

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**January 11, 2008**

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 11, 2008 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice Chair Beautz called the meeting to order at 9:02 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Jan Beautz  
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  
Wally Brondstatter, Acting Paratransit Administrator  
Frank Cheng, MetroBase Project Manager  
Mark Dorfman, Assistant General Manager

Mary Ferrick, Base Superintendent  
Margaret Gallagher, District Counsel  
Robyn Slater, Human Resources Manager  
Tom Stickel, Maintenance Manager

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

Bonnie Morr, UTU

Bob Yount, MAC

### **1b. CONSIDERATION OF:**

- 1) NOMINATION OF DIRECTORS TO SERVE AS BOARD OFFICERS,**
- 2) NOMINATION FOR APPOINTMENTS TO THE HIGHWAY 1 CONSTRUCTION AUTHORITY,**
- 3) NOMINATION FOR APPOINTMENTS TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR 2008**

Nominations for office of Chair and Vice Chair:

Director Beautz as Chair  
Director Bustichi as Vice Chair

Nominations to the Highway 1 Construction Authority:

Primary: Director Tavantzis  
Alternate: Director Bustichi

Nominations to the Regional Transportation Commission:

Primary: Director Spence, Director Tavantzis, and Director Bustichi  
Alternates: Director Skillicorn, Director Hagen, and Director Hinkle

Vice Chair Beautz stated that the nominations would be held open until the January 25, 2008 Board Meeting at which time the Board would also vote.

**2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS**

Written:

None.

Oral:

Bob Yount, MAC Chair, reported that MAC is looking for issues to consider and provide their input to the Board.

Director Bustichi reported on an incident that happened in Scotts Valley before the holidays. A ParaCruz customer scheduled a ride for a doctor's appointment and apparently, the office had moved and the ParaCruz driver refused to go three blocks away to the new location or take the customer home. The police were called and gave the customer a ride to the new location and then returned her home. Director Bustichi requested that this policy be examined and modified and requested that staff provide a report on this incident and proposed changes at the next Board meeting.

**3. LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr, UTU, stated that while the union empathizes on this issue, currently, drivers are disciplined if drop off locations do not match the manifest.

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

None

**CONSENT AGENDA**

**5-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF DECEMBER 2007**

No questions or comments.

5-2. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR OCTOBER AND NOVEMBER 2007**

5-3. **CONSIDERATION OF TORT CLAIMS:  
DENY THE CLAIM OF FELICIA PALMER, CLAIM #07-0042**

No questions or comments.

5-4. **ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JANUARY 16, 2008 AND MINUTES OF NOVEMBER 28, 2007**

No questions or comments.

5-5. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF OCTOBER 2007**

Ciro Aguirre and Wally Brondstatter explained that during the month of October, ParaCruz had again experienced an anomaly with several operators being absent, and ParaCruz was in the process of hiring new operators, which resulted in the higher percentage of rides performed by supplemental providers. This also decreased the number of shared rides because the rides by supplemental providers are generally not shared.

Chair Tavantzis asked about the data showing that ParaCruz performed over 1,000 more rides this year than during the same period as last year, and the average trip is 5 miles, but the total mileage only increased by approximately 2,000 miles. Wally Brondstatter responded that mileage of supplemental providers was not included, but that staff would provide a breakdown in the next Board Packet that would include this information.

**ITEM #5-9 WAS TAKEN OUT OF ORDER**

5-9. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR SEPTEMBER 2007**

Director Rotkin asked why September's ridership was down from last year. Mark Dorfman replied that the number of weekdays per month can affect the ridership data, and that the month of October was back up.

5-6. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH STEVE'S UNION FOR PARACRUZ VEHICLE FUELING SERVICES AND TO EXECUTE A CONTRACT RENEWAL WITH CRUZ CAR WASH FOR PARACRUZ VEHICLE WASHING SERVICES**

Director Spence asked how often Cruz Car Wash details the interior of ParaCruz vehicles because the floors are not always clean. Wally Brondstatter replied that all of the vehicles are cycled through for interior and exterior weekly and that he would speak with the vendor on this.

**5-7. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH SUE CLARKE FOR AUDITING OF THE TALKING BUSES EXTERNAL ANNOUNCEMENTS AT THE WATSONVILLE TRANSIT CENTER AND THE BART CAVALLARO TRANSIT CENTER**

Vice Chair Beautz asked who conducts the audits at METRO Center. Margaret Gallagher replied that the security guards do it as part of their contracted duties and that may be possible at Watsonville as well because there are security guards there now too. Staff will look into this prior to the expiration of this new six-month contract with Ms. Clarke.

