

REVISED
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

June 22, 2007

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, June 22, 2007 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chair Tavantzis called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz (arrived after roll call)
Dene Bustichi
Donald Hagen
Michelle Hinkle
Kirby Nicol
Emily Reilly
Mike Rotkin
Dale Skillicorn
Pat Spence
Mark Stone
Marcela Tavantzis
Ex-Officio Donna Blitzer

DIRECTORS ABSENT

None

STAFF PRESENT

Ciro Aguirre, Operations Manager
Angela Aitken, Finance Manager
Pat Aviles, Asst. HR Manager
Frank Cheng, MetroBase Project Manager
Mark Dorfman, Assistant General Manager
Margaret Gallagher, District Counsel

Mary Ferrick, Base Superintendent
Debbie Kinslow, Asst. Finance Manager
Steve Paulson, Paratransit Administrator
Robyn Slater, Human Resources Manager
Tom Stickel, Maintenance Manager
Les White, General Manager

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

Bob Begun, City of Capitola
Sandra Lipperd, UTU
Ian McFadden, SEA

Karena Pushnik, SCCRTC
Amy Weiss, Spanish Interpreter
Bob Yount, MAC

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2. ORAL AND WRITTEN COMMUNICATION

Written:

- | | | | |
|----|---------------------|-----|--------------------|
| a. | Barbara Stocker | Re: | ParaCruz Service |
| b. | Denika S. Dallimore | Re: | Service Request |
| c. | Rex Bagley | Re: | Bus Damage Apology |

Oral:

Director Spence acknowledged staff for the tremendous amount of effort that had gone into this Agenda Packet.

3. LABOR ORGANIZATION COMMUNICATIONS

None.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

A corrected page for Item #7 and a Revised Organizational Chart for Item #8 were distributed at today's meeting and are attached to the file copy of these minutes.

CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF MAY 11 & 25, 2007
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF MAY 2007
- 5-3. CONSIDERATION OF TORT CLAIMS:
DENY THE CLAIM OF ANGELITA ARREDONTO, CLAIM #07-0020
- 5-4. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JUNE 20, 2007 (Minutes not approved yet)
- 5-5. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR FEBRUARY & MARCH 2007
- 5-6. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF MARCH 2007
- 5-7. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF APRIL 2007
- 5-8. ACCEPT AND FILE METROBASE STATUS REPORT
- 5-9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH ALLIANT INSURANCE SERVICES FOR LICENSED BROKER SERVICES FOR EXCESS WORKERS' COMPENSATION COVERAGE AND CONTINUING PARTICIPATION IN THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY JOINT POWERS AGREEMENT IN ORDER TO ACCESS EXCESS WORKERS' COMPENSATION INSURANCE
- 5-10. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JANUARY 2007
- 5-11. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2007 AND RECEIPT OF FY 06-07 BUDGET TRANSFERS
- 5-12. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR MARCH 2007 AND RECEIPT OF FY 06-07 BUDGET TRANSFERS

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- 5-13. ACCEPT AND FILE EQUAL EMPLOYMENT OPPORTUNITY PLAN STATISTICAL INFORMATION
- 5-14. CONSIDERATION OF AUTHORIZING THE DISPOSAL OF ONE 1980 SERVICE TRUCK
- 5-15. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE MAY 2007 MEETING(S)
- 5-16. CONSIDERATION OF RENEWAL OF PROPERTY INSURANCE COVERAGE FOR FY 07-08
- 5-17. CONSIDERATION OF MODIFICATION TO THE LEAD PARTS CLERK AND PARTS CLERK CLASS SPECIFICATIONS (JOB DESCRIPTION)
- 5-18. ACCEPT AND FILE MAY 2007 RIDERSHIP REPORT

ACTION: MOTION: DIRECTOR NICOL SECOND: DIRECTOR ROTKIN

Approve the Consent Agenda

Motion passed unanimously with Director Beautz being absent.

VICE CHAIR BEAUTZ ARRIVED

REGULAR AGENDA

- 7. CONSIDERATION OF MODIFICATIONS TO METRO'S PARACRUZ ELIGIBILITY AND APPEALS PROCESS REGULATION TO INCLUDE AN AMENDMENT PROCESS FOR PARATRANSIT PLAN MODIFICATIONS, CONFORM THE REGULATION WITH THE ACTUAL PRACTICES, SUBSTITUTE MAC, INSTEAD OF MASTF, AS AN APPOINTING AUTHORITY TO THE APPEALS PANEL AND OTHER CHANGES

Summary:

Margaret Gallagher reported that a Public Hearing was held on May 25, 2007 and that MAC, E&D TAC, and METRO's Eligibility Coordinator have all reviewed and support the proposed modifications.

Discussion:

Bob Yount reported that although MAC had previously recommended requiring in-person recertification upon expiration of the first three-year term, MAC now supports the alternative as proposed by staff in the revised Section 4.12.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Approve modifications to METRO's ParaCruz Eligibility and Appeals Process Regulation to include an amendment process for Paratransit Plan modifications, conform the regulation with the actual practices, substitute MAC, instead of MASTF, as an appointing authority to the appeals panel, and other changes

Motion passed unanimously with all Directors present.

8. CONSIDERATION OF RESOLUTION APPROVING FY 07-08 FINAL BUDGET

Summary:

Angela Aitken reported that this is the second year of a two-year budget and that there were no major changes from the draft budget presented in May.

Discussion:

Director Rotkin asked if this budget includes planned service changes. Les White clarified that the carryover listed on page #8.b1 is primarily due to attrition and that METRO is hoping to be able to use this to begin restoring service in the future. The Short Range Transit Plan that is currently being developed will identify service needs, which staff will then review and create a priority list for the Board's approval.

Sandra Lipperd, UTU, expressed concern that the names of all METRO employees are published in this budget and asked why this was done and if the practice will continue. Ms. Lipperd clarified that bus operators are identified to the public by their badge number only and although it is ok for the Board to have this information, providing full names to the public creates the potential for harassment and stalking.

Les White replied that the names were included in order to provide the Board with more information, however this could be discontinued if there was a concern. There was a discussion about publishing public employees' names.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY

Adopt Resolution approving the Final Budget for FY 07-08 as presented in Attachment B; Authorize Board member travel in FY 07-08 as described in Attachment C; Approve the Employee Incentive Program as presented in Attachment D; Authorize staffing levels as listed in Attachment E; Establish the special shuttle billing rate for FY 07-08 at \$72.00 per hour; Modify the Organizational Chart to include a new box labeled "Public" above "Board of Directors" and remove employee names

Motion passed unanimously with all Directors present.

9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO TAKE STEPS TO PROCURE WI-FI EQUIPMENT FOR INSTALLATION ON HIGHWAY 17 EXPRESS BUSES AND INCLUDE THE OPTION FOR A CONTENT FILTERING SERVICE IN THE PROCUREMENT

Summary:

Mark Dorfman reported that METRO and MST were awarded \$75,000 to test the feasibility of

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adding Wi-Fi Service on buses. METRO intends to use its half of the funds for a demonstration project on the Highway 17 Express. Staff is recommending that the Board approve the Wi-Fi equipment procurement and that an option for content filtering be included, giving METRO the capability to utilize this feature in the future, if the need should arise.

Discussion:

There was a discussion about whether or not METRO should censor content, however it was agreed that METRO should have the capability to do so should it become necessary.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR SPENCE

Authorize staff to procure Wi-Fi Service for the Highway 17 Express and to include an option for content filtering service in the procurement

Motion passed unanimously with all Directors present.

10. CONSIDERATION OF INSTITUTING TRANSIT WATCH, AN FTA PUBLIC SAFETY AND SECURITY AWARENESS CAMPAIGN

Summary:

Ciro Aguirre reported that Transit Watch was established in 2003 in response to 9/11. It is a public awareness campaign promoted by the Federal Transit Administration, in partnership with the Department of Transportation and the Department of Homeland Security. Utilizing a variety of written visual materials in both English and Spanish, it is used to increase public safety and security awareness. The materials would be made available at METRO's transit facilities and inside buses.

Discussion:

Chair Tavantzis noted that the grammar is incorrect in the Spanish materials.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR BUSTICHI

Authorize the General Manager to direct staff to institute an FTA sponsored Transit Watch Public Safety and Security Awareness Campaign on METRO buses and transit facilities

Motion passed unanimously with all Directors present.

11. CONSIDERATION OF APPROVAL OF SALARY ADJUSTMENT FOR SENIOR ACCOUNTING TECHNICIAN

Summary:

Robyn Slater reported that salary surveys were completed for three positions as requested by

SEIU. As a result of the surveys, staff is recommending that the wage scale for Senior Accounting Technician be adjusted.

Discussion:

Bob Begun, City of Capitola, asked if fringe benefits and private sector positions were included. Robyn Slater replied that benefits were not included, as specified in the MOU, and that 13 public agencies were surveyed, including 11 transit agencies and the City and County of Santa Cruz.

Ian McFadden, SEA, thanked staff on behalf of the 4 METRO employees affected by this issue.

After a discussion about including all fringe benefits as part of the compensation in the salary surveys in the future, the Board requested that this issue be brought up for discussion during negotiations for the next labor agreement.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HINKLE

Approve the salary range adjustments to the Senior Accounting Technician position effective June 28, 2007 as presented in Attachment “A”

Motion passed unanimously with all Directors present.

12. CONSIDERATION OF REVISING THE TERMS AND APPOINTMENTS OF METRO ADVISORY COMMITTEE (MAC) MEMBERS TO BE CONSISTENT WITH PREVIOUSLY APPROVED BYLAWS REVISION

Summary:

Les White reported that this action would adjust MAC members' terms to commence and end on the anniversary date of their appointment and achieve the goal of “staggered” term expirations to be consistent with the previously approved revision to the MAC Bylaws.

Discussion:

In light of MAC member Paul Marcelin-Sampson's recent employment with VTA, Bob Yount, MAC Chair, reported that MAC had asked staff to develop language to revise the Bylaws to only exclude for membership anyone directly involved in funding that METRO receives. MAC is hopeful that the Board will consider this issue in the near future because the way the Bylaws are currently written, MAC will lose Mr. Marcelin-Sampson and exclude potential members.

Director Spence expressed concern that all of the MAC member terms expire in 2008 and suggested that some term expirations be moved to 2009.

Directors Nicol and Reilly both appealed to the public to contact them if they were interested in being appointed to MAC as their appointees.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR SKILLICORN

Direct staff to stagger MAC members' terms for half to expire in 2008 and half to expire in 2009

Motion passed unanimously with all Directors present.

13. CONSIDERATION OF CURRENT PARACRUZ OPERATING PARAMETERS WITH REGARD TO METRO'S SERVICE AREA INCLUDING HOURS AND DAYS OF SERVICE AND THE PROVISION OF SUMMER PARACRUZ SERVICE TO THE ROUTE #33/34 SERVICE AREA (FELTON/LOMPICO)

Summary:

Les White reported that the issue came up last month that METRO staff became aware that METRO is not operating its ParaCruz service in accordance with the current Customer Guide regarding the hours and days of ParaCruz service being directly tied to fixed route service. This more restrictive language that was adopted in 2006 was never implemented and ParaCruz was continuing to operate on the "corridors of service" language (6:00 am – 10:30 pm, 7 days per week) contained in the 2004 Customer Guide.

Implementing the more restrictive language contained in the current policy would reduce ParaCruz operating costs by approximately \$102,000 annually and result in the loss of service to approximately 176 ParaCruz users, which was not emphasized or highlighted when the change was originally being considered in 2006.

Staff is recommending that the Board revise the current ParaCruz Customer Guide to reflect the Service Area and Service Hours provisions listed on page #13.a1 that were included in the 2004 Customer Guide which reflect current operating practice; and that the Board direct staff to prepare a detailed analysis of the impact of implementing the more restrictive language; and that the Board deny the request to operate ParaCruz service in the Route #33 and Route #34 areas in the months that fixed route does not operate which is consistent with past practice since 2003.

Discussion:

Several Directors spoke in favor of providing ParaCruz service in the Route #33 and #34 areas throughout the year, even though fixed route service drops off during the summer months. There was a discussion about restricting the hours it should run during the summer to weekdays but not evenings or weekends because the main concern seemed to be about people getting to medical appointments.

Director Spence commented that the service cannot be limited to certain purposes or hours if the Customer Guide says 6:00 am – 10:30 pm, 7 days per week and she suggested that the 2006 language regarding shared ride service and the service area being ¾ mile of a bus line be included in the language being considered for adoption today.

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Director Hagen stated that he would lose ParaCruz service on evenings and weekends if the more restrictive language of the current policy were implemented. Director Hagen also expressed concern that someone just slightly beyond $\frac{3}{4}$ mile of a bus route is out of the ParaCruz service area.

Director Rotkin stated that he was in complete opposition to the direction the Board seems to be moving in because this service is very expensive and METRO has a policy that clearly defines the service area, times, and dates without exceptions. Director Rotkin feels that METRO should not be providing ParaCruz service to disabled people when and where fixed route is not provided to the public and that the Board needs to make difficult decisions and stick with a set policy.

Vice Chair Beutz agreed the METRO has to have set standards and cannot decide to give service to some and not others.

Margaret Gallagher clarified that METRO has to meet federally mandated minimum requirements and cannot pick and choose the purpose of rides or favor some customers over others. METRO's current practice is reflected in the 2004 Service Area, Days, and Hours language on page #13.a1 and Ms. Gallagher recommends that it would be best for METRO to provide all ParaCruz service consistent with the 2004 language.

Director Beutz suggested adding additional language restricting the ParaCruz service in the Route #33 and #34 area to 9:00 am – 3:00 pm Monday – Friday, since it is extra service. Ms. Gallagher said it would be better to only restrict that service area to Monday – Friday but that the hours of all ParaCruz service should be the same.

Director Hagen suggested that the Board was not aware of the impact that mirroring fixed route hours and dates of service would have on ParaCruz customers when the current language was adopted in 2006.

Director Spence stated that the Short Range Transit Plan currently being developed would identify service deficiencies which will impact ParaCruz service if fixed route service is adjusted, so the Board would be addressing this issue again within the next two years.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR STONE

Revise the current ParaCruz Customer Guide to reflect the Service Area and Service Days and Hours provisions listed on page #13.a1 that were included in the 2004 Customer Guide which reflect current operating practice and operate ParaCruz service Monday through Friday from 6:00 am to 10:30 pm in the areas served by Route #33 and Route #34 during the months that fixed route does not operate

Discussion:

Director Rotkin asked the maker of the motion for the reason METRO should give ParaCruz service to the Route #33 and #34 areas in the summer, but not to other areas that have seasonal fixed route service, such as Big Basin. Director Reilly replied that there currently are no ParaCruz

customers on the Big Basin route, which is extra service provided in the summer. Director Stone added that ParaCruz customers in the Route #33 and #34 areas are the only ones impacted by the interruption of school term service.

Ian McFadden, Transit Planner, clarified that the Big Basin route runs all year except for the winter months due to inclement weather conditions.

Motion passed with Directors Beautz, Bustichi, Hagen, Hinkle, Nicol, Reilly, Skillicorn, Spence, Stone and Tavantzis voting for and Directors Rotkin and Spence voting no.

14. CONSIDERATION OF RESPONSES TO THE RECOMMENDATIONS CONTAINED IN THE TRIENNIAL PERFORMANCE AUDIT CONDUCTED BY MOORE & ASSOCIATES ON BEHALF OF THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION

Summary:

Les White reported that every three years, the RTC is required to do an audit of METRO and itself as recipients of state funding. The RTC took action yesterday to accept the recommendations contained in the audit and request a response to the recommendations from METRO.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN

Authorize the Board Chair to transmit a letter to the Santa Cruz County Regional Transportation Commission responding to the recommendations contained in the Triennial Performance Audit prepared by Moore and Associates

Motion passed unanimously with all Directors being present.

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

Margaret Gallagher reported that the Board would have a conference with its Legal Counsel regarding one case of anticipated litigation.

16. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None.

SECTION II: CLOSED SESSION

Chair Tavantzis adjourned to Closed Session at 11:07 a.m. and reconvened to Open Session at 11:34 a.m.

SECTION III: RECONVENE TO OPEN SESSION

17. REPORT OF CLOSED SESSION

Chair Tavantzis reported that the Board took no reportable action in Closed Session.

ADJOURN

There being no further business, Chair Tavantzis adjourned the meeting at 11:34 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator