

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

August 27, 2004

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, August 27, 2004 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chair Reilly called the meeting to order at 9:04 a.m.

## **SECTION 1: OPEN SESSION**

### **1. ROLL CALL:**

#### **DIRECTORS PRESENT**

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

#### **DIRECTORS ABSENT**

Ex-Officio Wes Scott

#### **STAFF PRESENT**

Bryant Baehr, Operations Manager	Elisabeth Ross, Finance Manager
Frank Cheng, M/B Project Manager	Robyn Slater, Human Resources Manager
Mark Dorfman, Assistant General Manager	Judy Souza, Base Superintendent
Margaret Gallagher, District Counsel	Tom Stickel, Fleet Maint. Manager
Steve Paulson, Paratransit Administrator	Les White, General Manager

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

Geneva Blake, Transit Supervisor	Paul Marcelin-Sampson
Chuck Boxwell, RNL Design	Pat McKelvey, RNL Design
Chris Bridinger, Bus Operator	Bonnie Morr, UTU
Denise Bridinger, Transit Supervisor	Karena Pushnik, SCCRTC
Kate Diamond, RNL Design	Will Regan, VMU
Jim Jackson	Mr. Tomasee
Joni Janecki, JWA	Amy Weiss, Spanish Interpreter
Gary Klemz, SEIU	Bob Yount, MAC/MASTF/E&D TAC
Jeff Le Blanc, MASTF	

Chair Reilly announced that she would be taking Items #17, #14 and #15 immediately after Item #6.

**ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR REILLY**

**Defer Items #9, #10 and #16 to the September 24, 2004 meeting.**

Les White distributed the MAC Committee Action Memo, which is attached to these minutes, from their August 18, 2004 meeting, recommending the Board to defer Item #10 on today's agenda.

**Motion passed unanimously with Director Beautz being absent.**

## **2. ORAL AND WRITTEN COMMUNICATION**

### Written:

a. Cameron S. Jackson

RE: Hwy 17 Schedule

### Oral:

Jim Jackson: Unhappy with Highway 17 schedule, wants the first bus to leave 12 minutes earlier in order to make a connection with the Baby Bullet. Does not understand why METRO can't change the schedule.

Paul Marcelin-Sampson: Urged the Board to respond to the recent negative comments and editorials regarding Highway 17 drivers. Understands Highway 17 scheduling difficulties due to Caltrain's lack of participation in schedule development. Suggested this be agendized for a future meeting.

Mr. Tomasee: Said he loves the Board, hates the City, and thinks the first Highway 17 bus should leave 12 minutes earlier.

Director Spence acknowledged Jeff Le Blanc for his support of METRO at the last two SCCRTC meetings.

Les White responded to the Highway 17 schedule concerns by explaining that the service is a joint effort involving 5 different agencies that have tried for three years to get Caltrain to participate in developing a coordinated Highway 17 schedule. Mr. White urged people to contact Caltrain directly.

### **Direction:**

Staff was directed to provide language for the Mayor and Board of Supervisors to contact Caltrain, and to agendize this item in time for schedule changes to appear in the next printing of Headways.

3. **LABOR ORGANIZATION COMMUNICATIONS**

Nothing to report.

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

**SECTION I:**  
**OPEN SESSION:**

**ADD TO ITEM #2** ORAL AND WRITTEN COMMUNICATION

a. Cameron S. Jackson RE: Hwy 17 Schedule  
**(Insert Letter)**

**CONSENT AGENDA:**

**ADD TO ITEM #5-3** ACCEPT AND FILE JULY 2004 RIDERSHIP REPORT  
**(Insert Page 1 of the Ridership Report)**

**ADD TO ITEM #5-4** CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM ENTIRELY OF DONALD CARTER, CLAIM #04-0013; **REJECT THE CLAIM ENTIRELY OF DELLACROSS, AHMAHNEE, CLAIM #04-0015**  
**(Insert New Claim)**

**ADD TO ITEM #5-6** ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF AUGUST 19, 2004 AND THE MINUTES OF THE JULY 15, 2004 MEETING  
**(Insert Agenda/Minutes)**

**ADD TO ITEM #5-7** ACCEPT THE MONTHLY BUDGET STATUS REPORT FOR JUNE 2004; APPROVAL OF BUDGET TRANSFERS: DESIGNATION OF EXCESS SALES TAX FUNDS IN THE AMOUNT OF \$800,000 FOR CARRYOVER IN THE FY 04-05 BUDGET; AND THE REMAINDER, IF ANY, FOR CAPITAL RESERVES; AND ADOPTION OF SCHEDULE OF RESERVE ACCOUNTS  
**(Insert Staff Report)**

**ADD TO ITEM #5-9** ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JUNE 20, 2004  
**(Insert Report)**

**ADD TO ITEM #5-16** CONSIDERATION OF ADOPTING A RESOLUTION ESTABLISHING PETTY CASH FUND FOR PARACRUZ FACILITY  
**(Insert Staff Report)**

**DELETE ITEM #5-18** CONSIDERATION OF APPOINTING LESLEY WRIGHT AS A TEMPORARY METRO ADVISORY COMMITTEE (MAC) REPRESENTATIVE TO ATTEND THE AUGUST MEETING OF THE PARATRANSIT COORDINATION TASK FORCE (PCTF)

**ADD ITEM #5-24** CONSIDERATION OF REQUEST FOR SHUTTLE SERVICE FROM COUNTY OF SANTA CRUZ FOR RUDOLPH F. MONTE FOUNDATION FIREWORKS FUNDRAISER  
**(Insert Staff Report)**

**REGULAR AGENDA:**

**REPLACE ITEM #6** PRESENTATION OF EMPLOYEE LONGEVITY/RETIREMENT AWARDS  
**(Insert REVISED Staff Report)**

**DELETE ITEM #8** CONSIDERATION OF APPROVAL OF 40 YEAR LEASE WITH THE CITY OF SANTA CRUZ FOR PROPERTY NEEDED FOR THE METROBASE PROJECT

**DELETE ITEM #9** CONSIDERATION OF AWARD OF CONTRACT FOR GOODWILL LOSS APPRAISAL SERVICES  
**(Staff recommends this Item be deferred to the September 24, 2004 Board Meeting)**

**DELETE ITEM #10** CONSIDERATION OF MODIFICATIONS TO SANTA CRUZ METRO'S BYLAWS TO CLARIFY THAT APPOINTEES TO THE METRO'S ADVISORY COMMITTEE (MAC) SERVE AT THE PLEASURE OF THE BOARD OF DIRECTORS  
**(Staff recommends this Item be deferred to the September 24, 2004 Board Meeting)**

**ADD ITEM #12** CONSIDERATION OF APPOINTING STUART ROSENSTEIN AS A TEMPORARY METRO ADVISORY COMMITTEE (MAC) REPRESENTATIVE TO ATTEND THE SEPTEMBER MEETING OF THE PARATRANSIT COORDINATION TASK FORCE  
**(Insert Staff Report)**

**REPLACE ITEM #14** **REVIEW OF ADDENDUM TO ADOPTED NEGATIVE DECLARATION FOR THE PHASE I METROBASE PROJECT**, AND CONSIDERATION OF REBUILD VS. REMODEL DESIGN OPTIONS FOR THE METROBASE MAINTENANCE BUILDING  
**(Insert REVISED Staff Report)**

**DELETE ITEM #16** CONSIDERATION OF APPROVAL OF RESOLUTION TO MODIFY SANTA CRUZ METRO'S BYLAWS INCLUDING ADDING RULES OF PROCEDURE FOR BOARD MEETINGS, SELECTING REPRESENTATIVES TO THE SANTA CRUZ COUNTY REGIONAL

TRANSPORTATION COMMISSION, SETTING TIME LIMITS FOR TESTIMONY ON AGENDA ITEMS AND OTHER CHANGES  
**(Staff recommends this Item be deferred to the September 24, 2004 Board Meeting)**

**ADD ITEM #17** PUBLIC HEARING: CONSIDERATION OF A RESOLUTION TO APPROVE A MITIGATED NEGATIVE DECLARATION FOR PHASE I OF THE METROBASE PROJECT LOCATED AT 1122 / 1200 RIVER STREET, AND 120/138 GOLF CLUB DRIVE, SANTA CRUZ  
**(Insert Staff Report)**

### CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF JULY 9 AND JULY 23, 2004 AND SPECIAL BOARD MEETING MINUTES OF JULY 23, 2004
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
- 5-3. ACCEPT AND FILE JULY 2004 RIDERSHIP REPORT
- 5-4. CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIMS ENTIRELY OF DONALD CARTER, CLAIM # 04-0013, AND AHMAHNEE DELLACROSS, CLAIM # 04-0015
- 5-5. ACCEPT AND FILE AGENDA FOR THE METRO ADVISORY COMMITTEE (MAC) MEETING OF AUGUST 18, 2004
- 5-6. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF AUGUST 19, 2004 AND THE MINUTES OF THE JULY 15, 2004 MEETING
- 5-7. ACCEPT THE MONTHLY BUDGET STATUS REPORT FOR JUNE 2004; APPROVAL OF BUDGET TRANSFERS: DESIGNATION OF EXCESS SALES TAX FUNDS IN THE AMOUNT OF \$800,000 FOR CARRYOVER IN THE FY 04-05 BUDGET; AND THE REMAINDER, IF ANY, FOR CAPITAL RESERVES; AND ADOPTION OF SCHEDULE OF RESERVE ACCOUNTS
- 5-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR MAY 2004
- 5-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JUNE 2004
- 5-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE
- 5-11. ACCEPT AND FILE METROBASE STATUS REPORT
- 5-12. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE JUNE MEETINGS
- 5-13. CONSIDERATION OF CONTRACT RENEWAL WITH CAROLYN CHANEY & ASSOCIATES FOR FEDERAL LEGISLATIVE SERVICES
- 5-14. CONSIDERATION OF CONTRACT RENEWAL WITH SHAW YODER FOR STATE LEGISLATIVE SERVICES
- 5-15. CONSIDERATION OF EXTENDING THE CONTRACT WITH TRISTAR UNTIL DECEMBER 31, 2004 TO ALLOW ENOUGH TIME TO COMPLETE THE RFP PROCESS
- 5-16. CONSIDERATION OF ADOPTING A RESOLUTION ESTABLISHING PETTY CASH FUND FOR PARACRUZ FACILITY
- 5-17. CONSIDERATION OF APPROVAL OF RESOLUTION TO ALLOW CALPERS TO ADJUST THE PREMIUM PAYMENT CAPS FOR MEDICAL FOR SEIU AND MANAGEMENT

- 5-18. DELETED
- 5-19. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE OPTION TO PURCHASE TWO (2) 40-FOOT COMPRESSED NATURAL GAS BUSES FROM THE CITY OF CULVER CITY WITH NEW FLYER OF AMERICA
- 5-20. CONSIDERATION OF STATUS OF FEDERAL REAUTHORIZATION LEGISLATION AND THE IMPACT ON THE SANTA CRUZ METRO TRANSIT DISTRICT
- 5-21. CONSIDERATION OF MODIFICATIONS TO THE DESIGN BUILD AUTHORITY FOR TRANSIT SYSTEMS ADOPTED BY THE CALIFORNIA STATE LEGISLATURE AND SIGNED INTO LAW BY THE GOVERNOR
- 5-22. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN INDEPENDENT CONTRACTOR AGREEMENT WITH SANTA CRUZ COUNTY AS THE PASS-THROUGH AGENCY FOR A GRANT TO BUY NEW BICYCLE RACKS FOR METRO BUSES
- 5-23. CONSIDERATION OF MODIFYING THE BYLAWS OF THE METRO ADVISORY COMMITTEE (MAC) TO PROVIDE FOR ALTERNATE MEMBERS
- 5-24. CONSIDERATION OF REQUEST FOR SHUTTLE SERVICE FROM COUNTY OF SANTA CRUZ FOR RUDOLPH F. MONTE FOUNDATION FIREWORKS FUNDRAISER

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR KEOGH**

**Approve the Consent Agenda**

**Direction:** Include cost per hour in all future Staff Reports similar to #5-24, Monte Foundation shuttle service.

**Motion passed unanimously with all Directors present.**

**REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

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

**TWENTY YEARS**

Gary S. Blair, Bus Operator  
Timon W. Read, Bus Operator  
Douglas J. Grosjean, Bus Operator  
Issac E. Glenn, Bus Operator

The following employees were acknowledged with a Resolution of Appreciation for their years of service:

**RETIREES**

Geneva Blake, Operations Supervisor, 30 Years  
Chris Bridinger, Bus Operator, 24 Years  
Denise Bridinger, Operations Supervisor, 27 Years 5 Months  
Aurelio Preciado, Bus Operator, 29 Years 6 Months  
Denise Rossi, Operations Supervisor, 28 Years 8 Months

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Approve a Resolution of Appreciation of Services for each of the following retirees:  
Geneva Blake, Chris Bridinger, Denise Bridinger, Aurelio Preciado, and Denise Rossi.**

**Motion passed by a unanimous voice vote in lieu of a roll call with all Directors present.**

Chair Reilly announced that she would take Items # 17, 14, 15 and 11, in that order, prior to the remainder of the agenda.

**17. PUBLIC HEARING: CONSIDERATION OF A RESOLUTION TO APPROVE A  
MITIGATED NEGATIVE DECLARATION FOR PHASE I OF THE METROBASE  
PROJECT LOCATED AT 1122/ 1200 RIVER STREET, AND 120/138 GOLF CLUB  
DRIVE, SANTA CRUZ**

**Summary:**

Frank Cheng reported that the RNL Design team modifications to the building design and layout were incorporated to maximize operational efficiency and capacity. Frank Cheng stated that the Mitigated Negative Declaration addressed all concerns received during the public review period including impacts on noise, traffic flow and fueling components of the project.

**Public Hearing opened at 9:40 a.m.**

There were no Public Comments.

**Public Hearing closed at 9:40 a.m.**

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

**Approve a Resolution to Adopt a Mitigated Negative Declaration for Phase I of the MetroBase Project.**

**Motion passed by a unanimous roll call vote with all Directors present.**

**14. REVIEW OF ADDENDUM TO ADOPTED NEGATIVE DECLARATION FOR THE PHASE I METROBASE PROJECT, AND CONSIDERATION OF REBUILD VS. REMODEL DESIGN OPTIONS FOR THE METROBASE MAINTENANCE BUILDING**

**Summary:**

Frank Cheng explained that the RNL Design team has encountered significant difficulties in retaining a portion of the existing maintenance building on Golf Club Drive, which is beyond its projected useful life. Chuck Boxwell explained how a completely new building would meet all project criteria, result in more useable space, and could be constructed for less cost than remodeling the existing building. The overall design cost would increase approximately \$398,688 and the overall construction cost would decrease approximately \$222,055.

An Addendum to the Negative Declaration has been prepared to address a new building vs. remodeling the existing building.

**Discussion:**

There was discussion about how the demolition and new “tilt-up” construction would take place, as well as the impact that a new building would have on the project schedule, cost involved, and the end result of more useable space, and a more functional layout.

The Addendum to the Negative Declaration found that the construction of a new maintenance building vs. remodeling the existing building would not result in significant new or increased noise, air or hazardous materials impacts that were not already addressed in the Negative Declaration.

Jeff Le Blanc stated he was in favor of a new building.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Adopt the Addendum to the Negative Declaration for Phase I of the MetroBase Project.**

**Motion passed unanimously with all Directors present.**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Approve the Rebuild option for the MetroBase Project Maintenance Building, with a report back to the Board, when feasible, regarding how demolition materials will be disposed of.**

**Motion passed unanimously with all Directors present.**

**15. REVIEW OF AESTHETIC TREATMENT DESIGN OPTIONS FOR THE OPERATIONS, SERVICE, AND MAINTENANCE BUILDINGS FOR THE METROBASE PROJECT**

Discussion with the RNL Design Team included: Interior and exterior finishes, materials, colors, landscaping, drainage, bus and employee parking, ventilation, and configuration of offices.