**5-8. ACCEPT AND FILE METROBASE PROJECT STATUS REPORT**

No questions or comments.

**5-10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A NEW ONE-YEAR LEASE FOR WATSONVILLE TRANSIT CENTER KIOSK #6 FOR THE CURRENT TENANT**

**5-11. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR THE MONTH OF NOVEMBER 2007**

**REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS: None**

**7. PUBLIC HEARING REGARDING THE YIELD TO BUS PROGRAM, AND CONSIDERATION OF ADOPTION OF A RESOLUTION AUTHORIZING THE REINSTATEMENT OF THE YIELD TO BUS PROGRAM EFFECTIVE FEBRUARY 1, 2008**

**Summary:**

Mark Dorfman reported that this is a voluntary courtesy program with no citation involved and that the law requires a Public Hearing and adoption of a Resolution to reinstate the program.

**Discussion:**

Bonnie Morr reported that this program was very helpful in the past and suggested that METRO do a lot of public outreach regarding the reinstatement. Director Rotkin requested an outline of the public education be presented at the Public Hearing.

**8. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH WEBER HAYES AND ASSOCIATES FOR PHASE I AND II ENVIRONMENTAL SITE ASSESSMENT REPORTS FOR THE PROPERTIES LOCATED AT 920 AND 912 PACIFIC AVENUE, SANTA CRUZ**

**ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR BUSTICHI**

**Authorize the General Manager to execute a contract with Weber-Hayes and Associates for Phase I and II Environmental Site Assessments for the properties located at 920 and 912 Pacific Avenue, Santa Cruz for a total amount not to exceed \$33,760**

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

**9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT AMENDMENT FOR CONSTRUCTION OF A BUS TURNAROUND AT CHINA GRADE AND HIGHWAY 236 WITH GRANITE CONSTRUCTION COMPANY TO REVISE THE LANGUAGE ON CONTRACT TIME OF PERFORMANCE**

**Summary:**

Tom Stickel reported that this is a time-only extension due to delays encountered with the Caltrans double permit approval process and preparation of a Water pollution Control Plan required by the Caltrans encroachment permit.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SPENCE**

**Authorize the General Manager to execute a contract amendment for construction of a bus turnaround at China Grade and Highway 236 with Granite Construction Company to revise the language on contract time of performance**

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

**10. CONSIDERATION OF TORT CLAIMS:  
DENY THE CLAIM OF ARNTZ BUILDERS, CLAIM #07-0040;  
DENY THE CLAIM OF CHAYME HIGGINS, CLAIM #07-0044**

**Summary:**

Margaret Gallagher reported that Claim #07-0044 is a Bus Operator's dispute with the Labor Agreement, which will be handled through the Operations Department, and the attachment referred to in the claim includes personal information which would not have been appropriate to include here. The Arntz Builders claim involves METRO accidentally damaging fencing and that the replacement costs are significantly less than the damages being claimed.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HAGEN**

**Deny the claim of Arntz Builders, Claim #07-0040; Deny the claim of Chayme Higgins, Claim #07-0044**

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

**11. CONSIDERATION OF AN AMENDMENT TO THE CONTRACT WITH ARNTZ BUILDERS, INC. EXTENDING THE CONTRACT EXPIRATION DATE FOR THE METROBASE SERVICE BUILDING TO FEBRUARY 28, 2008, WHILE MAINTAINING THE CONSTRUCTION COMPLETION DATE OF JANUARY 9, 2007**

**Summary:**

Frank Cheng clarified that this is a time-only extension of the Purchase Order with no extra cost involved.

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

**Authorize the General Manager to execute an amendment to the contract with Arntz Builders, Inc. that extends the contract expiration date to February 29, 2008, while maintaining the construction completion date of January 9, 2007**

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

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

Margaret Gallagher reported that the Board would have a conference with its Labor Negotiators regarding UTU, Local 23, Fixed Route and the Item #2 was deleted.

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

None.

**SECTION II: CLOSED SESSION**

Vice Chair Beautz adjourned to Closed Session at 9:33 a.m. and reconvened to Open Session at 10:23 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**14. REPORT OF CLOSED SESSION**

Margaret Gallagher reported that the Board took no reportable action in Closed Session.

**ADJOURN**

There being no further business, Vice Chair Beautz adjourned the meeting at 10:23 a.m.

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Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator