

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**February 9, 2007**

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, February 9, 2007 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA

Vice Chair Beautz called the meeting to order at 9:03 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Jan Beautz  
Dene Bustichi  
Donald Hagen  
Michelle Hinkle  
Kirby Nicol  
Emily Reilly (arrived after roll call)  
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, Asst. General Manager  
Mary Ferrick, Base Superintendent

Margaret Gallagher, District Counsel  
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**

Jose Herrera, UTU

Bob Yount, MAC

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

#### **Written:**

- |    |                           |     |                          |
|----|---------------------------|-----|--------------------------|
| a. | Niro Mudra                | Re: | Letter of gratitude      |
| b. | Celia Brown, County of SC | Re: | Irrigation water run-off |
| c. | Tom Stickel, SCMTD        | Re: | Irrigation water run-off |

Chair Tavantzis thanked all the drivers and staff listed in the letter of gratitude, Item #2-a on today's Agenda.

**3. LABOR ORGANIZATION COMMUNICATIONS**

Jose Herrera, UTU, reported that despite limited police presence, there is still a safety issue at the Watsonville Transit Center (WTC). Mr. Herrera explained that a driver had been frightened last week when someone attempted to break into her bus at the WTC. Mr. Herrera stated he is concerned about the safety of the public and the drivers and urged the Board to reconsider this issue and provide more security.

**DIRECTOR REILLY ARRIVED**

Margaret Gallagher stated that this issue would be agendaized for the next Board meeting.

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

A Revised Staff Report for Item #5-14 was distributed at today's meeting and is attached to the file copy of these minutes. Vice Chair Beautz reported that no action is needed on Item #13 today.

**CONSENT AGENDA**

**5-1. APPROVE REGULAR BOARD MEETING MINUTES OF JANUARY 12 & 26, 2007 AND REVISED PAGES 11 & 12 OF APRIL 28, 2006 MINUTES**

Bob Yount requested that a correction be made to the January 26, 2007 Board Minutes. On page #5-1.12, the second sentence in the second paragraph under Oral Communications should read, "Mr. Yount also reported that ~~MAG is in the process of having a MAG~~ **during the next six months, MAC will be sending a representative on to the Elderly and Disabled Transportation Advisory Committee (E&D TAC) meetings to decide whether to have a voting representative there.**"<sup>1</sup>

**5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF JANUARY 2007**

No questions or comments.

**5-3. ACCEPT AND FILE JANUARY 2007 RIDERSHIP REPORT AND PAGES 1 OF THE DECEMBER 2006 RIDERSHIP REPORT**

Page 1 of the January Ridership Report will be included in the February 23, 2007 Board Packet. No questions or comments.

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<sup>1</sup> This correction has been made to the January 26, 2007 Draft Minutes and was redistributed to the Board for approval at the February 23, 2007 Board meeting.

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

**5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR FEBRUARY 21, 2007 AND MINUTES OF DECEMBER 20, 2006**

Director Spence commented that E&D TAC only meets every other month, so six months may not be enough time for MAC to evaluate whether or not they want a voting representative. Les White offered to pass that information on to MAC.

**5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR OCTOBER 2006 AND APPROVAL OF BUDGET TRANSFERS**

Will be included in the February 23, 2007 Board Packet.  
No questions or comments.

**5-7. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR NOVEMBER 2006**

Will be included in the February 23, 2007 Board Packet.  
No questions or comments.

**5-8. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF NOVEMBER 2006**

No questions or comments.

**5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF DECEMBER 2006**

November report will be included in the February 23, 2007 Board Packet.  
No questions or comments.

**5-10. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE DECEMBER 2006 MEETING(S)**

No questions or comments.

**5-11. ACCEPT AND FILE METROBASE STATUS REPORT**

Director Spence reported that she had planted a Cape Honeysuckle in her yard and it failed miserably in the frost. This plant is included in the MetroBase landscaping.

**5-12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH ORTHOPAEDIC HOSPITAL FOR REVIEW OF PARACRUZ ELIGIBILITY SCREENING PROGRAM**

Tom Stickel confirmed for Director Spence that the rate of compensation would remain the same at \$40 per assessment, up to \$2,000 per month.

**5-13. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH OCTAGON RISK SERVICES FOR THIRD PARTY ADMINISTRATION OF WORKERS COMPENSATION CLAIMS**

Director Rotkin requested a summary regarding claims status and how successful METRO's relationship with this company has been, prior to the Board taking action on this Item in two weeks.

**5-14. CONSIDERATION OF AN AGREEMENT WITH SANTA CRUZ SEASIDE COMPANY FOR THE PROVISION OF LATE NIGHT SERVICE**

Mark Dorfman reported that the bid dates have been corrected in the REVISED Staff Report distributed today. Mr. Dorfman explained that the Boardwalk pays for this service each year which extends the starting point of the last Route 71 trip to include the Boardwalk for its employees.

**REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

This presentation will take place at the February 23, 2007 Board meeting.

**7. CONSIDERATION OF APPROVAL OF RESOLUTION MODIFYING METRO'S BYLAWS**

Will be included in the February 23, 2007 Board Packet.

**Summary:**

Margaret Gallagher stated that she is recommending two modifications: 1) Remove MASTF as an advisory group because it no longer exists; and 2) Change mileage reimbursement pursuant to IRS Publication 463, which is updated annually. Ms. Gallagher requested that the Board contact her with any other changes so they can be included in the Staff Report for the next Board meeting.

**8. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH BATTERIES USA, INC. FOR HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES**

**Summary:**

Tom Stickel reported that this is a Regional Transit Coordinating Council (RTCC) purchase, which METRO participates in to obtain the best pricing by combining annual quantities from several participating transit agencies. This contract has been awarded to Batteries USA, Inc.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR NICOL**

**Move Item #8 to the Consent Agenda**

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

**9. CONSIDERATION OF RESOLUTION REVISING FY 06-07 BUDGET**

**Summary:**

Angela Aitken reported that this budget revision addresses the fiscal impact of the Board approval of salary adjustments in January 2007.

**Discussion:**

Director Rotkin suggested that going forward, it would be helpful for the report to explain the reasoning of why funds are moved from certain accounts into others.

**10. CONSIDERATION OF RESOLUTION AUTHORIZING A DEPOSIT ACCOUNT AND FACSIMILE SIGNATURE AGREEMENT WITH COAST COMMERCIAL BANK**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HINKLE**

**Move Item #10 to the Consent Agenda**

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

**11. CONSIDERATION OF RESOLUTION AUTHORIZING ADDITION AND DELETION OF SIGNED ON THE DEPOSIT ACCOUNT FOR THE ADMINISTRATION OF APPROVED WORKERS' COMPENSATION CLAIMS WITH COMERICA BANK**

**ACTION: MOTION: DIRECTOR STONE SECOND: DIRECTOR REILLY**

**Adopt Resolution to add a signer and delete a signer to the Comerica deposit account for the workers' compensation trust fund**

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

**12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH FOLSOM LAKE FORD FOR THE PURCHASE OF SEVEN COMPACT SEDANS**

**Summary:**

Tom Stickel reported that METRO uses a variety of leased shuttle vehicles to get operators back and forth to their buses and meal breaks. METRO has purchased three of the vehicles which are working out well and would like to purchase seven more.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR TAVANTZIS**

**Move Item #12 to the Consent Agenda**

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

**13. CONSIDERATION OF AN AMENDMENT TO THE CONTRACT WITH ARNTZ BUILDERS, INC. EXTENDING THE CONTRACT EXPIRATION DATE FOR THE METROBASE SERVICE BUILDING TO JUNE 30, 2007, WHILE MAINTAINING THE CONSTRUCTION COMPLETION DATE OF JANUARY 9, 2007**

**Summary:**

Les White reported that no action is needed on this Item today because Staff is currently negotiating with Arntz Builders, Inc. to determine how many days of delay will be allowed for the completion of construction. A Change Order revising the date for the completion of construction and the assessment of liquidated damages will be presented to the Board for consideration once the negotiations with Arntz Builders, Inc. are complete.

Mr. White explained that METRO should have constructed the contract in a manner that identified a construction completion date, with the accompanying liquidated damages penalties, and a later expiration date for the close-out of all outstanding cost issues and release of any retained funds.

Mr. White stated that Staff would be reviewing the contract with West Bay Builders and possibly recommending that a time buffer be added to the end of the construction contract to allow for administrative issues.

**ADJOURN**

There being no further business, Vice Chair Beautz adjourned the meeting at 9:35 a.m.

Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator