

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

May 14, 2004

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, May 14, 2004 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Director Rotkin called the meeting to order at 9:00 a.m.

## SECTION 1: OPEN SESSION

### 1. ROLL CALL:

#### DIRECTORS PRESENT

Sheryl Ainsworth  
Jan Beautz (arrived after roll call)  
Michelle Hinkle  
Dennis Norton  
Emily Reilly (arrived after roll call)  
Mike Rotkin  
Dale Skillicorn (arrived after roll call)  
Mark Stone  
Pat Spence

#### DIRECTORS ABSENT

Mike Keogh  
Marcela Tavantzis  
Ex-Officio Wes Scott

#### STAFF PRESENT

Bryant Baehr, Operations Manager  
Mark Dorfman, Assistant General Manager  
Frank Cheng, M/B Project Manager  
Margaret Gallagher, District Counsel

Steve Paulson, Paratransit Administrator  
Elisabeth Ross, Finance Manager  
Tom Stickel, Fleet Maint. Manager  
Les White, General Manager

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

Bill Comfort  
Andrew Horne, Rail Opponent  
John Irwin  
Gary Klemz, SEIU  
Manny Martinez, PSA

Ian McFadden, SEA  
Bonnie Morr, UTU  
Jeff North, UTU  
Will Regan, VMU

### 2. ORAL AND WRITTEN COMMUNICATION

#### Written:

- |    |                              |     |                           |
|----|------------------------------|-----|---------------------------|
| a. | Paul Marcelin-Sampson        | RE: | Consumer Price Index      |
| b. | Marilyn Garrett              | RE: | Cell Phone Usage on Buses |
| c. | Christopher E. Platten, Esq. | RE: | UTU                       |

Oral:

Jeff LeBlanc reported on MASTF's motions from their last meeting:

- MASTF is very concerned about the low percentage of funding that is allocated to the senior and disabled transportation services from the draft program of projects of the half cent sales tax.

Mr. LeBlanc, speaking as an individual only, stated that the biggest problem to paratransit and ParaCruz is the funding shortfall. He feels the Task Force is futile and that RTC has no sincere interest in dealing with the problem.

Director Rotkin reported that the next regular meeting of the Board would take place at the Capitola City Council Chambers.

**3. LABOR ORGANIZATION COMMUNICATIONS**

Nothing to report.

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

Page 11.a22a and 11.a22b of the District Bylaws, Fact Sheet on Sales Tax distribution, replacement contract for Item #14, Letter of Support from Assemblymember John Laird for the RTIP program, Letter of Support from Senator Bruce McPherson for the RTIP program, and the Summary of 2004 RTIP County Share Proposals.

**CONSENT AGENDA**

**5-1. APPROVE REGULAR BOARD MEETING MINUTES OF APRIL 9 AND APRIL 23, 2004**

A correction will be made to the Minutes of April 23, 2004, Page 5-1.17, Item #16 as follows: ".....and ~~two~~ one individual with a disability who uses paratransit."

**5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**

No questions or comments.

**5-3. ACCEPT AND FILE APRIL 2004 RIDERSHIP REPORT  
PAGE 1 OF THE RIDERSHIP REPORT WILL BE PRESENTED FOR  
CONSIDERATION AT THE MAY 28, 2004 BOARD MEETING**

No questions or comments.

**5-4. CONSIDERATION OF TORT CLAIMS: None**

No questions or comments.

**5-5. ACCEPT AND FILE AGENDA FOR THE MAC MEETING OF MAY 19, 2004**

No questions or comments.

**5-6. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF MAY 20, 2004 AND THE MINUTES OF THE APRIL 15, 2004 MEETING**

No questions or comments.

**5-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR MARCH 2004 AND APPROVAL OF BUDGET TRANSFERS**

No questions or comments.

**5-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR FEBRUARY 2004**

Bonnie Morr explained how her experience with METRO's paratransit service was superior to her experience with VTA's Paratransit Outreach program.

**5-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR MARCH 2004**

Les White reported on the dedication ceremonies held last Friday in both Santa Cruz and San Jose to introduce the Highway 17/Amtrak consolidation service. This service began on April 26, 2004.

**5-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**

An increase in ridership on campus was noted.

**5-11. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE APRIL MEETINGS**

No questions or comments.

**5-12. ADOPT RESOLUTION INCREASING CHANGE FUND FOR OPERATIONS DEPARTMENT BY \$1,000**

No questions or comments.

**5-13. CONSIDERATION OF AMENDING CONTRACT FOR GRAPHIC DESIGN SERVICES FOR HEADWAYS**

This is a request for a one-year extension. Bryant Baehr stated that the schedule coming out on June 2<sup>nd</sup> will reflect changes made two months ago. The printing of *Headways* is timed with the service reductions.

**5-14. CONSIDERATION OF AMENDING AWARD OF CONTRACT FOR RESIDENT BUS INSPECTOR SERVICES  
ACTION IS REQUIRED AT THE MAY 14, 2004 BOARD MEETING**

Tom Stickel reported that this finalizes the inspection service on the Highway 17 buses. The vendor was paid incrementally as the buses were received. Vendor is requesting an additional \$1,806.14 for expenses incurred during the inspection process.

**ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR HINKLE**

**Authorize the General Manager to amend the contract for resident bus inspection services with First Transit, Inc. to increase the compensation to the contract by an additional \$1,806.14 for a new total contract amount of \$29,978.14.**

**Motion passed with Directors Keogh, Reilly, Skillicorn and Tavantzis being absent.**

**5-15. CONSIDERATION OF ESTABLISHING A RATE TO CHARGE MASTF FOR REPRODUCTION OF AGENDAS AND RELATED MATERIALS FOR DISTRIBUTION**

**Direction:** Supply the Board with the cost of envelopes and postage for the mailing out of MASTF agenda packets.

**5-16. CONSIDERATION OF APPROVAL OF LEGAL SECRETARY RECLASSIFICATION**

No questions or comments.

**REGULAR AGENDA**

**6. PUBLIC HEARING ON FY 04-05 AND FY 05-06 DRAFT FINAL BUDGET MATERIALS WILL BE INCLUDED IN THE MAY 28, 2004 BOARD PACKET THE PUBLIC HEARING WILL TAKE PLACE AT 9:00 A.M. AT THE MAY 28, 2004 BOARD MEETING**

**Summary:**

Elisabeth Ross stated that a full presentation will be made at the May 28, 2004 Board Meeting. A public hearing will also take place at that meeting. Staff will return to the Board for approval of the Final Budget in June.

**7. CONSIDERATION OF A RESOLUTION AUTHORIZING A GRANT APPLICATION TO THE AIR DISTRICT FOR AB 2766 FUNDS FOR AN EASTSIDE EXPRESS ROUTE**

**Summary:**

Mark Dorfman will use the UCSC GIS system to help plot this route. The City of Santa Cruz is a joint sponsor and he will ask the County to write a letter of support to the Monterey Bay Unified Air Pollution Control District (MBUAPCD) in this regard. There will be no out-of-pocket expense to METRO for this express route. Mr. Dorfman stated that this project would be experimental and if successful, could be included in the UCSC service. Funds in the amount of \$200,000 would be applied for under the AB 2766 grant to fund this express service.

**Discussion:**

Director Rotkin suggested that individual letters be sent to people who would be affected by this route. He offered to talk with the Chancellor about this outreach effort. Mr. Dorfman added that this service could be tied into the university's emergency ride home program, which the City also participates in and will market to their employees. This service is being proposed due to overcrowding on other routes in this area.

**8. CONSIDERATION OF APPOINTING INDIVIDUALS TO REPRESENT METRO ON THE PARATRANSIT COORDINATION TASK FORCE BEING FORMED BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION ACTION IS REQUIRED AT THE MAY 14, 2004 BOARD MEETING**

**Discussion:**

Director Beautz nominated Dennis Papadopulo as a paratransit user to the Paratransit Task Force. Director Spence asked that all individuals appointed to the Task Force be made aware that the MAC meeting immediately follows the Task Force meeting. Director Spence nominated Kanoa Dynek as a fixed route user to the Task Force. Director Ainsworth nominated Steve Kudlak as an alternate.

**ACTION: MOTION: DIRECTOR AINSWORTH SECOND: DIRECTOR BEAUTZ**

**Appoint Kanoa Dynek as a primary fixed route user, Dennis Papadopulo as a paratransit user and Steve Kudlak as an alternate.**

**Motion passed with Directors Keogh, Reilly, Skillicorn and Tavantzis being absent.**

**9. REVIEW OF POTENTIAL FUNDING SOURCES FOR THE METROBASE PROJECT AND CONSIDERATION OF WHETHER THE PURCHASE OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY BY THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION WILL AFFECT FUNDS ANTICIPATED TO BE USED FOR METROBASE**

**Summary:**

Les White reviewed the 2004 Regional Transportation Improvement Plan (RTIP), which is attached to these minutes for reference. He also updated the Board on his California Transportation Commission (CTC) meeting yesterday. He mentioned that the MetroBase project and the Union Pacific Right-of-Way project compete against each other for funding of \$7.8 million.

**Discussion:**

Pat Dellin of the RTC mentioned that both the Highway 1/17 project and the MetroBase project are both ready to go to construction and that the CTC is looking at bonds to finance the Highway project. Funds that are freed up from STP could then be used for MetroBase. Mr. White added that no project should be reprogrammed since the funds might go into the state's general fund.

**Direction:** \*Reissue the list of acronyms to Board members.

**CHAIRPERSON REILLY ARRIVED AT THIS TIME.**

Andrew Horne, an opponent of the purchase of the Union Pacific Right-of-Way, gave a presentation on this topic. A hard copy of Mr. Horne's presentation was distributed to members of the Board.

**CHAIRPERSON REILLY ASSUMED THE CHAIR RESPONSIBILITIES AT THIS TIME.**

**10. CONSIDERATION OF FEASIBILITY OF UTILIZING DEADHEAD BUSES TO SERVICE HARVEY WEST/HIGHWAY 9 AREA**

**Summary:**

Paul Marcelin-Sampson stated that his suggestion for picking up passengers when a bus is deadheading between Pacific Station/Metro Center and River Street was more general than what the staff report entailed. He added that he would like this to happen every day rather than just looking at doing it on weekends.

**11. CONSIDERATION OF MODIFICATIONS TO SANTA CRUZ METRO'S BYLAWS INCLUDING ADDING RULES OF PROCEDURE FOR BOARD OF DIRECTOR MEETINGS, AUTHORIZING THE SELECTION OF REPRESENTATIVES AND ALTERNATES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION AND OTHER CHANGES**

**Summary:**

Margaret Gallagher included new language for Section 14.02 of the District Bylaws which addresses appointments to the RTC.

**12. CONSIDERATION OF SUBMITTING COMMENTS WITH REGARD TO THE PROPOSED SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION EXPENDITURE PLAN**

**Summary:**

Mr. White referred to the Draft Program of Projects which the RTC is developing for consideration by the voters in 2004. A fact sheet on the sales tax distribution was distributed to the Board. Mr. White added that the expenditure for local city and county transportation improvements is distributed by population to the cities and county. The half-cent sales tax to fund the Program of Projects would run for thirty (30) years. There is a public meeting scheduled for June 3<sup>rd</sup> at 7:30 p.m. at the Board of Supervisor Chambers to receive comments. The RTC will request that the county place a ballot measure before the voters.

**13. CONSIDERATION OF AMENDING CONTRACT FOR REVENUE AND NON-REVENUE TIRES**

**Summary:**

Tom Stickel reported that Good Year Tires changed the model designation on the bus tires used by METRO and increased the price. The amended contract also covers tires for the new low-floor convertibles which have a different tire size and is not listed in the current contract.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR AINSWORTH**

**Move this item to the Consent Agenda for the May 28, 2004 Board meeting.**

**Motion passed with Directors Keogh, Skillicorn and Tavantzis being absent.**

**14. CONSIDERATION OF APPROVAL OF CONTRACT WITH AMTRAK FOR THE PROVISION OF THE HIGHWAY 17 SERVICE  
ACTION IS REQUIRED AT THE MAY 14, 2004 BOARD MEETING**

**Summary:**

Bryant Baehr pointed out that a revised contract was distributed for this item. He added that Amtrak's role in the contract for the consolidated service is as a funding mechanism only. The contract provides Amtrak with a mechanism that if Caltrans stopped funding the service, Amtrak would not be responsible for it. It also allows Amtrak to start "through ticketing", however, this has not yet been implemented. In the final draft of the contract, staff will add in the following language: "....."through ticketing" when sold in conjunction with a train/bus ticket.....".

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ROTKIN**

**Authorize the General Manager to execute a contract between Amtrak and METRO for the provision of the Highway 17 service in order to facilitate payment to METRO.**

**Discussion:**

The current ticket machines are not accessible for the visually impaired and the FTA will not approve the usage of non-accessible machines. Once fully accessible ticket machines are available, they will be installed at Pacific Station/Metro Center and at the Scotts Valley Transit Center.

**Motion passed with Directors Keogh, Skillicorn and Tavantzis being absent.**

**15. PRESENTATION OF THE RALPH M. BROWN ACT (OPEN MEETING ACT)**

Ms. Gallagher gave a presentation on the Brown Act.

**DIRECTOR SKILLICORN ARRIVED.**

During the presentation, Director Beautz asked whether public testimony rights are modified if an agenda topic is continued to a subsequent date.

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

Margaret Gallagher reported that there would be a conference with Labor Negotiator Mark Dorfman regarding SEIU and with Labor Negotiator Bryant Baehr regarding UTU. There will also be a conference with legal counsel regarding one anticipated litigation case and the existing litigation case of Sonya McClure vs. METRO.

**ACTION: MOTION: DIRECTOR HINKLE SECOND: DIRECTOR REILLY**

**Extend the meeting past 11:00 a.m.**

**Motion passed with Directors Keogh and Tavantzis being absent.**

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

None

**SECTION II: CLOSED SESSION**

Chairperson Reilly adjourned to Closed Session at 11:02 a.m. and reconvened to Open Session at 11:40 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**17. REPORT OF CLOSED SESSION**

Nothing to report at this time.

**ADJOURN**

There being no further business, Chairperson Reilly adjourned the meeting at 11:40 a.m.

Respectfully submitted.

Dale Carr  
Administrative Services Coordinator