Public Comment included:

Jeff Le Blanc – suggested using a more lively exterior color than gray.

Will Regan – urged the Board to leave the bus yard and maintenance facility lot open with no landscaping and no other physical or visual obstacles.

Bob Yount – concerned with ventilation system. Remarks are attached to the minutes.

Paul Marcelin-Sampson - urged the Board to focus on making the building efficient and making sure the money is there to build it.

Bonnie Morr – wants the balcony next to the drivers room expanded to provide an outdoor employee area.

**Direction:** Bring back cost of adding a percolation system to the roof area of the River Street facility and a usable balcony off the break room

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Approve the aesthetic design options as presented for the MetroBase Project**

**Direction:** Bring back costs of items that have been deducted during the value engineering process.

**Motion passed unanimously with all Directors present.**

**DIRECTOR NORTON LEFT THE MEETING**

**11. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A LEASE AGREEMENT WITH SOQUEL III ASSOCIATES FOR PROPERTY LOCATED AT 2880 RESEARCH PARK DRIVE, SUITE 160 FOR METRO PARACRUZ OPERATION**

**Summary:**

Les White reported that Soquel III Associates has declined Staff's offer to enforce designated parking spaces. The last offer to Soquel III was for a 5-year lease, with an escape clause within the first year that if there were any parking problems, the District could terminate the lease without incurring contract damages, for breach of contract.

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

**Authorize the General Manager to enter into a 5-year lease agreement with Soquel III Associates for property located at 2880 Research Park Drive, Suite 160 for ParaCruz operations, provided that if there are any parking problems within the first year, the District may terminate the lease without incurring punitive damages.**

**Discussion:**

If Soquel III Associates does not agree to these terms, the alternative would be occupying a split location.

**Direction:**

If no agreement is reached regarding the parking, bring this item back for a Special meeting to discuss alternatives.

**Motion passed unanimously with Directors Norton and Scott being absent.**

**12. CONSIDERATION OF APPOINTING STUART ROSENSTEIN AS A TEMPORARY METRO ADVISORY COMMITTEE (MAC) REPRESENTATIVE TO ATTEND THE SEPTEMBER MEETING OF THE PARATRANSIT COORDINATION TASK FORCE**

**ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR KEOGH**

**Appoint Stuart Rosenstein as a temporary MAC representative to attend the September meeting of the Paratransit Coordination Task Force.**

**Motion passed unanimously with Director Norton being absent.**

**DIRECTOR SKILLICORN LEFT THE MEETING**

**7. CONSIDERATION OF RECEIPT OF REPORT OF THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION'S PARATRANSIT COORDINATION TASK FORCE (PCTF) AND MINUTES OF JUNE 16, 2004**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Accept the report of the Paratransit Coordination Task Force and minutes of the June 16, 2004 meeting.**

**Motion passed unanimously with Directors Norton and Skillicorn being absent.**

**Discussion:**

The Board requested more information on the Paratransit, Inc. (PI) model system. Paul Marcelin-Sampson pointed out several inconsistencies in the PI presentation and has prepared a comprehensive analysis, which the Board requested be emailed to them. Mr. Marcelin-Sampson expressed frustration at the difficulty in trying to get the PCTF to look at his information at the August meeting. Karena Pushnik also had information to email to the Board.

**8. DELETED**

**9. DEFERRED TO THE SEPTEMBER BOARD MEETING**

**10. DEFERRED TO THE SEPTEMBER BOARD MEETING**

**13. MOVED TO CONSENT AGENDA AS ITEM #5-17**

**16. DEFERRED TO THE SEPTEMBER BOARD MEETING**

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

Margaret Gallagher stated that the Board would discuss the Workers Compensation case of Laura Harrell.

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

None.

**SECTION II: CLOSED SESSION**

Chair Reilly adjourned to Closed Session at 12:07 p.m. and Vice Chair Keogh reconvened to Open Session at 12:23 p.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**20. REPORT OF CLOSED SESSION**

Margaret Gallagher had nothing to report at this time.

**ADJOURN**

There being no further business, Chair Reilly adjourned the meeting at 12:24 p.m.

Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator