

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

March 28, 2003

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, March 28, 2003 at the City Hall Council Chambers, 809 Center Street, Santa Cruz, California.

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

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Sheryl Ainsworth
Jeff Almquist (arrived after roll call)
Jan Beautz (arrived after roll call)
Michelle Hinkle
Mike Keogh
Ana Ventura Phares
Emily Reilly
Mike Rotkin
Pat Spence
Marcela Tavantzis

DIRECTORS ABSENT

Dennis Norton
Wes Scott

STAFF PRESENT

Bryant Baehr, Operations Manager
Mark Dorfman, Asst. General Manager
Margaret Gallagher, District Counsel
Jeffrey Northon, Bus Operator

Elisabeth Ross, Finance Manager
Robyn Slater, Interim H.R. Manager
Tom Stickel, Fleet Maint. Manager
Les White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

Ed Kramer, MASTF
Jake Hurley, SEIU
Ed Kramer, MASTF
Fahmy Ma'Awad, Doran Center
Manny Martinez, PSA

Jeff North, Vice Chair, UTU
Will Regan, VMU
Marion Taylor, League of Women Voters
Amy Weiss, Interpreter
Linda Wilshusen, SCCRTC

2. ORAL AND WRITTEN COMMUNICATION

- | | | | |
|----|---|------------|---|
| a. | Paul Marcelin, MUG Member | RE: | Hwy 17 Buses
Laptop Computer Outlets |
| b. | William Spence, BT Commercial Real Estate | RE: | Sakata Lane property |
| c. | <u>Jan Beautz, Chair, SCCRTC</u> | <u>RE:</u> | <u>Hwy. 1</u> |

- d. Scott Bugental, Chair, E&D TAC
- e. Scott Bugental, Chair, E&D TAC

- RE: Paratransit Efficiencies
- RE: ADA Paratransit Fares

Fahmy Ma'Awad, representative for the Doran Center for the Blind and Vision Impaired, expressed appreciation for the Call Stop Committee and urged the Board to designate a back-up for Bryant Baehr regarding operating and maintaining the Talking Bus Technology equipment. Mr. Ma'Awad believes it would be more cost effective than having Digital Recorders fly a technician out every time something went wrong and Mr. Baehr was not available. .

As a representative from the Call Stop Committee, Margaret Gallagher stated that the Committee is requesting that the Board of Directors appoint John Daugherty to the Committee as a voting member. The Committee believes that action needs to be taken at this meeting because the Committee will meet again next Wednesday, April 2nd, and wants Mr. Daugherty to be a participant at that time. The Committee is asking that this be placed on today's agenda.

There was some question and discussion as to whether this should be considered an emergency. Les White added that the Committee's work is going to take at least a few more months, so he did not believe that there is a need to take action today. Director Reilly announced this item would be agendized for a future meeting.

Margaret Gallagher requested that Item #7-15 be pulled from the consent in order to be able to explain the matter in greater detail.

3. LABOR ORGANIZATION COMMUNICATIONS

Jake Hurley, SEIU Local 415, reiterated SEUI members support of MetroBase and are looking forward to working with the District on the implementation of the project.

4. METRO USERS GROUP (MUG) COMMUNICATIONS

Director Hinkle reported that Shelley Day had been nominated as MUG's second representative on the Call Stop Committee. Ms. Hinkle also reported that last week MUG and MASTF had a joint meeting to hear the service reduction and fare increase proposals.

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

Nothing to report.

6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

SECTION I:

ADD TO ITEM #2

ORAL AND WRITTEN COMMUNICATION

- c. Jan Beutz, Chair, SCCRTC RE: Hwy. 1
 - d. Scott Bugental, Chair, E&D TAC RE: Paratransit Efficiencies
 - e. Scott Bugental, Chair, E&D TAC RE: ADA Paratransit Fare
- (Insert written communications)**

CONSENT AGENDA:

- ADD TO ITEM #7-3** February 2003 Ridership Report (Page 1)
(Insert Page 1 of Ridership Report)
- ADD TO ITEM #7-4** CONSIDERATION OF TORT CLAIMS: Deny the claims of: Roxie Pagen, Claim #03-0006; Robin Hilliard, Claim #-3-0007; Miroslava Morelund, Claim #03-0008
(Insert Claims)
- ADD TO ITEM #7-15** CONSIDERATION OF APPROVAL OF AGREEMENT WITH DELTA DENTAL REGARDING PRIVACY RIGHTS PURSUANT TO HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA); REVIEW NOTICE OF PRIVACY RIGHTS TO ENROLLEES AND REVIEW NEW GRIEVANCE PROCEDURES.
(Insert Staff Report)

REGULAR AGENDA:

- DELETE ITEM #13** CONSIDERATION OF APPROVAL TO AMEND CONTRACT FOR CONSTRUCTION OF THE COMPRESSED NATURAL GAS (CNG) FUEL STATION TO ADD ADDITIONAL CONSTRUCTION REQUIREMENTS
(Action was taken at the 3/14/03 Board meeting)
- DELETE ITEM #19** CONSIDERATION OF RENEWAL OF EMPLOYMENT PRACTICES LIABILITY INSURANCE
(Action was taken at the 3/14/03 Board meeting)

AND....

- ADD NEW ITEM #19** CONSIDERATION OF ESTABLISHING THE MANAGEMENT POSITION OF PROJECT MANAGER FOR THE METROBASE PROJECT
(Add Staff Report)
- ADD TO ITEM #23** REPORT ON AMERICAN PUBLIC TRANSPORTATION ASSOCIATION'S (APTA) LEGISLATIVE CONFERENCE AND MEETINGS WITH MEMBERS OF CONGRESS AND THEIR STAFF
(New Agenda Item but report will be given orally)
- ADD TO ITEM #24** CONSIDERATION OF AMENDING AWARD OF CONTRACT FOR RESIDENT BUS INSPECTOR SERVICES
(Add Staff Report)
- ADD TO ITEM #25** CONSIDERATION OF AUTHORIZATION TO OPERATE A SHUTTLE FOR THE UNITED TRANSPORTATION UNION (UTU) SENIOR DINNER
(Add Staff Report)

- ADD TO ITEM #26** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO REPRESENT METRO AT MEETINGS HELD TO DEVELOP A FORMATION AGREEMENT FOR A HIGHWAY 1 JOINT POWERS AUTHORITY
(Add Staff Report)
- ADD TO ITEM #27** CONSIDERATION OF APPOINTING A MEMBER OF THE BOARD OF DIRECTORS TO SERVE ON THE BOARD OF THE HIGHWAY 1 JOINT POWERS AUTHORITY
(Add Staff Report)
- ADD TO ITEM #28** CONSIDERATION OF APPOINTMENT OF MATTHEW JAMES MELZER TO THE METRO USERS GROUP UNDER THE MEMBERSHIP CATEGORY OF “TRANSIT USER”
(Add Staff Report)
- ADD TO ITEM #29** CONSIDERATION OF OPTIONS FOR BUS ADVERTISING
(Add Staff Report)
- ADD TO ITEM #30** CONSIDERATION OF MODIFYING THE REGULAR MEETING SCHEDULE OF THE BOARD OF DIRECTORS TO HOLD THE APRIL 11, 2003 REGULAR MEETING AT THE SANTA CRUZ CITY COUNCIL CHAMBERS
(New Agenda Item but report will be given orally)

Les White requested that Item #29, CONSIDERATION OF OPTIONS FOR BUS ADVERTISING, be deferred for one month, as current events/developments would affect Staff's recommendation on that item.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR REILLY

Defer Item #29, CONSIDERATION OF OPTIONS FOR BUS ASVERTISING, for one month.

Motion passed unanimously.

CONSENT AGENDA

Director Reilly pulled Item #7-15 from the Consent Agenda.

- 7-1. APPROVE REGULAR BOARD MEETING MINUTES OF FEBRUARY 14 AND FEBRUARY 28, 2003**
- 7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**
- 7-3. ACCEPT AND FILE FEBRUARY 2003 RIDERSHIP REPORT**
- 7-4. CONSIDERATION OF TORT CLAIMS: Deny the Claims of: Roxie Pagen, Claim #03-0006; Robin Hilliard, Claim #03-0007; Miroslava Morelund, Claim #03-0008.**
- 7-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF MARCH 20, 2003 AND THE MINUTES OF THE FEBRUARY 20, 2003 MEETING**

- 7-6. ACCEPT AND FILE AGENDA FOR THE MUG COMMITTEE MEETING OF MARCH 19, 2003 AND THE MINUTES OF THE FEBRUARY 19, 2003 MEETING
- 7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JANUARY 2003; APPROVAL OF BUDGET TRANSFERS
- 7-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR DECEMBER 2002
- 7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JANUARY 2003
- 7-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE
- 7-11. ACCEPT AND FILE METROBASE STATUS REPORT
- 7-12. CONSIDERATION OF AUTHORIZATION OF DISPOSAL OF FOOTHILL BUS PARTS INVENTORY
- 7-13. CONSIDERATION OF OWNED AND LEASED PROPERTY INVENTORIES TO DETERMINE IF THERE IS ANY PROPERTY IN EXCESS OF SANTA CRUZ METROPOLITAN TRANSIT DISTRICT'S FORESEEABLE NEEDS
- 7-14. CONSIDERATION OF INCLUSION OF HISTORY OF PRIOR AMERICANS WITH DISABILITIES ACT (ADA) PROCEDURES
- 7-16. CONSIDERATION OF RENEWAL OF CONTRACT WITH BROWN, ARMSTRONG, PAULDEN, MCCOWN, STARBUCK & KEETER ACCOUNTANCY CORPORATION FOR FINANCIAL AUDIT AND TAX SERVICES
(Moved to Consent Agenda at the March 14, 2003 Board Meeting. Staff report retained original numbering as Item #9)
- 7-17. CONSIDERATION OF RENEWAL OF CONTRACT WITH MISSION LINEN AND UNIFORM SERVICE FOR UNIFORM AND LAUNDRY SERVICES
(Moved to Consent Agenda at the March 14, 2003 Board Meeting. Staff report retained original numbering as Item #10)
- 7-18. CONSIDERATION OF AMENDING AWARD OF CONTRACT FOR FURNISHING BUS AIR, FUEL AND OIL FILTERS
(Moved to Consent Agenda at the March 14, 2003 Board Meeting. Staff report retained original numbering as Item #11)
- 7-19. CONSIDERATION OF AMENDING CONTRACT WITH AMPAC BUILDING MAINTENANCE FOR CUSTODIAL SERVICES AT SCOTTS VALLEY TRANSIT CENTER
(Moved to Consent Agenda at the March 14, 2003 Board Meeting. Staff report retained original numbering as Item #12)
- 7-20. CONSIDERATION OF AMENDING CONTRACT WITH GFI GENFARE TO PURCHASE ADDITIONAL FARE BOX EQUIPMENT
(Moved to Consent Agenda at the March 14, 2003 Board Meeting. Staff report retained original numbering as Item #14)

ACTION: MOTION: DIRECTOR PHARES SECOND: DIRECTOR ALMQUIST

Approve the Consent Agenda, except Item #7-15, which was pulled from the Consent Agenda to be taken separately.

Motion passed unanimously.

7-15. CONSIDERATION OF APPROVAL OF AGREEMENT WITH DELTA DENTAL REGARDING PRIVACY RIGHTS PURSUANT TO HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT OF 1996 (HIPAA); REVIEW NOTICE OF PRIVACY RIGHTS TO ENROLLEES AND REVIEW NEW GRIEVANCE PROCEDURES

Summary:

Margaret Gallagher reported that she is currently in negotiations with Delta Dental regarding the new privacy requirements. Specifically, trying to eliminate the indemnification clause that favors Delta and also that the District be authorized, not only under the HIPPA rule to only release medical information that the District obtains in accordance with the regulation, but also as otherwise allowed by Federal or State law.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ALMQUIST

Authorize District Counsel to continue negotiations with Delta Dental regarding the indemnification clause and release of medical information. Then approve the Agreement with Delta Dental regarding privacy rights of HIPAA. Authorize the release of a Notice of Privacy Rights for Enrollees and approve new Grievance Procedures.

Motion passed unanimously.

REGULAR AGENDA

8. CONSIDERATION OF PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

Discussion:

The following employees were acknowledged with a longevity certificate for his years of service:

TEN YEARS

Samuel Garcia, Mechanic III

TWENTY-FIVE YEARS

Henry Lee, Lead Mechanic (Carried over from 2/28/03 Board Meeting)
Jeffrey Northon, Bus Operator

Mr. Garcia and Mr. Lee were not in attendance to receive their certificates.

9. MOVED TO CONSENT AGENDA AS ITEM #7-16

10. MOVED TO CONSENT AGENDA AS ITEM #7-17

11. MOVED TO CONSENT AGENDA AS ITEM #7-18

12. MOVED TO CONSENT AGENDA AS ITEM #7-19

13. **DELETED**
14. **MOVED TO CONSENT AGENDA AS ITEM #7-20**
15. **PUBLIC HEARING TO RECEIVE INPUT REGARDING ALTERNATIVE SUGGESTIONS TO PROPOSED SERVICE CUTS**

Summary:

Les White reported that today's Public Hearing ties in with the series of public meetings the District has held at various locations in the county, giving the public an opportunity to present ideas and concerns regarding the proposed service cuts.

Mark Dorfman then explained that in addition to the public meetings, notices have been posted at all the Transit Centers, signs have been posted on all buses, and where service is proposed to be eliminated, notices have been posted on bus stop signs throughout those neighborhoods. In addition, at the recommendation of MASTF, staff has researched and mailed letters to individuals who use ParaCruz that would be impacted by eliminating routes. In addition, phone calls are being made to affected ParaCruz users who may not be able to read written notices. The intent is to make everyone impacted aware of the changes. Mr. Dorfman explained that the purpose of the public hearing today is to solicit comments from the public. METRO staff will prepare responses to each comment.

Discussion:

Director Rotkin asked what public meetings were left and was informed that today's meeting was the last one and that the full Power Point presentation is available on the web. Director Rotkin asked the Community TV technician to have the website shown on the screen during today's live broadcast. Mr. Dorfman continued by saying that Staff will present public comments and questions with responses before the Board on April 28, 2003 for proposed action.

Director Phares requested that the presentation be broadcast on Charter Cable for the benefit of the Watsonville area. She also pointed out that Spanish speaking people do not read the *Register Pajaronian* and requested that, going forward, all public notices be advertised in Spanish language publications such as *La Ganga* and *El Sol*. Mark Dorfman replied that he would contact Charter Cable and develop a slide format that they can use.

Chairperson Reilly opened the Public Hearing at 9:25

The following comments were made:

Michael Bradshaw, CCCIL, stated that the proposed increases in fares and route restructuring will affect approximately 70 of CCCIL's consumers in the south county area. CCCIL, as representatives of the disability community, is very concerned and feel the proposals are disproportionate when it comes to affecting seniors and disabled. Concerned with the proposed

route elimination in the Felton area, which will affect approximately 18 people who use Paratransit service. Also concerned about the elimination of the Stroke Center route.

Concerned about the disproportionate fare increase proposals, specifically that the senior/disabled pass will go from \$14 to \$30, which is a 115% increase, while the rest of the fares go up only 50%. Urged Board to look at these changes very carefully.

Fahmy Ma'Awad, Doran Center for the Blind and Visually Impaired, believes this is “de ja vu” since it happened in 1989, 1991 and now again. Wants someone to be held responsible for the budget situation. \$4,500 spent on each Farebox that sits in the garage. The poor people who ride the buses are paying for the deficit. Hold management, staff, and the Board responsible, implement a 10% cut across the board especially for the high salary that we know is not going to affect the Metro Board.

Director Reilly replied that the Board is responsible for the decisions that are made by the Board and once something is voted on, it is supported by staff and management who proceed as directed.

Director Almquist requested more information on options available regarding cutting the route 36 in Felton.

Director Reilly requested more information on the Stroke Center route

Director Rotkin added that the Board is definitely responsible for its decisions and it is not a matter of not managing the budget well, but rather that the Board has failed to have fare increases all along to keep up with inflation, which will happen going forward.

Director Almquist requested information on the general effects on Paratransit in all areas where service may be cut, not only the number of Paratransit users, but how often they use the service.

Written communication received by Paul Marcelin is attached as part of these Minutes.

Chairperson Reilly closed the Public Hearing at 9:37

16. CONSIDERATION OF AUTHORIZING THE ESTABLISHMENT OF A PROPERTY ACQUISITION NEGOTIATING TEAM USING THE SERVICES OF SANTA CRUZ COUNTY AND METRO STAFF AND AUTHORIZING THE TRANSMITTING OF A LETTER TO THE CITY COUNCIL OF SANTA CRUZ REQUESTING CONSENT FOR METRO TO USE ITS POWER OF EMINENT DOMAIN TO ACQUIRE THE SURF CITY AND TOOL SHED PROPERTIES

Summary:

Les White had a modification to the recommendation subsequent to the development of the Staff Report. After having discussions with the County of Santa Cruz staff and the City of Santa Cruz Redevelopment Agency (SCRDA) staff, looking at the amount of work that the SCRDA is

doing for the District already on the Metro Center Project and their ability to smoothly transition into this project, which was also discussed with County staff, Staff recommends that the Board authorize the establishment of the Acquisition Negotiating Team utilizing the services of the SCRDA rather than Santa Cruz County staff. Both groups agree that is the best way to proceed.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ALMQUIST

Authorize the establishment of a Property Acquisition Negotiating Team using the services of Santa Cruz City Redevelopment Agency and follow Staff Recommendation in terms of how this material is presented to the Board and authorize the Board Chair to transmit a letter to the Santa Cruz City Council requesting consent for METRO to use its power of eminent domain to acquire the Surf City Produce and Tool Shed properties.

Director Rotkin reminded Staff that when we announced our intention to proceed with this project, we heard concerns raised by the owners of the two properties involved. Les White assured the Board of Directors that all mandates required by law would be followed to protect this right to make sure their interests are preserved during the process of transition.

Motion passed unanimously.

17. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO SIGN AND TRANSMIT A NOTIFICATION OF CONTRACT TERMINATION LETTER TO WATERLEAF INTERIORS, INC., PORTLAND, OREGON, FOR DESIGN SERVICES FOR THE METROBASE PROJECT

Summary:

Les White explained that when the District entered into a contract with Waterleaf Interiors, Inc., the project was a consolidation facility on the Lipton Property. Since that time, the project has shifted from a “green field” construction project on the West side to a “reuse and enhancement” project utilizing existing METRO facilities.

It would be in the best interest of both METRO and Waterleaf for the Board to issue a new RFP to re-scope this project as a redevelopment rather than a new construction project, giving Waterleaf the opportunity to propose on that basis, rather than trying to modify all components of the existing contract.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR ROTKIN

Authorize the General Manager to transmit a letter to Waterleaf Interiors, Inc. terminating the contract for design services for the MetroBase Project.

Motion passed unanimously.

18. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO ISSUE A REQUEST FOR PROPOSALS FOR DESIGN SERVICES FOR PHASE 1 OF THE METROBASE PROJECT

Summary:

Les White explained the current project before the Board includes developing the existing facilities at River Street and Golf Club Drive. In order to develop final design documents and construction specifications, Staff is recommending that an RFP be issued based on a revised Scope of Services and recommending that the Scope of Services requests the identification of construction segments that will expedite the implementation of CNG operations while preserving the ability of METRO to operate during the construction period. Staff is also recommending an expedited solicitation process to get the chosen design team to the Board within 2 months and not slip on the schedule for this project.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Authorize the General Manager to expedite the issuance of a Request for Proposals for design services for the MetroBase Project.

Motion passed unanimously.

19. CONSIDERATION OF ESTABLISHING THE MANAGEMENT POSITION OF PROJECT MANAGER FOR THE METROBASE PROJECT

Summary:

Les White explained that this position would be funded 100% by FTA and STA funds, which are capital-only funding sources. The MetroBase Project is a capital project and needs Project Management oversight, which is an allowable cost.

Staff is recommending that the job description be established at the same level as the Paratransit Administrator and Base Superintendent, that the Project Manager position is in place for the duration of the MetroBase Project, when it is concluded, the position would be eliminated. Staff looked at bringing someone onboard as an employee vs. a contractor, and would recommend a contractor if the project could actually be completed in 2-3 years. Staff feels the project will take 4-6 years for completion and therefore justifies bringing someone in-house to stay with the project until fruition.

Mr. White explained that currently, himself, Mark Dorfman, and Margaret Gallagher work on the project on a very limited part-time basis, considering all the other issues facing the District. This approach is no longer feasible.

Discussion:

Les White noted that he would include Director Tavantzis' suggestion to add language to the position description asking for experience in "Change Order Management."

Director Rotkin asked if a different arrangement such as Mr. White or Mr. Dorfman working on MetroBase and hiring someone else to do some of the things they do, and was informed that the cost was looked at and the MetroBase Project Manager position will be very complex and require focus and 100% concentration, which neither Mr. White nor Mr. Dorfman could provide.

Director Rotkin inquired about how this position will be advertised and was informed that the cities and counties would be notified first, then the scope would be broadened if necessary.

Director Ainsworth supports Staff's recommendation of a full time experienced project manager.

Director Tavantzis suggested the position be "at-will" and was informed that was Mr. White's intention. Also, Ms. Tavantzis wants clear wording about the position being temporary and language regarding Change Order Procedures in the position description.

Director Reilly feels it is important to fill this position with a local person who is familiar with the area.

Director Phares questioned why a full time employee would be more cost effective than a consultant and was informed that the cost is in the same neighborhood, but this project may grow into Phase 2.

Linda Wishusen, SCCRTC, supports Staff's recommendation and with all the different parties involved, believes a Project Manager on staff is a very good idea.

Director Reilly asked for clarification of the role of the Redevelopment Agency in the project. Les White replied that the RDA will be used for land acquisition, right of way and relocation phases, and along with that, we will not have a Project Manager right away, but if we can enter into an MOU with the RDA, they will work on the ramping up right now while we are selecting a Project Manager.

Fahmy Ma'Awad asked about the funding and benefits for this position and was informed it would be funded with capital funds, which cannot be used for operating costs.

ACTION: MOTION: DIRECTOR AINSWORTH SECOND: DIRECTOR ALMQUIST

Authorize the creation of the management level position of Project Manager for the MetroBase Project.

Motion passed unanimously.

20. CONSIDERATION OF APPROVAL OF FY 03-04 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES

Summary:

Elisabeth Ross, Finance Manager, reported that the Board adopts a preliminary line item budget in March each year for submittal of TDA and STA claims to the SCCRTC by the April 1st deadline.

Discussion:

Director Almquist asked if the budget assumes raising fares 25% and was informed by Ms. Ross that the budget meets the \$750,000 goal that the District set.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTRO ALMQUIST

Approve the preliminary line item budget for FY 03-04 for review and TDA/STA purposes.

Motion passed unanimously with Directors Keogh and Phares being absent.

21. CONSIDERATION OF RESOLUTIONS AUTHORIZING THE TRANSMITTAL OF FY 2004 STATE TRANSIT ASSISTANCE (STA) AND TRANSPORTATION DEVELOPMENT ACT (TDA) CLAIMS

Summary:

Mark Dorfman explained that this is the District's request for TDA and STA claims. The STA is used for capital and the TDA is used for the operating budget.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Adopt Resolutions authorizing staff to submit claims to the Santa Cruz County Regional Transportation Commission for FY 2004 State Transit Assistance (STA) and Transportation Development Act (TDA) funds by a unanimous voice vote in lieu of a roll call.

Motion passed unanimously. No dissents were registered.

22. CONSIDERATION OF ADOPTION OF RESOLUTION AMENDING FY 02-03 BUDGET

Summary:

Elisabeth Ross reported that this was the latest revision to balance the FY 02-03 Budget.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HINKLE

Adopt the Resolution amending the FY 02-03 Budget in accordance with Exhibit A by a unanimous voice vote in lieu of a roll call.

Motion passed unanimously. No dissents were registered.

23. REPORT ON AMERICAN PUBLIC TRANSPORTATION ASSOCIATION'S (APTA) LEGISLATIVE CONFERENCE AND MEETINGS WITH MEMBERS OF CONGRESS AND THEIR STAFF

Summary:

Chairperson Reilly announced that she, Director Keogh and Les White attended the APTA Legislative Conference in Washington, DC.

Les White explained that the Legislative Conference is held in March for a number of reasons: March 15th is the deadline for the first and current budget resolution to be passed by Congress, which sets the spending ceiling for all the major functions for appropriations. That time also kicks off activities of various appropriations committees. The appropriations committee is where the discretionary funds are earmarked for transit. We are now at a junction where TEA-21 can be authorized and we can advocate for the High Intensity Transit Tier, which would give under 200,000 population funding based on performance rather than population and population density.

Director Keogh reported that the District is very well represented by Carolyn Chaney. Director Reilly explained that communication was difficult if not completely blocked in the Washington, DC area due to security issues, but Mr. White and Ms. Chaney were the only ones able to pull everyone together for meetings and get this pushed through, even though it would affect numerous transit agencies.

24. CONSIDERATION OF AMENDING AWARD OF CONTRACT FOR RESIDENT BUS INSPECTOR SERVICES

Summary:

Mark Dorfman explained that federal law requires bus inspection services when federal funding is used for the procurement of buses. The District entered into a contract with J & S Maintenance Professional Services, Inc. to provide resident inspection services for 29 buses being purchased from New Flyer of America, Inc.

Although the contract with New Flyer specified 52 weeks for delivery of the new buses, New Flyer promised the new buses would arrive before then, by January 13, 2003. Due to production delays and the final assembly of the buses being moved from Crookston to St. Cloud by New Flyer of America, J & S Maintenance Professional Services, Inc. has incurred an overrun in the time and cost proposed in the original contract.

The amendment of up to an additional \$29,350.00 would pay J & S \$365.00 per day in overrun costs.

Discussion:

Director Almquist asked if the District could recover the overrun costs from the manufacturer and was informed that if all the buses were not delivered within 52 weeks from when the contract began, then the District could assess damages against them. 52 weeks will be up on May 28, 2003.

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: (None)

Authorize the General Manager to amend the contract for resident bus inspection services with J & S Maintenance Professional Services, Inc. to increase the contract by an additional amount up to \$29,350.00.

Motion passed unanimously.

25. CONSIDERATION OF AUTHORIZATION TO OPERATE A SHUTTLE FOR THE UNITED TRANSPORTATION UNION (UTU) SENIOR DINNER

Summary:

Bryant Baehr reported that UTU Local 23 has sponsored a Senior Dinner for the past 8 years. UTU has asked the Board to fund the use of 1 bus operator and 1 bus for approximately 3 ½ - 4 hours at \$57.00 per hour to transport the seniors to the dinner and back.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR REILLY

Discussion:

Director Tavantzis asked how the shuttle worked and was informed by Jeff North, UTU Vice Char and Manny Martinez, Transit Supervisor, that the bus makes a continuous loop from the Capitola Mall to the Senior Center and back to the Mall.

Holding the dinner in the North or South county areas was discussed and it was agreed upon that Capitola Mall was a central location for residents of both ends of the county.

Les White reminded that the Board would meet in Capitola in May.

Authorize the operation of a shuttle for the United Transportation Union, UTU senior dinner held on April 10, 2003.

Motion passed unanimously.

26. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO REPRESENT METRO AT MEETINGS HELD TO DEVELOP A FORMATION AGREEMENT FOR A HIGHWAY 1 JOINT POWERS AUTHORITY

Summary:

Les White reported that a Joint Powers Authority will be established to oversee the Highway 1 Widening/HOV Project. A Formation Agreement that can be signed by all participating agencies will be developed and Staff recommends that the General Manager be authorized to represent METRO at the meetings held to draft a Joint Powers Agreement for the Highway 1 Widening/HOV Project.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ

Authorize the General Manager to represent METRO at meetings to develop a Formation Agreement for a Highway 1 Joint Powers Authority and make decisions other than those that have financial implications, which must have Board approval.

Motion passed unanimously.

27. CONSIDERATION OF APPOINTING A MEMBER OF THE BOARD OF DIRECTORS TO SERVE ON THE BOARD OF THE HIGHWAY 1 JOINT POWERS AUTHORITY

Summary:

Les White reported that the SCCRTC has requested participation of the Chair and Staff at the April 4, 2003 kick-off meeting for the formation of the Joint Powers Authority. A JPA will be established to oversee the Highway 1 Widening/HOV Project. One of the actions necessary to implement and activate a JPA is for each of the member agencies to appoint representatives to serve on the Board of Directors. The duration of the term of office on the JPA Board of Directors is expected to be one year.

Discussion:

Linda Wilshusen, SCCRTC Director, clarified that the invitation sent to the District was to attend the formation kick-off meeting and the Board does not need to nominate a representative to be on the JPA Board yet, as it has not been formed yet. Ms. Wilshusen also confirmed that the Board member that attends the formation meeting does not necessarily have to be the same Board member that represents the District on the JPA.

Jeff Almquist nominated Director Tavantzis and suggested that policy be set for a 1-year term, ending in December.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR SPENCE

Nominate Director Tavantzis to serve as a member of the Board of Directors of the Highway 1 Joint Powers Authority for a 1-year term ending in December.

Motion passed unanimously.

Les White clarified that Chairperson Reilly will attend the kick-off meeting on April 4, 2003. Director Rotkin inquired about alternates and was informed that alternates will be offered.

28. CONSIDERATION OF APPOINTMENT OF MATTHEW JAMES MELZER TO THE METRO USERS GROUP UNDER THE MEMBERSHIP CATEGORY OF “TRANSIT USERS”

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR ROTKIN

Appoint Matthew James Melzer to the Metro Users Group under the membership category of “Transit Users”.

Discussion:

Director Tavantzis asked about the 2 TMA positions and was informed that Sandra Coley, from the Pajaro TMA attends regularly, but Carolyn O'Donnell had left the Santa Cruz TMA and has not yet been replaced.

Motion passed unanimously.

29. CONSIDERATION OF OPTIONS FOR BUS ADVERTISING

Deferred to next month

30. CONSIDERATION OF MODIFYING THE REGULAR MEETING SCHEDULE OF THE BOARD OF DIRECTORS TO HOLD THE APRIL 11, 2003 REGULAR MEETING AT THE SANTA CRUZ CITY COUNCIL CHAMBERS

Summary:

Mark Dorfman explained that, according to the schedule for Fare Increase meetings, the Board will decide at the April 11, 2003 meeting which of the options they want to direct Staff to bring forward in a first reading of the resolution on April 25, 2003.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ALMQUIST

Hold the April 11, 2003 Board of Directors regular meeting at the Santa Cruz City Council Chambers.

Motion passed unanimously.

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

Margaret Gallagher stated that the existing litigation case of Dorothy Parker vs. METRO would be discussed in Closed Session. Ms. Gallagher asked that the anticipated litigation case be deferred for one month.

32. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None

SECTION II: CLOSED SESSION

Chairperson Reilly adjourned to Closed Session at 11:00 a.m. Vice Chairperson Keogh reconvened to Open Session at 11:14 a.m.

SECTION III: RECONVENE TO OPEN SESSION

21. REPORT OF CLOSED SESSION

There was nothing to report at this time.

ADJOURN

There being no further business, Vice Chairperson Keogh adjourned the meeting at 11:14 a.m.

Respectfully submitted.

Cindi Thomas
Administrative Secretary