

Please contact Sarah Stenehjem of my staff at (510) 540-3828 if you have any questions or would like to schedule a meeting. Thank you in advance for your cooperation in this matter.

Sincerely,



Barbara J. Cook, P.E., Chief
Northern California - Coastal Cleanup
Operations Branch

Enclosure

cc: Governor's Office of Planning and Research
State Clearinghouse
1400 Tenth Street
Sacramento, California 95814

Guenther Moskat
CEQA Tracking Center
Department of Toxic Substances Control
P.O. Box 806
Sacramento, California 95812-0806

**Santa Cruz Metropolitan Transit District
Environmental Checklist Form/Initial Study**

I. BACKGROUND

1. **Project Title:** Greyhound Bus Site Property Acquisition
2. **Lead Agency Name and Address:**
Santa Cruz Metropolitan Transit District
370 Encinal Street
Santa Cruz, CA 95060
3. **Contact Person and Phone Number:** Margaret Gallagher, General Counsel,
Santa Cruz Metropolitan Transit District, (831)- 426 6080
4. **Project Location:** 425 Front Street, Santa Cruz, California (APN # 005-152-30).
The property is located between Pacific Avenue and Front Street, south of
Cathcart Street in Downtown Santa Cruz.
5. **Project Applicant's/Sponsor's Name and Address:**
Santa Cruz Metropolitan Transit District
370 Encinal Street
Santa Cruz, CA 95060
6. **Property Owner:**
Transportation Realty Income Partners L.P.
Greyhound Lines Inc. Lease Attn: Tax Department
PO Box 66032
Dallas Texas, 75266
7. **General Plan Designation:** CF -- Community Facility
8. **Zoning:** PF -- Public Facility
9. **Description of the Project:** The project consists of acquisition of property
located at 425 Front Street (APN # 005-152-30) by the Santa Cruz Metropolitan
Transit District (SCMTD). The property is currently owned and used by
Greyhound Bus Lines as a bus station, providing daily service to several
destinations. In the short-term, this use will be continued. In the event that
Greyhound operations are moved to other parts of the Transit Center, the project
site would continue to be used for bus storage in the parking area and for storage
and/or office space in the existing 3,124 square foot building. For the purposes of

this Initial Study, the project consists of property acquisition and use for transit-related storage and office uses.

In the long-term, the SCMTD intends to prepare an alternatives analysis to review the feasibility of possible future development and redevelopment options for the site, including housing. At this time the feasibility analysis has not been completed, and there are no specific land uses or intensity proposed. Future uses that are unknown at this time could include expanded structural development that could accommodate a mix of transit-related offices or facilities. Although the SCMTD has indicated that housing may be a future use, residential uses are not currently permitted in the PF zone district, and a zoning text amendment would be required to accommodate housing.

Since the long-term use of the property has not been defined or specified, it is not possible to analyze project impacts as such future long-term uses are not "reasonably foreseeable" and any analysis would be highly speculative. Future development, depending on the type and intensity, could result in additional traffic and public service demands. As the site is currently developed and paved, future redevelopment is not likely to result in significant physical impacts.

The State CEQA Guidelines define "project" as "the whole of an action, which has a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. It also refers to the activity which is being approved and subject to several discretionary approvals [State CEQA Guidelines, section 15378(c)]. In the present case, future redevelopment and/or expanded development of the site may be considered by the SCMTD upon completion and review of an alternatives feasibility analysis. Any future development would be subject to approval of use permits from the City during which time project-specific environmental review would be conducted.

II. ENVIRONMENTAL SETTING

The 20,000+ sq.ft. project property is located on Front Street, south of Cathcart Street in downtown Santa Cruz. The property is entirely covered by either paving or a building. The paved, western portion of the property, off Pacific Avenue is used for bus parking by the Santa Cruz Metropolitan Transit District and a 3,124 sq.ft. building is located on the eastern portion of the property off Front Street, which serves as the Santa Cruz Greyhound Terminal. The property has a flat topography.

III. ENVIRONMENTAL CHECKLIST

Environmental Factors Potentially Affected by the Project: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Agricultural Resources		Air Quality
	Biological Resources		Cultural Resources		Geology / Soils
X	Hazards & Hazardous Materials		Hydrology / Water Quality		Land Use / Planning
	Mineral Resources		Noise		Population / Housing
	Public Services		Recreation		Transportation / Traffic
	Utilities / Service Systems		Mandatory Findings of Significance		

Instructions:

1. A brief explanation is required (see VI. "Explanation of Environmental Checklist Responses") for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question (see V. Source List, attached). A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that any effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
4. "Negative Declaration: Less Than Significant With Mitigation Incorporated: applies where incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier Analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:

- a) *Earlier analysis used.* Identify earlier analyses and state where they are available for review.
- b) *Impacts adequate/y addressed.* Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) *Mitigation measures.* For effects that are “Less than Significant with Mitigation Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

The preparation of this Initial Study has drawn from analyses contained in the *Santa Cruz 2005 General Plan Final EIR* (October 17, 1993). The document is on file at the City Planning Department, 809 Center Street, Room 206, Santa Cruz, CA 95060. The project site was considered as part of the citywide development and buildout in the General Plan EIR. The following project issues were analyzed within the scope of the General Plan EIR: population and housing, traffic, cumulative regional air quality and emissions, energy, police protection, parks and recreation, and solid waste disposal.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista? (V. 1 -Map CD-3)				X
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X
2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (V.1-Map EQ-5)				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?				X
3. AIR QUALITY. -Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Violate any air quality standard or contribute to an existing or projected air quality violation?				X
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation incorporated	Less Than Significant Impact	No Impact
ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (V.1-Map EQ-9)				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (V.1-Map EQ-8)				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (V.1-Map EQ-8)				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
6. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: (i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42? (V.1-Map S-4)				X
(ii) Strong seismic ground shaking? (V.1-Map S-5)				X
(iii) Seismic-related ground failure, including liquefaction? (V. 1 -Map S-6)				X
(iv) Landslides? (V.I)				X
b) Would the project result in substantial soil erosion or the loss of topsoil? (V.I -Map EQ-6)				X
c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impac
e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.				X
7; HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
8; HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local ground water table				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
level (for example, the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (V.I, V.2)				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (V.I-Map S-7)				X
h) Place within a 100-year flood-hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (V. 1 -Map S-9)				X
j) Inundation by seiche, tsunami, or mudflow? (V.1-Map S-8)				X
LAND USE AND PLANNING. Would the project:				
k) Physically divide an established community?				X
l) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				X
10. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (V.I)				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan? (V.1)				X
11. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies? (V.I-Maps EQ 13 & 14)				X
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				X
c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X
1.2. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire protection? (V.2)				X
b) Police protection? (V.2)				X
c) Schools?				X
d) Parks?				X
e) Other public facilities? (V.2)				X
14. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
15. TRANSPORTATION/TRAFFIC. Would the project:				
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (for example, result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (V.4)				X
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, that results in substantial safety risks? (V.1)				X
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?				X
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (for example, bus turnouts, bicycle racks.) (V.1)				X
16. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (V.2)				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction or which could cause significant environmental effects? (V.1, V.2)				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (V.2)				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (V.2)				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
17. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)				X
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				x

IV. DETERMINATION:

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a potentially significant or a potentially significant unless mitigated impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier IEIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	


 Les White, General Manager

Date July 23, 2002

V. Source List

1. City of Santa Cruz. October 25, 1994. *The City of Santa Cruz General Plan and Local Coastal Program 1990-2005*.
2. City of Santa Cruz. October 27, 1992. *Santa Cruz 2005 General Plan Final EIR*.
3. City of Santa Cruz. September 10, 1991. *Downtown Recovery Plan, Final EIR*
4. Phase I/II Environmental Site Assessment, Greyhound Bus Depot Site prepared by Weber Hayes and Associates, July 23, 2002

Initial Study Preparation: Prepared by: Joe H. Hall, City of Santa Cruz Redevelopment Agency and Stephanie Strelow, Environmental Consultant

VI. Explanation of Environmental Checklist Responses

The proposed project will result in the continued use of the project site for bus parking and transit related uses. No physical changes expanding the size of the existing building on the site are planned at this time, and thus no physical impacts would occur. In the immediate future, Greyhound Bus Lines would continue to use the facility, and if ultimately relocated, the property would be used by the Transit District for transit-related storage and/or office uses. 'Should the existing 3,200± square foot building be used for offices, there could be some limited additional traffic and public service demands. However, this would not be expected to be substantial in comparison to existing bus station uses.

In the long-term, the District envisions redevelopment/development of the site based on the outcome of an alternatives feasibility analysis that will be prepared in the future. Housing is one use that has been identified as a potential future use of the site. Future long-term development would be contingent on availability of funding and approval of necessary City permits. In particular, housing is not permitted in the existing PF zone district, and rezoning would be required. At this time there is no proposed use or land use intensity identified for future site redevelopment. Since the long-term use of the property has not been defined or specified, it is not possible to analyze project impacts as such future long-term uses are not "reasonably foreseeable" and any analysis would be highly speculative. Future development, depending on the type and intensity, could result in additional traffic and public service demands. As the site is currently developed and paved, future redevelopment is not likely to result in significant physical impacts.

7b Hazardous Material -The Phase I/II Environmental Site Analysis (ESA) prepared for the acquisition of the Greyhound Site tested soil and groundwater to determine the

presence of hydrocarbons, selected metals, volatile organic compounds, semi-volatile polynuclear aromatic compounds and PCB's. No significant source of groundwater contamination was found at the site. However, soil samples obtained from borings located in the south-central portion of the site contained lead concentrations above risk based screening levels established for either residential or industrial land use. A second phase of drilling was conducted to more fully delineate the extent of the lead-impacted, soil contamination.

Lab test results from the two rounds of drilling identified shallow, lead-contaminated soil in areas totaling approximately 1,350 square feet, at concentrations above acceptable risk based screening levels established for either residential or industrial sites. Approximately 550 square feet of this impacted area exceed the State Hazardous Waste Limits. Specific information on the boring locations, laboratory results, and extent of contamination is available in the Phase I/II Environmental Site Assessment, Greyhound Bus Depot Site prepared by Weber Hayes and Associates, July 23, 2002

Mitigation Measure - The Phase I/II Environmental Site Assessment, Greyhound Bus Depot Site prepared by Weber Hayes and Associates, July 23, 2002 recommends the following remediation measures:

1. The lead contaminated portion of the property remains undisturbed in its present use, since it is entirely paved. This will require completion of a risk assessment, a deed restriction, and regulatory approval.

or

2. If any new construction is planned on the contaminated portion of the site the contaminated soil should be excavated and transported to an acceptable hazardous waste dump site prior to any construction activity.

Mitigation Monitoring - No new construction shall occur on the contaminated portion of the site until the contaminated soils are removed.



Weber, Hayes & Associates

Hydrogeology and Environmental Engineering

120 Westgate Dr., Watsonville, CA 95076

(831) 722-3580 (831) 662-3100

Fax: (831) 722-1159

July 17, 2002

SC Metropolitan Transit District 20
DuBois Street
Santa Cruz, California 95060

City of Santa Cruz Redevelopment Agency
323 Church Street, 2nd Floor
Santa Cruz, California 95060

Mr. Lloyd Longnecker

Attention: **Ms. Ceil Cirillo, Mr. Joe Hall**

Subject: Greyhound Bus Depot, 425 Front Street, Santa Cruz
-- Cost Estimates for managing contaminated soil & groundwater

As requested, I am providing you with a rough costs for addressing soil and groundwater contamination which has been recently detected at the Greyhound Bus Depot (subject site). I am providing you with the following information for your reference:

S Soil Results (Figure 5, Table 2)

S Groundwater Results (Figure 4, Table 1).

S Cost Estimate for managing shallow soil and groundwater contamination

I. DRILLING RESULTS: Property transaction review of historical documents has shown the Greyhound Depot was previously occupied by the "Big Creek Power Company Transformer Station" (1905) and a "Used Auto Sales" business (1950's). Sites having similar land uses have been known to use and store lubricants, oils, fuels, and degreasers; chemicals associated with transformers and gasification plants include Polynuclear Aromatics (PNAs), PCB's and metals (lead, aluminum, iron, cyanide). Laboratory testing of shallow soil and groundwater indicates that historic land uses have negatively impacted the environmental quality of the site. Specifically,

1. Initial Round of Drilling: An initial round of drilling was completed in May 2002, to assess potential environmental liability associated with past land use at the site. Soil and groundwater samples were collected from 6 borings drilled at locations throughout the parcel and tested for a range of analytical suites (DP-1 through DP-6). The initial round of testing showed:

• **Groundwater** (Figure 4, Table 1): Collected groundwater samples were tested for selected laboratory analysis including fuels, PNA's, and solvents. Only low-level solvent compounds were detected. Specifically:

S cis-1,2-DCE, a cleaning solvent, was detected in 4 borings at concentrations ranging from of 2-to-11 **parts per billion** (ppb). Two borings contained cis-1,2-DCE at concentrations slightly exceeding the drinking water action level of 6 ppb (DP-5, DP-6, Figure 4). Trans-1,2-DCE, was also detected but only in one of the borings and only at a trace concentration (<1 ppb).

- **Soil Test Results** (Figure 5, Table 2): Shallow soil samples were collected at depths of 2 to 3.5 feet and tested for selected laboratory analysis including fuels, PNA's, PCB's and metals. Only lead (Pb) was detected at concentrations exceeding health and safety guidelines. Specifically,

S Lead. Elevated levels of total and soluble lead were present in all three tested soil cores collected from borings located in the south-central portion of the parcel (DP-2, -3, and -5). Grey, discolored lenses of soil were observed in the shallow soil cores of these borings. Total lead concentrations in these borings ranged in concentration from 1,100-270 parts per million (ppm). The average concentration of naturally occurring lead in California soils is 48.5 ppm. Guideline concentrations for lead include a hazardous waste limit (1,000 ppm), a risk-based screening level (RBSL) for industrial sites (750 ppm), and a risk-based screening level for residential sites (200 ppm).

2. Second Round of Drilling: A follow-up round of drilling was completed on June 26th to better characterize the extent of the detected contamination (lead in soil, cis-1,2-DCE in groundwater). The second round of testing included the collection of soil cores from ten additional borings drilled at locations designed to delineate the extent of contamination (DP-7 through DP-17). The lab testing of 26 additional soil samples and 4 additional water samples indicated:

- **Groundwater** (Figure 4, Table 1): Figure 4 presents analytical results of first encountered groundwater which was encountered at a depth of 9-to-10 feet. **No significant source of groundwater contamination was found at the site.** Non-detectable concentrations of the solvent compound cis-1,2-DCE were detected along the upgradient property line and trace to low levels were detected within the property itself indicating a limited, non-significant historical release.

- **Soil Test Results** (Figure 5, Table 2): The second round of testing further defined the extent of shallow grey, discolored soil lenses which were generally shown to contain elevated lead levels (ie. sample concentrations exceed naturally occurring lead concentrations found at the site). Figure 5 shows 3 discrete areas having elevated lead. The outer 200 ppm contour defines the approximate extent of lead-impacted soil exceeding the risk-based screening level for residential sites (200 ppm). The inner core area is the approximate extent of hazardous waste concentrations at the site (>1,000 ppm).

It appears that the minimum volume of hazardous waste at the site is 80-to-100 yd³ (550 ft² x 4 ft). The minimum volume of elevated lead exceeding 200 ppm is 250-300 yd³ (1350 ft² x 5 ft).

II. REGULATORY SETTING: The following two regulatory agencies have initial jurisdiction over the detected soil and groundwater contamination at the subject site. A copy of the summary drilling report (due out the week of July 22nd) should be forwarded to the two overseeing regulatory agencies:

2. The **County of Santa Cruz Health Services Agency - SC-HSA** (Steve Baiocchi, case officer) is the regulatory agency responsible for protection of human health and the environment. SC-HSA establishes soil cleanup orders on a case-by-case basis, based on a combination of factors which include health and safety issues, potential receptors, land use (potential for grading, foundations), site conditions (soil type, depth to groundwater, transport pathways). SC-HSA initially uses background concentrations of lead as a gauge to require further investigation but will allow elevated levels to be left in place based on risk assessment. As noted above, established screening level limits for lead contamination are set at 200 ppm for residential sites, and 750 ppm for industrial sites.
3. The **California Regional Water Quality Control Board (CRWQCB)** -Central Coast Region(Mr. Tom Sayles, case officer) has authority to order investigation and cleanup at sites where discharge of any waste threatens water quality. The CRWQCB generally bases groundwater assessment and cleanup orders on established Maximum Contaminant Levels (MCL) for specific constituents (ie. 6 ppb for cis-1,2-DCE, 50 ppb for lead). At a minimum, the CRWQCB should be allowed to comment on the detected contamination since the concentrations slightly exceed MCLs.

III. SITE REMEDIATION COSTS: The following section provides a rough cost for managing the identified soil and groundwater contamination. These estimates are preliminary and are based on the following assumptions:

1. No additional shallow sources of contamination are detected.
2. No groundwater cleanup or monitoring will be required.
3. Regulatory cleanup requirements do not significantly change in the future. **The estimates are based on regulatory approval of either of the following two options:**
 - A. A limited removal of impacted shallow soils to eliminate it as a source for future groundwater contamination.
 - Excavation/Transport/Disposal of approximately 250-300 yd³ lead-impacted soil, regulatory coordination and reporting:

Contamination Management Estimates
425 Front Street, Santa Cruz
July 17, 2002

Item	cost
Excavation/Backfilling/Surface Work:(250-300 yd ³)	\$15,000-20,000
Transport & Disposal	
S <u>Worst case</u> California Hazardous Waste (Non-RCRA) (\$250/ton = \$350/yd x 300 yd ³)	\$27,000-105,000
S <u>Best case</u> : Class II Disposal (\$75/ton = \$105/yd x 250 yd ³)	
Environmental project management/ testing/reporting.	\$15,000-20,000
Total:	\$57,000-145,000

- B. Completion of a risk assessment to allow the existing lead contamination to be left in place based on likely land use (industrial), continued asphalt cover (deed restriction requiring no disturbance to impacted soils and protections for worker health and safety).

Item	cost
Full site evaluation, project management/ testing/reporting.	\$20-35,000
Risk Assessment:	\$20,000
Total:	\$40-55,000

The estimates provided are meant as rough guideline of potential costs toward obtaining a regulatory site closure letter (i.e. between \$40,000-145,000). **Overseeing regulatory agencies personnel should be contacted to confirm the assumptions made.**

It should be noted that the risk assessment may conclude that a limited quantity of soil should be excavated to reduce risk. It should also be noted that the volumes presented are estimates only and additional drilling can help to further delineate the contamination present.

Please feel free to call me with questions you may have (722-3580).

Sincerely,

Prepared by: _____
Patrick Hoban
Project Geologist

attachments: Figures (2 each) and Tables (2 each)

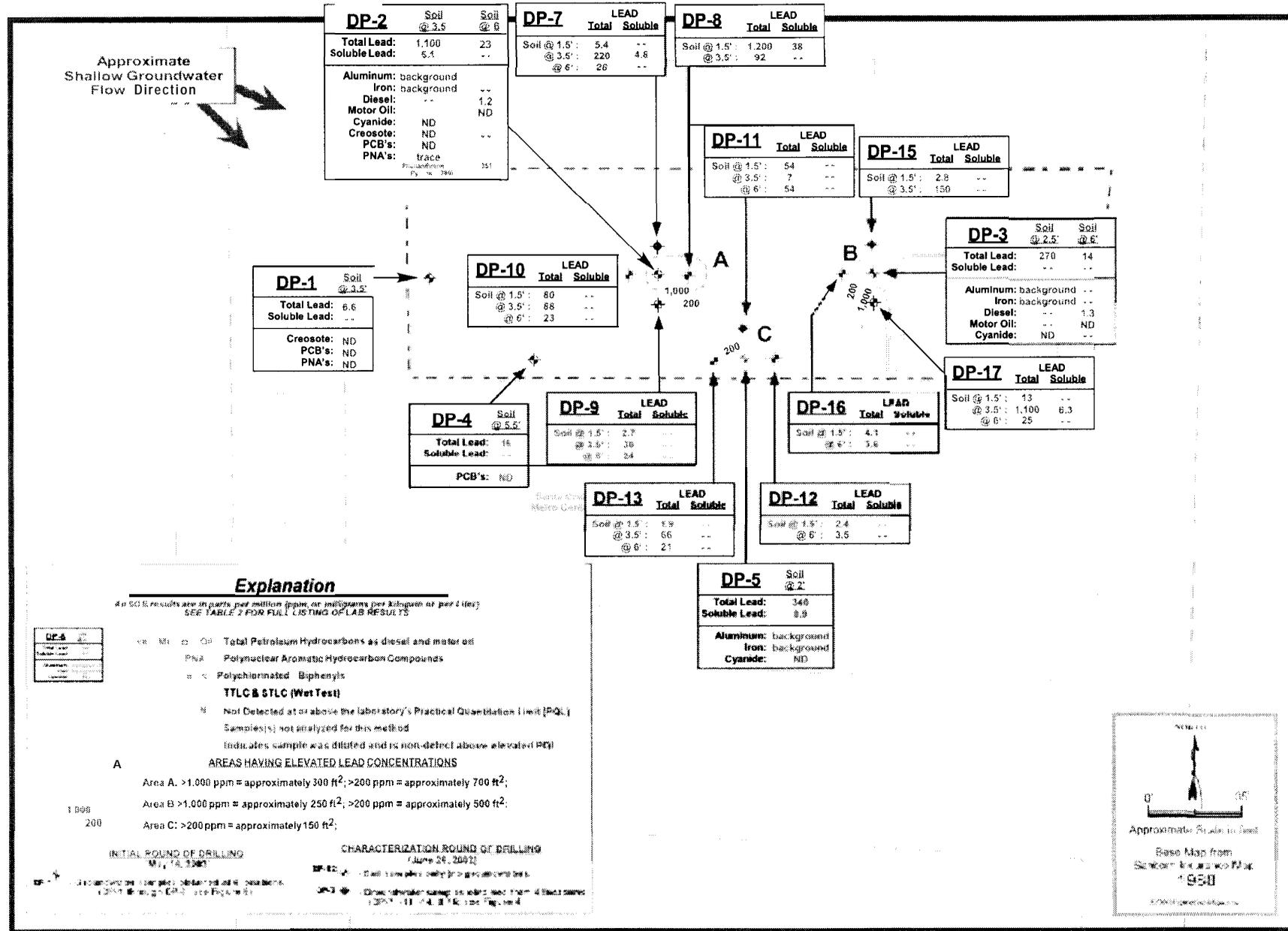


FIGURE 5
 Job # 22004

Shallow Soil Sample Results
 Phase I Environmental Site Assessment
 Greyhound Bus Depot
 425 Front Street
 Santa Cruz, California

Weber, Hayes & Associates
 Hydrogeology and Environmental Engineering
 120 Westgate Drive, Watsonville, Ca 95076
 (831) 722-3580 (831) 662-3100

Table 2
Soil Sample Analytical Results
Phase II ESA Drilling at the Greyhound Bus Depot Property
425 Front Street, Santa Cruz, California
All analytical results are in parts per million (mg/kg or mg/L),

Investigation (Date)	Sample Identification and Depth (bgs)		Total Petroleum Hydrocarbons			Metals				Cyanide	SEMI-VOLATILES PNA's+Creosote (EPA #8270)	PCB's (Method #8082)
			Diesel	Heating Oil	Motor Oil	Aluminum	Iron	TOTAL Lead	SOLUBLE Lead			
Confirmation Follow-up Phase II Drilling Program (July 2002)	DP-7	1.5'	--	--			--	5.4	--	--	--	--
		3.5'	--	--			--	220	4.8	--	--	--
		6'	--	--			--	26	--	--	--	--
	DP-8	1.5'	--	--	--		--	1,200	38	--	--	--
		3.5'	--	--			--	92		--	--	--
	DP-9	1.5'	--	--	--		--	2.7	--	--	--	--
		3.5'	--	--			--	30	--	--	--	--
		6'	--	--			--	24	--	--	--	--
	DP-10	1.5'	--	--	--		--	80	--	--	--	--
		3.5'	--	--			--	88	--	--	--	--
		6'	--	--				23	--	--	--	--
	DP-11	1.5'	--	--	--		--	54	--	--	--	--
		3.5'	--	--			--	7.0	--	--	--	--
		6'	--	--			--	54	--	--	--	--
	DP-12	1.5'	--	--			--	2.4	--	--	--	--
		6'	--	--			--	3.5	--	--	--	--
	DP-13	1.5'	--	--			--	1.9	--	--	--	--
		3.5'	--	--			--	66	--	--	--	--
		6'	--	--			--	21	--	--	--	--
	DP-15	1.5'	--	--	--		--	2.8	--	--	--	--
		3.5'	--	--	--		--	150	--	--	--	--
	DP-16	1.5'	--	--	--		--	4.1	--	--	--	--
		6'	--	--	--		--	3.6	--	--	--	--
	DP-17	1.5'	--	--			--	13	--	--	--	--
3.5'		--	--			--	1,100	6.3	--	--	--	
6'		--	--	--		--	25	--	--	--	--	

Table 2
Soil Sample Analytical Results

Phase II ESA Drilling at the Greyhound Bus Depot Property
425 Front Street, Santa Cruz, California

AN analytical results are in parts per million (mg/kg or mg/L),

Investigation (Date)	Sample Identification and Depth (bgs)		Total Petroleum Hydrocarbons			Metals				Cyanide	SEMI-VOLATILES PNA's+Creosote (EPA #8270)	PCB's (Method #8082)
			Diesel	Heating Oil	Motor Oil	Aluminum	Iron	TOTAL Lead	SOLUBLE Lead			
Initial Phase II Drilling Program (May 2002)	DP-1	3.5'	--	--			--	6.6	--	--	ND.	ND
	DP-2	3.5'	--	--		13,000	2 1,000	1,100	5.1	ND	Phenanthrene: 0.351 Pyrene: 0.389	ND
		6'	1.2	ND	ND		--	23	--	--	--	--
	DP-3	2.5'	--	--		5,600	8,500	270	--	ND	--	--
		6'	1.3	ND	ND			14	--	--	--	--
	DP-4	5.5'	--	--	--	--	16	--	--	--	--	ND
DP-5	2'	--	--	--	18,000	28,000	340	9.9	ND	--	--	
Laboratory Detection Limit			1	13		10	1	1	0.25	0.25	0.33	0.1
State Hazardous Waste Limits ¹			Not Established		Not Established		1,000	5	Not Established		50	
Risk Based Screening Levels - Residential ²			100	500	76,000	23,000	200	Not Established	100	Phenanthrene=11 Pyrene=55		
Risk Based Screening Levels - Industrial ²			100	1000	100,000	100,000	750		1000	Phenanthrene=11 Pyrene=55		
Naturally Occuring, Background Metal Concentrations (CA Avg.):					73,000	37,000	48.5	48.5				

NOTES:

file: 22004.gry\tables\soil.wb2

¹ State Hazardous Waste Limits: Title 22 Hazardous Waste thresholds for soil having elevated levels of contaminants in soil (Total threshold limit concentration, or TTLC's).

² Risk Based Screening Levels (RSBL's) and Preliminary Remediation Goals (PRG's where RSBL's have not been established. RSBL's are provided in a CRWQCB guideline document (12/01) for decision making of sites with impacted soil and groundwater, and are based on PRG data. PRG's were established in a US-EPA Region 9 guideline document (rev. 1/00) and are toxicological-based contaminant concentration limits which are "protective of humans, including sensitive groups, over a lifetime. PRG's are for relative comparison purposes (guidance) and should be evaluated using site-specific conditions.

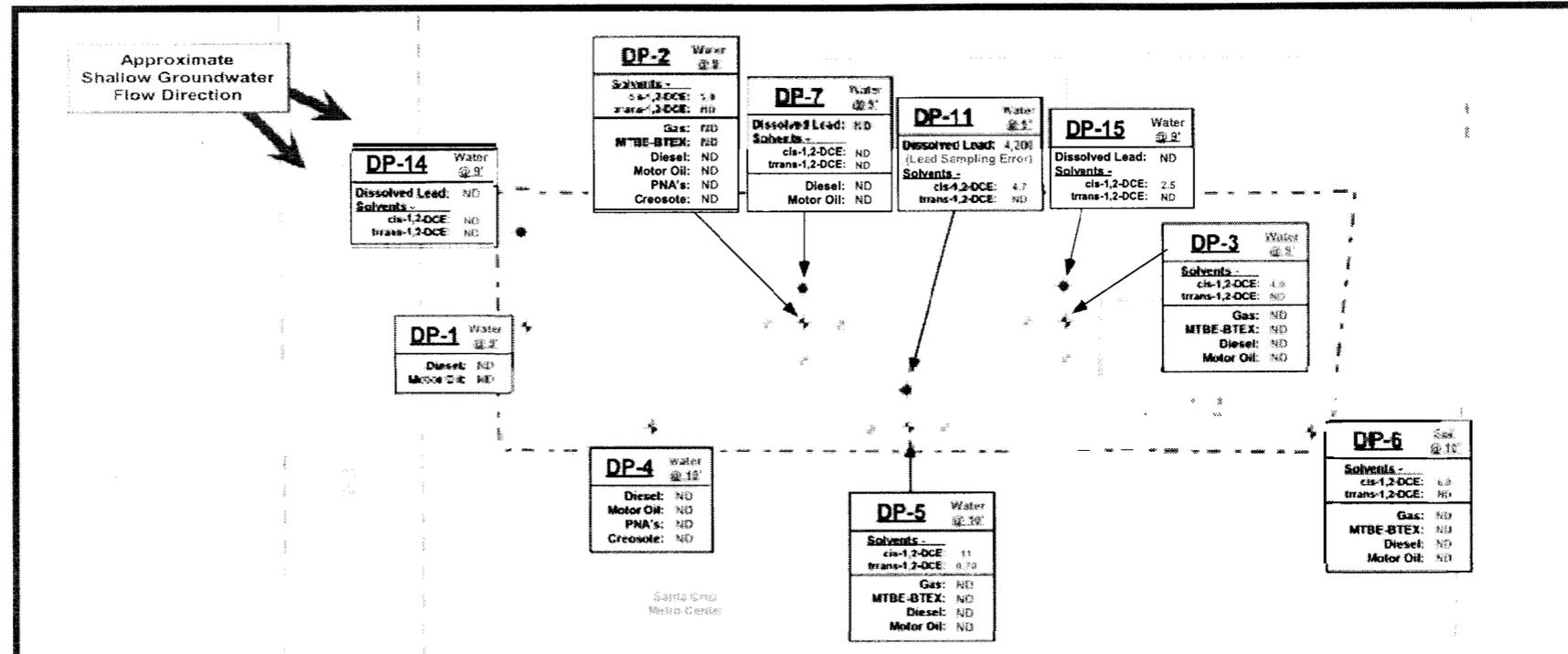
-- = Sample(s) not analyzed for this method.

ND = Not detected at or above the laboratory's PQL or MDL, which ever applies.

< = Indicates sample was diluted and is non-detect above elevated practical quantitation limit.

PNA's= Polynuclear Aromatic Hydrocarbon Compounds

PCB's= Polychlorinated biphenyls



Explanation

All groundwater results are in parts per billion (ppb) or micrograms per liter. SEE TABLE 1 FOR FULL LISTING OF LAB RESULTS

DP-2	MTBE-BTEX	Methyl-tert-Butyl Ether + Benzene, Toluene, Ethylbenzene & Xylenes
	Gas, Diesel, Motor Oil	Total Petroleum Hydrocarbons as gasoline, diesel, and motor oil
	PNA's	Polynuclear Aromatic Hydrocarbon Compounds
	cis-1,2-DCE	cis-1,2-Dichloroethane
	trans-1,2-DCE	trans-1,2-Dichloroethane
	ND	Not Detected at or above the laboratory's Practical Quantitation Limit (PQL)
	---	Samples(s) not analyzed for this method
	~	Indicates sample was diluted and is non-detect above elevated PQL

INITIAL ROUND OF DRILLING (May 14, 2002)
6 borehole locations (DP-1 through DP-6)

CHARACTERIZATION ROUND OF DRILLING (June 26, 2002)
10 additional borehole locations (DP-7 through DP-17)

DP-1: Groundwater samples obtained at each location

DP-11: Soil samples obtained at each location (see Figure 5)

DP-14: Groundwater samples obtained from 4 locations (DP-14, 14, 14, 14)

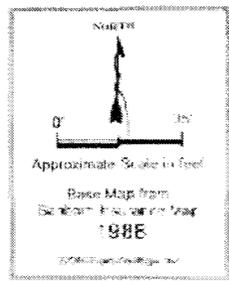


FIGURE 4
Job # 22004

Groundwater Results
Phase I Environmental Site Assessment
Greyhound Bus Depot
425 Front Street
Santa Cruz, California

Weber, Hayes & Associates
Hydrogeology and Environmental Engineering
120 Westgate Drive Watsonville, Ca 95076
(831) 722-3580 (831) 662-3100

Table 1
Groundwater Sample Analytical Results
Phase II ESA Drilling at the Greyhound Bus Depot Property
425 Front Street, Santa Cruz, California
All analytical results are in micrograms per liter (ug/L), parts per billion (ppb).

Investigation (Date)	Sample Identification and Depth (bgs)		Total Petroleum Hydrocarbons				Total Petroleum Hydrocarbons					Dissolved Lead	PNA 's & Creosote by EPA Method 8270	Chlorinated Solvents ⁽²⁾ by EPA Method 8010
			Diesel	Heating Oil	Motor Oil	Gasoline	Benzene	Toluene	Ethyl-benzene	Xylenes	MTBE			
Confirmation Follow-up Phase II Drilling Program (July 2002)	DP-7	9'	ND	ND	ND	--	--	--	--	--	--	ND ⁽³⁾	--	ND ⁽³⁾
	DP-11	9'	--	--	--	--	--	--	--	--	--	4200 ⁽³⁾	--	cis-1,2-DCE= 4.7
	DP-14	9'	--	--	--	--	--	--	--	--	--	ND	--	ND ⁽³⁾
	DP-15	9'	--	--	--	--	--	--	--	--	--	ND	--	cis-1,2-DCE= 2.5
Initial Phase II Drilling Program (May 2002)	DP-1	9'	ND	ND	ND	--	--	--	--	--	--	--	--	--
	DP-2	9'	<74	<368	<368	ND	ND	ND	ND	ND	ND	--	ND	cis-1,2-DCE= 2.0
	DP-3	9'	ND	ND	ND	ND	ND	ND	ND	ND	ND	--	--	cis-1,2-DCE= 4.0
	DP-4	10'	ND	ND	ND	--	--	--	--	--	--	--	ND	--
	DP-5	10'	ND	ND	ND	ND	ND	ND	ND	ND	ND	--	--	cis-1,2-DCE= 11 trans-1,2-DCE= 0.70
	DP-6	10'	ND	ND	ND	ND	ND	ND	ND	ND	ND	--	--	cis-1,2-DCE= 6.8
Laboratory Detection Limit			50	250	250	50	0.5	0.5	0.5	1	5	15	PNA's=10 Creosote=5,000	0.5-to-5.
Regulatory Maximum Concentration Limits ⁽¹⁾			1000			100	1	150	700	1750	5.0	50.0	Varies	cis-1,2-DCE= 6 (trans-1,2-DCE= Not Established)

NOTES:

1. Levels presented are based on either the established Maximum Contaminant Levels (MCLs) which are specified in the California Code of Regulations (Title 22) or water quality goals for the Central Coast Region of the CR WQCB.
 2. Based on detections during Initial Phase II Drilling Program (May 2002), cis-1,2-DCE and trans-1,2-DCE were the only chlorinated solvents tested for during Confirmation Follow-up Phase II Drilling Program (July 2002).
 3. Field Error: Sample was not filtered and was acidified in the field - Analytical results are likely to be non-representative (abnormally high).
- < = indicates sample was diluted and is non-detect above elevated practical quantitation limit.
ND = Not detected at or above the laboratory's PQL or MDL, which ever applies.
--- = Sample(s) not analyzed for this method.
- TPH**= Total Petroleum Hydrocarbons
MTBE= Methyl-tert-Butyl Ether
PNA 's= Polynuclear Aromatic Hydrocarbon Compounds
- Solvents**= Chlorinated Solvent Scan
cis-1,2-DCE= cis-1,2-Dichloroethene
trans-1,2-DCE= trans-1,2-Dichloroethene

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: September 27, 2002

TO: Board of Directors

FROM: Mark Dorfman, Assistant General Manager

SUBJECT: CONSIDERATION OF STAFF AND FEDERAL TRANSIT ADMINISTRATION (FTA) ACTIONS TO PRESERVE FEDERAL CAPITAL DISCRETIONARY EARMARKED FUNDS

I. RECOMMENDED ACTION

It is recommended that the Board of Directors concur with staff actions to preserve remaining funds for MetroBase.

II. SUMMARY OF ISSUES

- In July, the Board of Directors ratified staff action creating a new FTA project to buy new vehicles in order preserve \$1.722 million originally earmarked for MetroBase. These funds would lapse if not obligated in a grant by September 30, 2002.
- In proceeding to keep these funds from lapsing, the grant that was being used had existing MetroBase money in it and since there was no approved Environmental Impact Statement (EIS), we were informed that the funds would lapse.
- In order to award the grant amendment prior to the end of the federal fiscal year, the FTA suggested that the District request a federal “categorical exclusion” from further environmental review for MetroBase.
- The Harvey West Cluster option adopted for MetroBase in April, 2002 entails renovation and expansion of existing facilities rather than new construction.
- Staff recently submitted to the FTA a brief environmental assessment which documents that MetroBase now conforms to standards established for projects categorically excluded from federal environmental review. There is no impact on the California Environmental Quality Act (CEQA) or local environmental work now proceeding.
- The Federal Transit Administration, upon approval of METRO’s assessment, will create a project “finding” that concludes the federal environmental review process.
- The FTA finding will enable subsequent discretionary funds earmarked for MetroBase to be amended into existing grants without delay.

III. DISCUSSION

Congressman Sam Farr was successful in securing \$1.722 million for MetroBase construction in FY 2000. The Federal Transit Administration requires that earmarked funds be obligated by a

grant agreement with METRO within two years in order to prevent them from reverting back to the U.S. Treasury. Prior to awarding a grant agreement, however, the FTA must attest to completion of the Environmental Impact Study for the project. For MetroBase, the ongoing environmental impact review will not be completed before December, 2002, too late to award a FY 2000 earmark. In order to retain the earmarked funds for METRO capital development, staff created a new project for the purchase of replacement vehicles, a project which is categorically exempt from environmental review. Staff amended the \$1.722 million vehicle procurement project into an existing grant which also included other MetroBase funds. In July, the Board ratified this staff action.

Staff was proceeding with Board direction to “save” these funds by purchasing buses. As the documents were being prepared to put the funds into an existing grant, the Federal Transit Administration (FTA) informed the District that because there were MetroBase funds in the grant, the lack of an EIS would result in the loss of the funds. Staff explored various options with the FTA to try and salvage the funds. FTA staff made the suggestion to pursue a “categorical exclusion” from further federal review for MetroBase that would allow the federal funds to be saved and used to purchase buses.

The National Environmental Protection Act (NEPA) excludes certain projects from a rigorous Environmental Impact Study if they are known through experience or concept to have a less than significant environmental impact. The renovation and expansion of existing bus maintenance facilities in an appropriately zoned area that will not result in growth-inducing land use changes or expansion of public transit service is one such project. The FTA must make a finding for the categorical exclusion by examining the public participation process and the environmental record for the project. By concluding with a finding for the categorical exclusion, the FTA could award the grant containing older MetroBase construction funds prior to the end of federal FY 2002 on September 30.

District staff submitted supporting material to the FTA to document the changed location, scope and impact of the MetroBase Harvey West Cluster option relative to that approved in 1996. If the FTA finds that the current MetroBase configuration is indeed categorically exempt from further environmental review, then the FY 2000 earmark can be awarded this month. In addition, no further environmental work for the federal government will be required to add the FY 2001 allocation of \$1.446 million in federal discretionary funds for MetroBase into the same grant prior to the lapse of those funds on September 30, 2003. This does not change the CEQA or local environmental work that is proceeding.

Ratifying staff initiatives to obtain an FTA finding of an environmental categorical exclusion for MetroBase will enable the FTA not only to award the grant containing FY 2000 discretionary funds before they lapse on September 30, but also to award an amendment for subsequent MetroBase funding allocated in FY 2001 which was scheduled to lapse next year on September 30, 2003.

IV. FINANCIAL CONSIDERATIONS

\$3.168 million in federal discretionary funds earmarked for METRO capital improvement projects is at stake. Ratifying staff actions taken so far will keep these funds in the METRO Capital budget.

V. ATTACHMENTS

None

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

STAFF REPORT

DATE: September 27, 2002

TO: Board of Directors

FROM: Margaret Gallagher, District Counsel

SUBJECT: CONSIDERATION OF CHANGING REGULAR BOARD MEETING CURRENTLY SCHEDULED FOR DECEMBER 27, 2002 DUE TO HOLIDAY CONFLICT

I. RECOMMENDED ACTION

Reschedule the December 27, 2002 Board meeting to a different day, to avoid conflicting with the holiday scheduled for December 25, 2002.

II. SUMMARY OF ISSUES

- Santa Cruz Metropolitan Transit District staff has suggested that a discussion take place regarding whether it would be in the Santa Cruz Metro's best interest to change the Board of Directors meeting schedule to ensure that no meeting is scheduled within five working days of a recognized District holiday such as Thanksgiving, Christmas or New Year's Day.
- The Board of Directors will be approving a Bylaw change to ensure that beginning in January of 2003, the regular Board meetings do not fall within five working days of a recognized holiday. However, in December of 2002, the second Board meeting falls two days following the Christmas holiday.

III. DISCUSSION

Recently, the meeting schedule of the Santa Cruz Metropolitan Transit District Board of Directors was amended to set the regular meetings of the Board of Directors on the second and fourth Fridays of every month.

As District staff began to schedule items for the rest of the 2002 calendar year, it has been brought to staff's attention that the fourth Friday of the month in December occurs two days after Christmas. Staff is concerned that it may be difficult to obtain a quorum of the Board for this meeting if the schedule remains as is.

The suggestion has been made for the Board to review the proposed regular meeting schedule in January of each year and consider the holiday issue at that time. However, since this will not take

effect until January, a decision must be made in the meantime, about the meeting currently scheduled for December 27, 2002.

The Board of Directors needs to determine whether to reschedule the December 27th meeting or to eliminate the meeting.

IV. FINANCIAL CONSIDERATIONS

None

V. ATTACHMENTS

None