# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT (METRO) BOARD OF DIRECTORS AGENDA <br> REGULAR MEETING <br> APRIL 28, 2023-9:00 AM <br> HYBRID MEETING 

Members of the public may attend in-person or participate remotely via Zoom.

METRO Admin Office<br>110 Vernon Street<br>Santa Cruz, CA

Zoom Link
Dial In: 1-669-900-6833
Meeting ID: 82328425369

Please note the following COVID-19 protocols for in-person attendance:
Visitors experiencing the following symptoms of COVID-19 may not enter the building:

- Cough
- Chills
- Sore Throat
- Shortness of Breath
- Muscle Pain
- Fever
- Loss of Taste/Smell

Face masks and hand sanitizer will be available on site.
The Board of Directors Meeting Agenda Packet can be found online at www.SCMTD.com and is available for inspection at Santa Cruz METRO's Administrative Office at 110 Vernon Street, Santa Cruz, CA.
Public comment may be submitted via email to boardinquiries@scmtd.com. Please indicate in your email the Agenda item to which your comment applies. Comments submitted before the meeting will be provided to the Directors before or during the meeting. Comments submitted after the meeting is called to order will be included in the Board's correspondence that is posted online at the Board meeting packet link. Oral public comments will also be accepted during the meeting through Zoom. Each public comment is limited to three minutes or less. Board and Committee Chairs have the discretion to manage the public comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting.
The Board may take action on each item on the Agenda. The action may consist of the recommended action, a related action or no action. Staff recommendations are subject to action and/or change by the Board of Directors.

## BOARD ROSTER

Director Kristen Brown
Director Rebecca Downing*
Director Jimmy Dutra
Director Shebreh Kalantari-Johnson
Director Manu Koenig
Director Donna Lind
Director Bruce McPherson
Director Scott Newsome
Director Larry Pageler
Director Vanessa Quiroz-Carter
Director Mike Rotkin
Ex-Officio Director Dan Henderson
Ex-Officio Director Alta Northcutt

City of Capitola
County of Santa Cruz
City of Watsonville
City of Santa Cruz
County of Santa Cruz
City of Scotts Valley
County of Santa Cruz
City of Santa Cruz
County of Santa Cruz
City of Watsonville
County of Santa Cruz
UC Santa Cruz
Cabrillo College
*Attending via teleconference at: 110 F Street, Davis, CA 95616
Michael Tree
METRO CEO/General Manager
Julie Sherman
METRO General Counsel

# SECTION I: OPEN SESSION <br> NOTE: THE BOARD CHAIR MAY TAKE ITEMS OUT OF ORDER 

1 CALL TO ORDER
2 SAFETY ANNOUNCEMENT
Curtis Moses, Safety, Security \& Risk Management Director
3 ROLL CALL
4 ANNOUNCEMENTS
4.1 Today's meeting is being broadcast by Community Television of Santa Cruz County.
4.2 Miguel Moreno will be available for Spanish language interpretation services, which will be available during "Oral Communications" and for any other Agenda item for which these services are needed.

5 BOARD OF DIRECTORS COMMENTS
6 ORAL AND WRITTEN COMMUNICATIONS TO THE BOARD OF DIRECTORS
This time is set aside for Directors and members of the general public to address any item not on the Agenda which is within the subject matter jurisdiction of the Board. No action or discussion shall be taken on any item presented except that any Director may respond to statements made or questions asked, or may ask questions for clarification. All matters of an administrative nature will be referred to staff. Each public comment is limited to three minutes or less. Board and Committee Chairs have the discretion to manage the public comment process in a manner that achieves the purpose of public communication and assures the orderly conduct of the meeting. When addressing the Board, the individual may, but is not required to, provide his/her name and address in an audible tone for the record.
6.1 Email Dated 3/31/23 From Belle Lin With METRO's Response
6.2 Email Dated 4/23/23 From Brian Peoples

## 7 LABOR ORGANIZATION COMMUNICATIONS

## 8 ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

 CONSENT AGENDAAll items appearing on the Consent Agenda are recommended actions which are considered to be routine and will be acted upon as one motion. All items removed will be considered later in the Agenda. The Board Chair will allow public input prior to the approval of the Consent Agenda items.

### 9.1 ACCEPT AND FILE: PRELIMINARY APPROVED CHECK JOURNAL DETAIL FOR THE MONTH OF MARCH 2023

Chuck Farmer, CFO
9.2 ACCEPT AND FILE: MINUTES OF THE MARCH 24, 2023 BOARD OF DIRECTORS REGULAR MEETING Michael Tree, CEO/General Manager
9.3 ACCEPT AND FILE: THE YEAR TO DATE MONTHLY FINANCIAL REPORT AS OF MARCH 31, 2023
Chuck Farmer, CFO
9.4 APPROVE: CONSIDERATION OF AUTHORIZING THE CEOIGENERAL MANAGER TO EXECUTE A 4TH AMENDMENT EXTENDING THE CONTRACT FOR TWO YEARS WITH LAW OFFICES OF MARIE F. SANG FOR LEGAL SERVICES IN THE AREA OF WORKERS' COMPENSATION, INCREASING THE CONTRACT TOTAL BY \$24,000
Dawn Crummié, HR Director
9.5 APPROVE: CONSIDERATION OF DECLARING VEHICLES ANDIOR EQUIPMENT AS EXCESS FOR PURPOSES OF DISPOSAL OR AUCTION Chuck Farmer, CFO
9.6 APPROVE: CONSIDER A RESOLUTION DESIGNATING THE CEOIGENERAL MANAGER AS THE AUTHORIZED AGENT TO SUBMIT A GRANT APPLICATION AND EXECUTE ACTIONS NECESSARY TO RECEIVE FORMULA FUNDS FROM THE FY23 LOW CARBON TRANSIT OPERATIONS PROGRAM
Wondimu Mengistu, Capital Planning \& Grants Program Manager
9.7 APPROVE: CONSIDERATION OF RATIFICATION OF USE OF STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES CONTRACT FOR THE PURCHASE OF ONE NON-REVENUE EMERGENCY SERVICE TRUCK Eddie Benson, Maintenance Manager
9.8 APPROVE: CONSIDERATION OF AUTHORIZING THE CEOIGENERAL MANAGER TO EXECUTE A 3RD AMENDMENT EXTENDING THE CONTRACT FOR TWO YEARS WITH BROWN ARMSTRONG ACCOUNTANCY CORPORATION FOR FINANCIAL AUDIT AND TAX SERVICES, INCREASING THE CONTRACT TOTAL BY $\$ 95,150$ Chuck Farmer, CFO
9.9 APPROVE: CONSIDER A RESOLUTION SUPPORTING ASSEMBLY BILL (AB) 610 AND DIRECTING METRO STAFF TO ENGAGE ASSEMBLYMEMBER HOLDEN AND ALL RELEVANT STAKEHOLDERS TO ADVANCE THE LEGISLATION IN THE 2023-24 REGULAR LEGISLATIVE SESSION Wondimu Mengistu, Capital Planning \& Grants Program Manager
9.10 APPROVE: RECOMMENDED ACTION ON TORT CLAIMS

Curtis Moses, Safety, Security \& Risk Management Director

## REGULAR AGENDA

10 PRESENTATION OF EMPLOYEE LONGEVITY AWARD: (15 YEARS) NOAH VASSEUR
Board Chair Kalantari-Johnson
11 PRESENTATION OF SAFETY CERTIFICATE OF ACHIEVEMENT FOR THIRD QUARTER ENDING MARCH 31, 2023
Curtis Moses, Safety, Security \& Risk Management Director
12 APPROVE: ADOPTION OF THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT AND INTRODUCTION OF THE INFORMAL BIDDING ORDINANCE
Julie Sherman, General Counsel
13 CEO ORAL REPORT
Michael Tree, CEO/General Manager
14 ANNOUNCEMENT OF NEXT MEETING: FRIDAY, MAY 19, 2023 AT 9:00 AM, METRO ADMIN OFFICES, 110 VERNON STREET, SANTA CRUZ
Board Chair Kalantari-Johnson
15 ADJOURNMENT
Board Chair Kalantari-Johnson

TITLE 6 - INTERPRETATION SERVICESITÍTULO 6 - SERVICIOS DE TRADUCCIÓN
Spanish language interpretation and Spanish language copies of the Agenda Packet are available on an as-needed basis. Please make advance arrangements with the Executive Assistant at 831-426-6080. Interpretación en español y traducciones en español del paquete de la Agenda están disponibles sobre una base como-necesaria. Por favor, hacer arreglos por adelantado con Coordinador de Servicios Administrativos al numero 831-426-6080.

## ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

This document has been created with accessibility in mind. With the exception of certain 3rd party and other attachments, it passes the Adobe Acrobat XI Accessibility Full Check. If you have any questions about the accessibility of this document, please email your inquiry to accessibility@scmtd.com. Upon request, Santa Cruz METRO will provide for written Agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested at least two days before the meeting. Requests should be emailed to boardinquiries@scmtd.com or submitted by phone to the Executive Assistant at 831-426-6080. Requests made by mail (sent to the Executive Assistant, Santa Cruz METRO, 110 Vernon Street, Santa Cruz, CA 95060) must be received at least two days before the meeting. Requests will be granted whenever possible and resolved in favor of accessibility.

## PUBLIC COMMENT

If you wish to address the Board, please follow the directions at the top of the Agenda. If you have anything that you wish distributed to the Board and included for the official record, please include it in your email. Comments that require a response may be deferred for staff reply.

Pursuant to Section 54954.2(a)(1) of the Government Code of the State of California, this Agenda was posted at least 72 hours in advance of the scheduled meeting at a public place freely accessible to the public 24 hours a day. The Agenda Packet and materials related to an item on this Agenda submitted after distribution of the Agenda Packet are available for public inspection in the Santa Cruz METRO Administrative Office (110 Vernon Street, Santa Cruz) during normal business hours. Such documents are also available on the Santa Cruz METRO website at www.scmtd.com subject to staff's ability to post the document before the meeting.

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# COMMUNICATIONS TO THE BOARD OF DIRECTORS 

| From: | Cayla Hill |
| :--- | :--- |
| To: | "bellelin53@gmail.com" |
| Cc: | Donna Bauer; John Urgo |
| Subject: | RE: Full bus |
| Date: | Monday, April 03, 2023 6:26:29 AM |

Belle,
METRO deeply regrets the difficulties that you and other UCSC students are facing with METRO's service. The agency understands that there is a need for more service on the UCSC routes to match increasing demand. However, METRO is unable to add any more UCSC service without taking away service from other service areas where riders also rely on METRO to commute to work, travel to doctor appointments, and buy their groceries.

METRO is experiencing a severe driver shortage, and while the agency is actively recruiting and trying to attract new drivers, total operator counts only increased by one operator compared to this time last year. METRO has an ongoing recruitment for operators, we've hired new trainers to be able to accommodate more frequent training classes and are initiating a new training class every few months. However, METRO still continues to have existing drivers retire or resign, and the new trainee class sizes have remained relatively low.

Due to these issues in attracting and retaining operator talent, METRO will not be able to add any more service this spring. The current scheduled service is the maximum amount of service that can operated with the current number of Operators. METRO is working diligently to increase our operator counts by aggressively recruiting, offering sign on and employee referral bonuses for operator positions.

To understand how to redistribute service across Santa Cruz County to improve service for METRO riders and increase ridership, METRO is conducting an analysis of the entire system. The consultant hired for this project will advise METRO on where service should be increased and re-directed. Significant outreach efforts to the entire county will be an essential part of this process in order for METRO to receive feedback from riders and convey any changes in service to the community. The METRO Board of Directors, comprised of elected officials from all over the County, will be responsible for providing input and approving the changes to METRO's service resulting from this analysis.

METRO invites you and other UCSC students and staff to attend remotely or in person at the next board meeting on April 28. Please use these meetings as an opportunity to relay your requests directly to the METRO Board of Directors regarding increasing service on UCSC routes. The METRO board will also receive this communication for the upcoming meeting in April..

Best regards,
Cayla Hill
Planning Data Analyst
Planning Department, Santa Cruz Metro
chill@scmtd.com
(831) 420-2581

# COMMUNICATIONS TO THE BOARD OF DIRECTORS 

From: Belle Lin [bellelin53@gmail.com](mailto:bellelin53@gmail.com)
Sent: Friday, March 31, 2023 2:04 PM
To: boardinquiries@scmtd.com
Subject: Full bus

This Message Is From an Untrusted Sender
You have not previously corresponded with this sender.
~ Please exercise caution when clicking links or opening attachments. ~
Dear Metro Board of Directors, I am sending this email to express my frustration with regularly being left behind by full Metro buses on the UCSC routes. The chronic overcrowding on these routes makes it very difficult for students to attend class, commute to work, and buy groceries. Many students are low-income and do not have any other transportation options; they depend on Metro for essential journeys and Metro has failed them. Metro has disproportionately reduced service to UCSC compared to the rest of the local bus network since 2020, despite the fact that UCSC enrollment has increased each year. Metro has failed to allocate service according to demand and according to the capacity needs of the UCSC community. Metro needs to increase service on the UCSC routes, starting with improved bus frequency in the busiest areas, such as Mission St. Buses running through campus right after a class period gets out are always extremely crowded, yet Metro does not run any extra service at these times. Metro needs to schedule buses according to the demand at different times of the day and on different days of the week. This is obvious to anyone who rides the bus regularly and should be obvious to the board as well. Many of the decisions that Metro has made which negatively affect students every day were made in closed-door meetings by Metro staff, without input from the UCSC community. We are feeling unrepresented by the Metro board, and would like meaningful improvements to be made.

Best regards,

# COMMUNICATIONS TO THE BOARD OF DIRECTORS 

| From: | Brian Peoples |
| :---: | :---: |
| To: | Donna Bauer |
| Cc: | Michael Tree; Shebreh Kalantari-J ohnson; thekristenbrown@gmail.com; Guy Preston; Manu Koenig; "jimmy.dutra@cityofwatsonville.org"; Bruce McPherson; Gine Johnson; openup@cats.ucsc.edu; vanessa.quiroz@cityofwatsonville.org |
| Subject: | Metro hypocrites to "Protecting our Coastline" |
| Date: | Sunday, April 23, 2023 7:49:13 AM |

This Message Is From an External Sender
This message came from outside your organization.
~Please exercise caution when clicking links or opening attachments. ~

Hi Donna,

Please find the following Oral Communications and an attached photo of a hawk and eagle fighting in the Live Oak area of the Santa Cruz Coastal Corridor for the Santa Cruz Metro meeting on April 28th. These photos were forwarded to us to share how their habitat in Live Oak is being destroyed by the current plan to build the Coastal Trail next to the old railroad tracks.

Metro's support of the rail and trail plan along the Santa Cruz Coastal Corridor is resulting in the destruction of hawk/eagle habitat - which makes Metro hypocritical with their current "Protecting our Coastlines, One Ride at a Time". Before supporting the destruction of the local environment, we ask the Metro Board to understand the facts on the likelihood of a new passenger train on the Coastal Corridor. The facts are, there will never be a new passenger rail on the Santa Cruz Coastal Corridor because:

- Santa Cruz Coastal Corridor travels within 20 feet of the Pacific Ocean in multiple locations so a future passenger train will not meet California Coastal Commission Sea-Level-Rising requirements.
- Adjacent private property easements explicitly do not allow for a future passenger train.
- Limited width of Coastal Corridor does not allow a fast-moving train ( $45-60 \mathrm{MPH}$ ) and trail to coexist according to Federal guidelines.
- Fencing requirements for a fast-moving rail system will prevent access to Coastal Beaches - which is not allowable by California Coastal Commission.
- Dangerous conditions would be created in our neighborhoods with fast moving trains travelling through the narrow corridor.
- Configuration of the corridor (not straight) does not accommodate fast moving passenger rail that would be required to meet travel times between Watsonville and Santa Cruz.
- Protection of Historical Trestles (Boardwalk, Capitola, Hidden Beach, Seascape) prevent construction of new concrete rail bridges along the corridor.


## COMMUNICATIONS TO THE BOARD OF DIRECTORS

RFP for the \$8M passenger rail study asked for "vertical and horizontal realignments" in design - meaning look at diverting train along Highway 1 corridor.

- Requirement to eminent domain private property to accommodate a train and trail has resulted in delays in building the Coastal Trail.
- The federally protected wetland (Harkins Slough) will not allow for a new passenger rail system.


# Wasting Measure $D$ funds on more train studies and building a narrow, expensive trail next to the old railroad tracks reduces funds available for Metro operations. When it costs twice as much to build a 12-foot-wide trail than it does to widen Highway 1, we know there are major issues with our local agencies' design work for transportation systems. Santa Cruz Metro is most impacted by poor public policy on transportation investments and we ask Metro to support the Interim Coastal Trail plan that preserves the corridor for future transit while allowing for a timely and cost-effective construction of the Coastal Trail - and is in alignment with Metro's campaign "PROTECTING OUR COASTLINE". 

Best,

Brian Peoples
Trail Now

## COMMUNICATIONS TO THE BOARD OF DIRECTORS


6.2.3

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DATE: April 28, 2023
TO: Board of Directors
FROM: Chuck Farmer, CFO
SUBJECT: ACCEPT AND FILE PRELIMINARY APPROVED CHECK JOURNAL DETAIL FOR THE MONTH OF MARCH 2023

## I. RECOMMENDED ACTION

That the Board of Directors accept and file the preliminary approved Check Journal Detail for the month of March 2023

## II. SUMMARY

- This staff report provides the Board of Directors (Board) with a preliminary approved Check Journal Detail for the month of March 2023.
- The Finance Department is submitting the check journals for Board acceptance and filing.


## III. DISCUSSION/BACKGROUND

This preliminary approved Check Journal Detail provides the Board with a listing of the vendors and amounts paid out on a monthly cash flow basis (Operating and Capital expenses).

All invoices submitted for the month of March 2023 have been processed, the checks have been issued and signed by the Deputy Finance Director.

## IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This report aligns to METRO's Financial Stability, Stewardship \& Accountability strategic plan.
V. FINANCIAL CONSIDERATIONS/IMPACT

The check journal present the invoices paid in March 2023 for Board review, agency disclosure and transparency.

## VI. CHANGES FROM COMMITTEE

N/A.

## VII. ALTERNATIVES CONSIDERED

None.

## VIII. ATTACHMENTS

Attachment A: Check Journal Detail for the Month of March 2023

Prepared by: Holly Alcorn, Accounting Specialist

Board of Directors
April 28, 2023
Page 3 of 3

## IX. APPROVALS

Chuck Farmer, CFO



Michael Tree CEO/General Manager


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## Attachment A

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| 82953 | 03／06／23 | 395.50 | 367 | COMMUNITY TELEVISION OF |
| 82954 | 03／06／23 | 2，135．45 | 002814 | CREATIVE BUS SALES，INC． |
| 82955 | 03／06／23 | 2，474．46 | 003116 | CUMMINS，INC |
| 82956 | 03／06／23 | 13，058．75 | 003274 | EAST BAY TIRE CO． |
| 82957 | 03／06／23 | 9，019．03 | 003485 | EMPLOYNET，INC |

EMPLOYNET，INC
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## Attachment A

PAGE 2
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## Attachment A

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## Attachment A

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## Attachment A






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## Attachment A

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| 83076 | 03／20／23 | 8，134． 00 | 003102 | CLEVER DEVICES LTD． |
| 83077 | 03／20／23 | 1，393．14 | 075 | COAST PAPER \＆SUPPLY INC． |
| 83078 | 03／20／23 | 6，114． 26 | 163 | COMMUNITY PRINTERS，INC． |
| 83079 | 03／20／23 | 27.00 | 001025 | COUNTY OF SANTA CRUZ PUB WORKS |
| 83080 | 03／20／23 | 479.56 | 002814 | CREATIVE BUS SALES，INC． |
| 83081 | 03／20／23 | 1，062．50 | E1022 | CRUMMIE，DAWN |
| 83082 | 03／20／23 | 9，132．83 | 588 | CTSJPA（CALTIP） |
| 83083 | 03／20／23 | 3，347．71 | 003116 | CUMMINS，INC |
| 83084 | 03／20／23 | 900.00 | 916 | DOCTORS ON DUTY MEDICAL |
| 83085 | 03／20／23 | 24，142．86 | 003274 | EAST BAY TIRE CO． |
| 83086 | 03／20／23 | 579.33 | E672 | ESTRADA，URIEL |
| 83087 | 03／20／23 | 1，376．55 | 001297 | FASTENAL COMPANY INC |
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## Attachment A

PAGE 8
DATE: 03/01/23 THRU 03/31/23


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| 120211 | 11/5-3/31 GOLF CLUB |
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| 120073 | 2/16-2/28 REV FUEL |
| 120172 | 1906 PAVING PROJ MMF |
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| 120148 | INVENTORY ORDER |
| 120149 | INVENTORY ORDER |
| 120150 | INVENTORY ORDER |
| 120175 | FEB23 WATER TEST OPS |
| 120159 | STAINLESS STEAL BAND |
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| 120199 | FEB 23 RETAINER |
| 120115 | VEH\# 2602 PARTS |
| 120110 | VEH\# 1123 PARTS |
| 120111 | NON INV ORDER |
| 120114 | NON INVENTORY ORDER |
| 120186 | INVENTORY ORDER |
| 120187 | NON INVENTORY ORDER |
| 120190 | CORE CR K-2043550 |
| 120083 | PAINT SUPPLIES SMC |
| 120084 | WHITE PAINT SMC |
| 120068 | MAR 23 LEASE PAYMENT |
| 120174 | VEH\# PC1707 TOW |
| 120141 | CL\# 22000654 |
| 120142 | CL\# 22001522 |
| 120143 | CL\#11000452/11001281 |
| 120144 | CL\# 2009210082 |
| 120078 | 2/23-2/24 LEASE RNWL |
| 120080 | MISC ENG SVC |
| 120171 | 1941 EV CHG PROJ OPS |
| 120179 | DAMAGED PROPERTY |
| 120182 | APR 23 RENT CAPITOLA |
| 120154 | INVENTORY ORDER MMF |
| 120155 | INVENTORY ORDER |
| 120085 | TOWELS, MOPS, MATS MMF |
| 120092 | FUEL ST TOWELS |
| 120093 | VMU/VSW UNIFORM SUPP |
| 120192 | TOWELS/MATS PRC |
| 120193 | TOWELS/MATS PRC |


| $45,772.28$ | 002295 |
| ---: | :--- | :--- |
| $1,394.56$ | 003431 |
| $10,857.91$ | 002952 |
| $54,740.25$ | 003583 |
| 569.85 | 117 |
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| 285.00 | 003316 |
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| 47.14 | 546 |
| $40,860.70$ | 003109 |






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| 83092 | $03 / 20 / 23$ |
| 83093 | $03 / 20 / 23$ |


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## Attachment A

DATE: 03/01/23 THRU 03/31/23


| SPRING SVC CAR CARDS 2/2-3/5 SVT/WTC/PNR |  |
| :---: | :---: |
|  | FEB 23 COURIER SVC |
|  | NESS CARDS EB |
|  | 2/14-3/13 PARACRUZ |
|  | BUS DRIVER RECRUIT |
| INVENTORY ORDER |  |
| PVC CARDS |  |
|  | 1/6-2/6 BETTYS HWH |
|  | /6-2/6 MMF |
|  | 1/6-2/6 PAC ISL |
|  | 1/6-2/6 PACIFIC |
|  | 1/6-2/6 MULTI |
|  | 1/6-2/6 GOLF CLU |
|  | 1/6-2/6 SBF |
|  | 1/6-2/6 VERNO |
|  | 1/6-2/6 RIVER |
|  | 02/01 SHREDDING |
| , |  |
|  | TEMP W/E 2/26 |
| TEMP W/E 2/26 |  |
|  | TEMP W/E 1/8 |
| APR 23 RENT RESEARCH |  |
| NVENTORY ORDER |  |
|  | INVENTORY ORDER |
| INVENTORY ORDER MMF |  |
|  | CR INV\# 3530963837 |
| FIREWALL SUPP REN |  |
|  | 1/21-2/20 TVM COMMS |
| OPENHOUSE SHAVED ICE |  |
|  | ON INV/INV |
| VEH\# 9817 PARTS |  |
|  | NON INVENTORY ORDER |
| NON INVENTORY ORDER |  |
|  |  |
| FREIGHT <br> INVENTORY ORDER <br> 1/23-2/22 WIFI BUSES |  |
|  |  |
|  |  |
|  | 2/2-3/1 CUSTOMER SVC |
| 2/2-3/1 PARACRUZ |  |
| SERVICE CALL OPS |  |
|  |  |
| WINDOW TINTING SMC |  |
| LETTER/NUM STENCILS |  |
|  |  |
| PREFUND CL\# 20001732 |  |



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SAFE-CARD ID SERVICES, INC


STRONGHOLD SECURITY INC.
T-MOBILE USA, INC.
TEMPUS PER ANNUM
THE HOSE SHOP, INC
SOQUEL III ASSOCIATES
SPX TECHNOLOGIES, INC.
STAPLES INC
SANTA CRUZ RECORDS MNGMT INC
SLINGSHOT CONNECTIONS LLC
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| 99.02 | 007 | UNITED PARCEL SERVICE |
| 104.10 | 002829 | VALLEY POWER SYSTEMS, INC. |
| 12,279.73 | 434 | VERIZON WIRELESS |
| 2,987.50 | 001353 | VISION COMMUNICATIONS |
| 439.00 | 003682 | WINDOW INNOVATIONS, INC. |
| 18.34 | 003530 | ZORO TOOLS, INC. |
| 73,500.00 | 002917 | SANTA CRUZ METRO TRANSIT W/C |
| 3,653.34 | 003151 | ABC BUS INC |

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## Attachment A

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\& Ano
PIED PIPER EXTERMINATORS, inc.

SANTA CRUZ MUNICIPAL UTILITIES
SANTA CRUZ STAFFING, LLC
SCARBOROUGH LBR \& BLDG SUPPLY
SCMTD PETTY CASH - OPS
SCOTTS VALLEY WATER DISTRICT
SEGOVIANO, SERGIO

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## Attachment A


9.1A. 15

## Attachment A

| SANTA CRUZ METROPOLITAN TRANSIT DISTRICT | PAGE |
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| CHECK JOURNAL DETAIL BY CHECK NUMBER | 16 |
| ALL CHECKS FOR ACCOUNTS PAYABLE |  |

DATE: 03/01/23 THRU 03/31/23

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## Attachment A



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## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT (METRO) BOARD OF DIRECTORS MEETING MINUTES* <br> MARCH 24, 2023-9:00 AM

A regular meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District (METRO) convened on Friday, March 24, 2023 as a hybrid meeting.
The Board Meeting Agenda Packet can be found online at www.SCMTD.com. *Minutes are "summary" minutes, not verbatim minutes. Audio recordings of Board meeting open sessions are available to the public upon request.

This document was created with accessibility in mind. With the exception of certain third party and other attachments, it passes the Adobe Acrobat XI Accessibility Full Check. If you have any questions about the accessibility of this document, please email your inquiry to accessibility@scmtd.com.
1 CALLED TO ORDER at 9:06 AM by Board Chair Kalantari-Johnson.
2 SAFETY ANNOUNCEMENT
Curtis Moses, METRO's Safety, Security and Risk Management Director, provided the safety announcement highlighting where the exits are in case of an emergency and the COVID precautions in place for this hybrid meeting.

3 ROLL CALL: The following Directors were present, representing a quorum:

Director Kristen Brown
Director Rebecca Downing
Direct Jimmy Dutra* AR 9:07
Director Shebreh Kalantari-Johnson
Director Manu Koenig
Director Donna Lind
Director Bruce McPherson
Director Scott Newsome
Director Larry Pageler
Director Quiroz-Carter
Director Mike Rotkin
Ex-Officio Director Dan Henderson
Ex-Officio Director Alta Northcutt

City of Capitola County of Santa Cruz
City of Watsonville
City of Santa Cruz
County of Santa Cruz
City of Scotts Valley
County of Santa Cruz
City of Santa Cruz
County of Santa Cruz
City of Watsonville
County of Santa Cruz
UC Santa Cruz
Cabrillo College
*Attended via teleconference at 275 Main St., Watsonville, CA
Michael Tree
CEO/General Manager
Nicole Witt
General Counsel
4 RECESS TO SCCIC MEETING
Board Chair Kalantari-Johnson recessed to the SCCIC Meeting at 9:07 AM.
5 RECONVENE TO BOARD OF DIRECTORS MEETING
Board Chair Kalantari-Johnson reconvened the Board of Directors Meeting at 9:12 AM.

ANNOUNCEMENTS
Today's meeting is being broadcast by Community Television of Santa Cruz County.

We had anticipated providing Spanish language interpretation services but due to unforeseen circumstances, we are not able to provide that service today.

## 7 BOARD OF DIRECTORS COMMENTS

Director Downing thanked METRO staff for all of the work performed during the winter storms and helping our community. She also thanked John Urgo, METRO's Planning and Development Director, for hosting the Reimagine METRO meeting on March 21, 2023 and allowing the public to weigh in with suggestions.
Director Koenig reported that he recently went to Sacramento as part of the Central Coast Coalition which includes representatives from the Counties of Santa Barbara, San Luis Obispo, Monterey, San Benito and Santa Cruz. He talked to several State Representatives about transportation projects that will benefit the Central Coast Region. He also met with CalSTA (California State Transportation Agency) Undersecretary Mark Tollefson and talked about the TIRCP grant METRO has applied for to acquire hydrogen buses and a fueling station and was encouraged by the response.

Director Lind thanked METRO for its response in the recent evacuations and for Ronald Hernandez Rodas coming back to work at ParaCruz after getting his family to safety. It not only reminds us of the dedication of our Bus Operators but also the commitment from staff to support and raise funds to help its fellow employees who are struggling right now.

Director McPherson thanked staff and the administration at METRO for getting ahead of so many issues recently. He announced that on Tuesday, March 21, 2023 the San Luis Obispo County decided to join Central Coast Community Energy (3CE). 3CE now has 35 agencies that are participating to help us have a cleaner environment.

Board Chair Kalantari-Johnson also expressed appreciation to the Bus Operators and staff for the work done during the storms. METRO went above and beyond during these crises and showed the community it does more than provide bus transportation. It is also critical to public health and safety.
Hearing nothing further, Board Chair Kalantari-Johnson moved to the next agenda item.

8 ORAL AND WRITTEN COMMUNICATIONS TO THE BOARD OF DIRECTORS Brian Peoples, Trail Now, spoke about the North Coast Rail Trail being delayed due to the close proximity to the ocean and restrictions by the California Coastal Commission.

Hearing nothing further, Chair Kalantari-Johnson moved to the next agenda item.

## 9 LABOR ORGANIZATION COMMUNICATIONS

James Sandoval, SMART Chairperson, Local 0023, congratulated Directors Kalantari-Johnson and Brown on their appointments as Board Chair and Vice Chair, respectively. He also thanked Directors Newsome and Quiroz-Carter for
meeting with him. He mentioned that negotiations start on April 6 and 7, 2023 and it has been great working together with CEO Tree this past year. He hopes these negotiations will go well and we can reach a deal to better recruit and retain Bus Operators.

Hearing nothing further, Board Chair Kalantari-Johnson moved to the next agenda item.

10 ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS Having none, Board Chair Kalantari-Johnson moved to the next agenda item.

## CONSENT AGENDA

11.1 ACCEPT AND FILE: PRELIMINARY APPROVED CHECK JOURNAL DETAIL FOR THE MONTH OF FEBRUARY 2023 Chuck Farmer, CFO
11.2 ACCEPT AND FILE MINUTES OF:
A. FEBRUARY 15, 2023 METRO ADVISORY COMMITTEE (MAC) MEETING
B. FEBRUARY 24, 2023 BOARD OF DIRECTORS REGULAR MEETING
C. MARCH 10, 2023 FINANCE, BUDGET \& AUDIT STANDING COMMITTEE MEETING
Michael Tree, CEO/General Manager
11.3 ACCEPT AND FILE: THE YEAR TO DATE MONTHLY FINANCIAL REPORT AS OF FEBRUARY 28, 2023
Chuck Farmer, CFO
11.4 APPROVE: RECOMMENDED ACTION ON TORT CLAIMS Curtis Moses, Safety, Security \& Risk Management Director
11.5 APPROVE: FY24 AND FY25 PRELIMINARY OPERATING BUDGETS AND FY24 CAPITAL BUDGET-PORTFOLIO FOR REVIEW AND TDA/STA CLAIMS PURPOSES
Chuck Farmer, CFO
11.6 APPROVE: CONSIDERATION OF AUTHORIZING METRO TO USE THE CALIFORNIA ASSOCIATION FOR COORDINATED TRANSPORTATION (CALACT) VEHICLE CONTRACT FOR THE PURCHASE OF SEVEN PARATRANSIT VANS FROM CREATIVE BUS SALES IN AN AMOUNT NOT TO EXCEED \$992,365
Eddie Benson, Maintenance Manager
There were no public comments.
Director Koenig requested Item 11.7 be pulled from the Consent Agenda for further discussion.

ACTION: MOTION TO APPROVE THE CONSENT AGENDA, EXCLUDING ITEM 11.7
MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR PAGELER

MOTION PASSED WITH 11 AYES (Directors Brown, Downing, Dutra, KalantariJohnson, Koenig, Lind, McPherson, Newsome, Pageler, Quiroz-Carter, and Rotkin).

## REGULAR AGENDA

### 11.7 APPROVE: CONSIDERATION OF AWARD OF CONTRACT TO MILLER MAXFIELD, INC. FOR STRATEGIC PLANNING SERVICES FOR FUTURE REVENUE OPTIONS NOT TO EXCEED \$338,650

Director Koenig mentioned his concern about a sales tax measure for the 2024 ballot. Discussion followed on competition from other entities also placing revenue measures on the 2024 ballot and possibly extending METRO's measure to 2028 instead. Several Directors expressed concern with moving forward with the contract before seeing the polling results.
CEO Tree responded that the contract amount is task-order based so we would pay as we go and look into other revenue opportunities as well. Initial polling has been completed and is currently being analyzed. Our intent is to return to the Board once we see what the public sentiment is for a potential ballot measure. At first glance, the public is appreciative of METRO and sees value in investing in the maintenance and future improvements at METRO. We've also had discussions with City Managers and the County Administrator to get their input.

Director Dutra expressed concern about public trust after recently taking the 91X away.
Director Rotkin pointed out that polling doesn't determine what happens; the election does. METRO has not had a ballot measure for a general tax increase since 1978. The 2016 Measure D was not just for METRO. It benefited the Cities and County of Santa Cruz as well as Community Bridges Lift Line. The additional infusion of funding to METRO would make a huge difference in addressing agency issues.

Director Koenig asked if METRO could extend the contract after the initial three years to maintain the option of any efforts in 2028. General Counsel Nicole Witt responded that the parties can always agree to extend the contract by amendment but the question will be whether that action will need to return to the Board for approval due to any required increase in the total compensation.
Mr. Peoples told the Board Members that he will form a Political Action Committee (PAC) to oppose a sales tax measure if the METRO representatives who vote at the Santa Cruz County Regional Transportation Commission (SCCRTC) meetings continue to support rail. Mr. Peoples followed up his comments with an email to CEO Tree and the Board Members (attached).
Brandon Freeman, SMART Local 0023, commented that this item has nothing to do with the train; this is about METRO and its bus system. We have an extremely aged fleet and staff shortages across multiple departments and the only way to fix that is to remain competitive. CEO Tree is trying to fix the problems METRO has and needs your support to get it done.
Director Koenig said he is willing to support this with the understanding that we are not actually agreeing to any specific expenditures today and to discuss this further with the Board.

Director Lind added that she's happy to hear there have been communications with our City and County jurisdictions to see what their plans are and supports the project.

ACTION: MOTION TO APPROVE AWARDING A CONTRACT TO MILLER MAXFIELD, INC. FOR STRATEGIC PLANNING SERVICES FOR FUTURE REVENUE OPTIONS NOT TO EXCEED $\$ 338,650$ AND DIRECT STAFF TO DISCUSS EXTENSION OF THE CONTRACT TERM AND POTENTIAL COSTS INVOLVED

MOTION: DIRECTOR ROTKIN

## SECOND: DIRECTOR PAGELER

MOTION PASSED WITH 11 AYES (Directors Brown, Downing, Dutra, KalantariJohnson, Koenig, Lind, McPherson, Newsome, Pageler, Quiroz-Carter, and Rotkin)
12 PRESENTATION OF EMPLOYEE LONGEVITY AWARDS: (10 YEARS) JAVIER FAVELA, JOSE ZAMARRIPA AND (15 YEARS) PATRICK FORTHUN, MAURIZIO ITALIA, AND JOHN NEVIN
Board Chair Kalantari-Johnson recognized and thanked each employee for their service at METRO.

Mr. Sandoval noted that the certificates used to be handed out in person at the Board Meetings and hopes we can get back to that when we become fully staffed.

## 13 RETIREE RESOLUTION OF APPRECIATION: MARK SAUNDERS, BUS OPERATOR

Board Chair Kalantari-Johnson read Mr. Saunders resolution and expressed appreciation for his years of service at METRO.
ACTION: MOTION TO APPROVE THE RETIREE RESOLUTION OF APPRECIATION FOR MARK SAUNDERS, BUS OPERATOR

MOTION: DIRECTOR PAGELER

SECOND: DIRECTOR ROTKIN

MOTION PASSED WITH 11 AYES (Directors Brown, Downing, Dutra, KalantariJohnson, Koenig, Lind, McPherson, Newsome, Pageler, Quiroz-Carter, and Rotkin)
Due to time constraints, Items 14 and 15 were switched on the Agenda.
14 ACCEPT AND FILE: STATE LEGISLATIVE UPDATE FROM SHAW, YODER, ANTWIH, SCHMELZER AND LANGE
Michael Pimentel of Shaw, Yoder, Antwih, Schmelzer and Lange, spoke to his presentation and provided the State legislative update. He spoke to the following transit-related bills: AB 463, AB 610, and AB 761. He provided a FY2023-24 budget overview, including proposed spending cuts for future funding cycles.
Discussion centered on AB 610 (Youth Transit Passes) and defining "youth" as it relates to California institutions, the current status of the bill and the opportunity to provide feedback, if there are state resources available for METRO's pilot program "Youth Cruz Free" under this bill, and the best way to let Sacramento know of METRO's successes with the pilot program.
Director McPherson said Santa Cruz County is considered a self-help county. Does that status need to be renewed? Mr. Pimentel responded if you currently operate
as a self-help county, you are categorized as that. He said the purpose for mentioning this term was to make us aware that money from Sacramento may not be forthcoming. If localities have interest in making further investment in transportation or public transit, most likely that revenue will have to be derived from the regions or localities.
Director McPherson said Federal legislation seems to be addressing rural as well as urban areas. Is there fairness established in consideration of funding? Mr . Pimentel responded that money will be released on a formula basis generally based on population but also on the revenues generated by the agencies in the region. That ensures funding across the state and not just to urban areas.
Director Rotkin thanked Mr. Pimentel and Mr. Giglio for their service to METRO. He asked about the state deficit of $\$ 22$ billion. After the proposed state cuts of $\$ 3$ billion to transportation, where are the remaining state cuts coming from? Mr . Pimentel said the remaining cuts will come from a variety of things like the energy programs, Pelton human services programs, and investment programs that are proposed to be rescinded.
Director Koenig expressed concern on the cuts to transit, making it harder for METRO to add zero-emission buses to its fleet because it takes sustained funding to make a difference to our agency and others throughout the state.
Matt Farrell, Friends of Rail and Trail, let the Board Members know his group has written letters to all state representatives encouraging them to support additional funding to TIRCP and support AB 610.
Hearing nothing further, Board Chair Kalantari-Johnson moved to the next agenda item.

ACCEPT AND FILE: FEDERAL LEGISLATIVE UPDATE FROM CAPITAL EDGE Chris Giglio, Capital Edge, spoke to his presentation and provided the Federal legislative update. He reviewed the FY23 Department of Transportation (DOT) Budget increases, the differences between the White House and GOP on spending, update on the infrastructure law, and the makeup of the $118^{\text {th }}$ Congress and how that will affect passing legislature.
There were no public comments.
16 APPROVE: CONSIDERATION OF AUTHORIZING THE CEOIGENERAL MANAGER TO NEGOTIATE A LEASE AGREEMENT FOR 809 W. BEACH STREET, WATSONVILLE, CA
Chuck Farmer, CFO, spoke to his presentation and summarized that METRO wants to lease this property as a parking lot and a staging location for new buses coming in and several agency projects where extra space is needed. METRO has explored various properties and this one is already a parking lot and does not require a substantial infrastructure investment.

Discussion followed on this expenditure being in the budget, terms of the existing Research Park lease, and the terms of this new lease. CFO Farmer addressed all concerns and CEO Tree added that Watsonville will be an advantageous location for METRO.

Mr. Freeman brought up needing a backup facility from an operational standpoint. With the CZU fires, we were able to use the Pacific Station as backup but that will no longer be an option come fall/winter 2023. We support this temporary lot as a necessity to guarantee operations will run on a daily basis.

## ACTION: APPROVE AUTHORIZING THE CEOIGENERAL MANAGER TO NEGOTIATE A LEASE AGREEMENT FOR 809 W. BEACH STREET, WATSONVILLE, CA

MOTION: DIRECTOR PAGELER
SECOND: DIRECTOR KOENIG
MOTION PASSED WITH 11 AYES (Directors Brown, Downing, Dutra, KalantariJohnson, Koenig, Lind, McPherson, Newsome, Pageler, Quiroz-Carter, and Rotkin)
17 REIMAGINE METRO ORAL UPDATE
John Urgo, METRO's Planning and Development Director, provided a brief background on the Reimagine METRO project before introducing Daniel Costantino of Jarrett Walker and Associates. Mr. Costantino spoke to his presentation (attached) and provided a brief description of what Reimagine METRO is and the key goals and phases of the process.
Discussion ensued on AMMA Transit Planning's contribution to the process, using real-time data currently being collected, renaming routes, using Google Maps to see real-time information, working with the various planning departments in Santa Cruz County on parallel projects, lack of bus shelters in Watsonville, frequency between Watsonville and Monterey Counties, the benefits of the Watsonville Circulator, the Soquel Rapids Project, and implementing 15-minute stop intervals and additional costs associated with that.

Several Directors thanked Mr. Costantino and Mr. Urgo for the presentation. Mr. Urgo reminded the Board Members that the fundamental point of this exercise is to make METRO more useful for more people. It is going to be really hard to grow ridership with our existing resources but we continue to look for ways to add service. Director Lind added that the articulated buses coming in will provide some relief for UCSC.

Director Rotkin said we need to figure out how much money we need to support a ballot measure just one time and not have to come back and ask the public for more funds. Director Lind said the public needs to see the efforts METRO is making to tackle these issues so that they will be more supportive of a funding ask.

Mr. Sandoval thanked Mr. Costantino for the presentation and suggested we shoot for the 15-minute interval target.

## 18 CEO ORAL REPORT

Michael Tree, CEO/General Manager, provided the following updates:

- Reimagine METRO - the public needs an improved bus system that is easy to understand, frequent and reliable in order to provide people equity and opportunity in Santa Cruz County.
- Ridership continues to grow and the Pre-COVID type of service provided on the weekends is up $15.5 \%$.
- Youth Cruz Free Program - ridership is up $96 \%$ for K-12 Grades. It's a pilot program but students' reactions have been very positive.
- Floods - When the Watsonville Mayor called and requested help evacuating people and providing essentials to families that lost everything, METRO employees collected blankets, towels, toiletries, etc. to help out. Rina Solorio, Customer Service Manager, suggested METRO provide free 15-day passes to evacuees at the fairgrounds so they can have mobility. To date, we've provided 272 passes. Margo Ross, COO, customized Route 79 so that the fairgrounds had regular service during the day.
- Bus Operators - Five Bus Operators are being released to revenue service. There are six currently in training. Transit Supervisors Eduardo Montesino and Araseli Campos came up with a plan to take our training from four classroom cycles to nine during the year with the help of COO Ross. By the end of 2023, we want to be fully staffed.
- Annual inspection by CHP - this is a random inspection and was completed on March 23, 2023. They gave METRO the highest rating available which is satisfactory.
- Community Newsletter - METRO will start a monthly newsletter in April to inform the public on METRO's endeavors. We will also keep employees up to speed on activities and allow feedback for mutual dialogue.
- 3CE - We met with the CEO at 3CE and will work on a template that they can use to go out to other agencies to see how they can participate in a zeroemission bus program.
Director Dutra thanked CEO Tree for his hard work and bringing positive changes to METRO. He also thanked the Bus Operators and staff who stepped up during the flooding in South County to help those in need. He asked CEO Tree how METRO becomes more appealing to people to apply as one of our Bus Operators and suggested a referral incentive program. CEO Tree responded that we need to get out and talk to people and dispel misconceptions about becoming a Bus Operator. METRO provides a good starting wage and industry leading benefits. Dawn Crummié, METRO's HR Director, added that we are currently offering a $\$ 2,000$ referral bonus to employees who refer someone for the Bus Operator position. We also offer a \$4,000 sign-on bonus.

Director Rotkin said the public needs to know more about the nature of the job. Almost anyone can learn the skills to drive a bus but need a positive attitude in working with the public. Providing good customer service to the public is a key element of this position.
Ex-Officio Director Henderson asked if we do exit interviews with those candidates that start the process and then stop so we can find out why it is no longer appealing. CEO Tree said we are very interested when someone is walking out the door. Ms. Crummié said we do exit interviews if the exiting employee allows us to do so and gather that information.
Mr. Sandoval gave credit to CEO Tree for reaching out on the weekend when evacuations were happening and to his fellow co-worker, Ignacio Mata, who picked up supplies so that we could help as many people as possible. We are currently
meeting twice a week to tackle the retention and recruitment problem and working as a team to strategize. He provided a quick update on the recent bid change party. We normally collect money from those that attend to help offset the cost of the food; but this time, we provided the donations to our METRO employees in need of help after the evacuations. We raised almost $\$ 3,000$. The amount of gratitude received was awesome and just validates that METRO is a family.

## 19 REVIEW OF ITEM TO BE DISCUSSED IN CLOSED SESSION

General Counsel Nicole Witt announced that the Board will meet in closed session for a conference with Legal Counsel on existing litigation as described in the agenda.
There was no public comment.
Board Chair Kalantari-Johnson recessed to closed session at 12:34 AM.

## SECTION II: CLOSED SESSION

## CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION (PURSUANT TO GOVERNMENT CODE SECTION 54956.9)

NAME OF CASE: AMANDA JONES V. NATIONAL RAILROAD PASSENGER CORPORATION ("AMTRAK"), AND SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

CLAIM NUMBER: 2001-A14001-C11/CLPA12033A1

## SECTION III: RECONVENE TO OPEN SESSION

Board Chair Kalantari-Johnson reconvened to open session at 12:46 AM.
20 REPORT OF CLOSED SESSION
General Counsel Nicole Witt announced there was no reportable action taken.
21 ANNOUNCEMENT OF NEXT MEETING
Board Chair Kalantari-Johnson announced the next Board Meeting will be held on Friday, April 28, 2023 at 9:00 AM at the METRO Admin Offices, 110 Vernon Street, Santa Cruz.

## 22 ADJOURNMENT

Board Chair Kalantari-Johnson adjourned the meeting at 12:47 AM.
Respectfully submitted,

Executive Assistant

| From: | Brian Peoples |
| :---: | :---: |
| To: | Michael Tree |
| Cc: | boardinquiries@scmtd.com; Shebreh Kalantari-J ohnson; thekristenbrown@gmail.com; Manu Koenig; Bruce |
|  | McPherson; Gine Johnson; Zach Friend; Robertpquinn@gmail.com; Lustin.cummings@santacruzcounty.us; |
|  | Felipe.hernandez@santacruzcounty.us; info@sccric.org; sbrown@cityofsantacruz.com; |
|  | eduardo.montesino@cityofwatsonville.org; "jimmy.dutra@cityofwatsonville.org"; Donna Bauer; |
|  | rlj12@comcast.net; openup@cats.ucsc.edu; apedersen@ci.capitola.ca.us; vanessa.quiroz@cityofwatsonville.org; |
|  | Sarah Christensen; Rachel Moriconi; Shannon Munz; Nathan Nquyen; Matt Machado; Yesenia Parra; Grace |
|  | Blakeslee; Moroney, Ryan@Coastal; Davison, Erin |
| Subject: | Santa Cruz Metro Sales Tax - debate over supporting |
| Date: | Friday, March 24, 2023 12:00:43 PM |

## This Message Is From an Untrusted Sender

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~ Please exercise caution when clicking links or opening attachments. ~

Mr. Tree,

Today at the Santa Cruz Metro meeting, the Board discussed the idea of a sales tax measure to support Metro. As I mentioned during the meeting, Trail Now is very supportive of Metro. In fact, we believe more funds should be allocated to this valuable public service.

Trail Now will likely become a Political Action Committee (PAC)—and we will oppose a sales tax measure to support Metro. Our primary reason for opposing the sales tax measure is the current spending by the Santa Cruz County Regional Transportation Commission (RTC) of 2016 Measure D funds-specifically, the millions of dollars being wasted on train studies, cost overruns on the construction of the Coastal Trail, delays in building the Coastal Trail, and the RTC continuing its plans to build a narrow, substandard Coastal Trail-to accommodate a train that will never arrive.

Metro representatives on the RTC Board have consistently voted for a train that is not possible or feasible. There will never be an electric rail system that runs along the Santa Cruz Branchline, a rail system that travels 20 feet from the Pacific Ocean in multiple locations, and travels through the Federally protected wetland Harkin Slough (photos attached). The last three coastal plans submitted to the California Coastal Commission by the RTC have either been rejected or had major restrictions cited by the California Coastal Commission. For example, the North Coast Rail Trail is only permitted to be constructed by building temporary retaining walls, making the construction and management of the trail very expensive. For this reason, the North Coast Rail Trail has been delayed for years.

In the past, Trail Now has been a PAC for two local elections (2016 Measure D/Support, Supervisor Leopold/Oppose). It is not our intent to oppose Metro efforts to acquire additional funding, but as long as Metro representatives on the RTC Board continue to vote "rail at any cost", we will oppose any Metro sales tax measure.

Our goal is to gain approval of the Interim Coastal Trail which preserves the corridor for future transit while opening the corridor for active transportation in a timely, cost-effective and environmentally friendly manner. The fastest way to get Coastal Trail built from Watsonville to Davenport is the Interim Coastal Trail.

Best regards,

Brian Peoples
Trail Now
9.2.11


AARRETT WALKER + ASSOcIATES
What is Reimagine MEIRO?

- Santa Cruz METRO is re-envisioning where buses should go, and how often
they should run.
- Key goals include:
- Increase the amount of service provided.
- Make transit more relevant to the community's needs.
- Adapt to post-COVID travel patterns.
- Create a network that is useful and attractive for many people's trips.

| © |
| :--- |
| $\frac{\text { JARRETT WALKER + associares }}{}$ |

- Early wins. How can METRO improve service in the next year, with currently
available resources?
- Alternatives. What could a network with more service look like, depending on
your policy priorities?
- Draft and Final plan based on community input and your direction. This plan
may require additional funding.
> 9.2.14 - Jarrett Walker \& Associates and AMMA Transit Planning
- We specialize in reimagining public transit networks in ways that center
community input and balance many different goals.
- We aim for clear conversations, leading to confident outcomes.
JARRETT WALKER + associates
9.2.15



## Places

we've рәулом

## JWA has worked

throughout the US and overseas. AMMA has extensive experience in public transit, public outreach and paratransit planning.

## JWA and AMMA have

 worked together many times.9.2.16


## Some relevant facts



9.2.21

[^3]


The stark differences on this map show up throughout indicators that
are relevant to transit, like distribution of people in poverty, seniors, youth, and zero-vehicle households.

> O $\mathbf{N a}_{\text {ARRETT WALKER + Associates }}$ $\mathbf{N}$




[^4]

JARRETT WALKER + associates
9.2.29




Linearity Can transit run in reasonably straight lines?
$$
\xrightarrow[\text { A 䀠睍 }]{\text { A logical transit line is a direct path between any two destinations on it. }}
$$

When people and places aren't located
on straight paths between major
destinations, it's hard to run efficient
bus lines.

$\mathbf{N}_{\text {arrett walker + associates }}$
$\underset{\sim}{\boldsymbol{p}}$

9.2.37

 - This has three independent benefits:

- Reduced Waiting
- Easier Connections
- Reduced Impact of Disruptions
- Lines with higher frequency tend to have not just higher ridership, but higher
ridership per unit of service.
${\underset{\sim}{\omega}}^{\text {jarrett WaLker + associates }}$
9.2 .39


Imagine a gate at the end of your
driveway that only opens once an
hour.
How useful is this service?


AARRETT WALKER + ASSOCIATES

JARRETT WALKER + associates
9.2.43

$\sim 50 \%$ of METRO ridership on UCSC routes.
METRO buses often overcrowded, campus shuttles have spare capacity.

Slow and unreliable service, due to huge demand at each stop, and no way for buses to pass each other.

Except for Santa Cruz Metro Center, no place with frequent service to campus.

## No direct service beyond the West side. <br> arrett walker + associates <br> 9.2.44


9.2.46
Next Steps

- May: Early Wins defined
- July: Alternatives Report
- July-August: Public Outreach
- November: Draft Plan
- Dec-Jan: Public Outreach on Draft Plan


## - THIS PAGE INTENTIONALLY LEFT BLANK -

DATE: April 28, 2023
TO: Board of Directors
FROM: Chuck Farmer, Chief Financial Officer

## SUBJECT: ACCEPT AND FILE THE YEAR TO DATE MONTHLY FINANCIAL REPORT AS OF MARCH 31, 2023

## I. RECOMMENDED ACTION

That the Board of Directors accept and file the Year to Date Monthly Financial Report as of March 31, 2023

## II. SUMMARY OF ISSUES

An analysis of Santa Cruz Metropolitan Transit District's (METRO) financial status is prepared monthly in order to inform the Board of Directors (Board) regarding METRO's actual revenues and expenses in relation to the adopted operating and capital budgets for the fiscal year.
This staff report is the web-accessible companion document to the attached PowerPoint presentation titled "Year to Date Monthly Financial Report as of March 31, 2023."
Staff recommends that the Board accept and file the attached report.

## III. DISCUSSION/BACKGROUND

Below are the written explanations of the various charts and graphs in the attached Year to Date Monthly Financial Report as of March 31, 2023. The fiscal year has elapsed 50\%.
Slide 1
(Cover) Year to Date Monthly Financial Report as of March 31, 2023

## Slide 2

March 2023 Key Financial Highlights

- Service
o Fixed Route (including Hwy 17) Cost per Revenue Service Hour is $\$ 257$ vs Budget of $\$ 393$
- 12 canceled trips - 7 due to Road Conditions, 4 due to No Operator, 1 due to Traffic
o ParaCruz Cost per Trip is $\$ 57$ vs Budget of $\$ 78$
o Non-Student/Hwy 17 Passengers is 118,714 vs Budget of 111,476
o Average "Kids Ride Free" increases of 181 on weekdays, 81 on weekend days
- Financials
o Total Operating Surplus/(Deficit) is favorable $\$ 0.4 \mathrm{M}$ driven by lower wages of $\$ 0.2 \mathrm{M}$, fringe of $\$ 0.2 \mathrm{M}$, and Non-Personnel of $\$ 0.1 \mathrm{M}$; partially offset by higher OT of $\$ 0.2 \mathrm{M}$
o Non-Operating Revenues/Expense of \$8.7M are \$0.6M lower than budget of $\$ 9.3 \mathrm{M}$, primarily due to lower ARPA COVID drawdowns as a result of lower reimbursable costs
- Capital

0 Capital spend of $\$ 288 \mathrm{~K}$ is under budget of $\$ 641 \mathrm{~K}$ primarily due to timing of projects - Security Gates, Automatic Passenger Counters, and non-revenue Service Truck

- Personnel
o 288 Active Personnel vs 329 Funded Personnel (Reflects adopted, funded personnel as of June 2022)
o 44 Vacancies at end of March, 24 related to Paratransit and Bus Operators
o Bus Operator Status - 7 graduated in March '23
o Currently have 5 Bus Operators in training
o Recruiting 20-25 Bus Operators for anticipated start in early May


## Slide 3

(Cover) March 2023, YTD Pre-Close Financials
Slide 4
March YTD FY23 Operating Surplus/(Deficit) Actual vs. Budget

- Actuals are $\$ 3.2 \mathrm{M}$ favorable to budget - excludes UAL/Bond Payment and COVID related costs
o Passenger Fares - favorable by $\$ 489 \mathrm{~K}$, Ridership is still below prepandemic levels, but is recovering
o Labor, Regular - favorable by $\$ 2,244 \mathrm{~K}$, due to funded/vacant positions
o Labor, OT - unfavorable by $\$ 1,504 \mathrm{~K}$, increased overtime for Bus Operators
o Fringe Benefits - favorable by $\$ 2,303 \mathrm{~K}$ due to retirement and medical insurance savings from funded/vacant positions
o Non-Personnel - unfavorable by $\$ 376 \mathrm{~K}$, primarily due to timing of spending,


## Slide 5

March 31, 2023 YTD Operating Revenue and Expenses

- Operating Revenue, net favorable by $\$ 489 \mathrm{~K}$
o Passenger Fares - favorable by \$386K
o Special Transit Fares - favorable by \$103K
- Operating Expense, net favorable by $\$ 2,667 \mathrm{~K}-$ Favorable wages and fringe driven by shortage of bus drivers and other vacant positions; partially offset by increased OT
o Labor Regular - favorable by $\$ 2,244 \mathrm{~K}$
o Labor OT - unfavorable by $\$ 1,504 \mathrm{~K}$
o Fringe Benefits - favorable by $\$ 2,303 \mathrm{~K}$, excludes UAL related costs
o Non-Personnel - unfavorable by \$376K, excludes all COVID and Bond payment related costs
- Operating Deficit lower by $\$ 3,156 \mathrm{~K}$
o Farebox Recovery $-17.8 \%$ vs $15.4 \%$ budget
- Non-Operating Revenue/(Expense), net favorable by \$551K - Revenues favorable due to higher Sales Tax revenues, TDA/STA Grants, and Interest Income; partially offset by lower ARPA COVID drawdowns as a result of lower reimbursable costs
o Sales Tax/including Measure D - favorable by $\$ 1,457 \mathrm{~K}$
o Federal/State Grants - favorable by $\$ 2,386 \mathrm{~K}$
o COVID Relief Grants - unfavorable by $\$ 4,075 \mathrm{~K}$
o COVID Related costs - favorable by \$177K
o Pension UAL/Bond Payment costs - no variance
o All Other Revenues - favorable by \$606K
- Operating Surplus before Transfers higher by $\$ 3,707 \mathrm{~K}$
- Bus Replacement Fund - higher by $\$ 300 \mathrm{~K}$ due to increased Measure D sales tax revenues
o Bus Replacement Fund - Minimum \$3M annual commitment from Measure D sales tax and STA-SGR; FY23 budgeted transfer is \$3.1M
- Operating Surplus after Transfers higher by $\$ 3,407 \mathrm{~K}$

Slide 6
(Cover) Year End June 2023, Forecast Financials

## Slide 7

Full Year FY23 Surplus/(Deficit) Estimate vs. Budget, net favorable by \$4.6M

- Passenger Fares - favorable by $\$ 670 \mathrm{~K}$, Ridership is still below pre-pandemic levels, but is showing strong recovery
- Labor, Regular - favorable by $\$ 3,519 \mathrm{~K}$, due to funded/vacant positions
- Labor, OT - unfavorable by $\$ 2,163 \mathrm{~K}$, increased overtime for Bus Operators
- Fringe Benefits - favorable by $\$ 2,926 \mathrm{~K}$ due to retirement and medical insurance savings from funded/vacant positions
- Non-Personnel - unfavorable by $\$ 347 \mathrm{~K}$


## Slide 8

Full Year FY23 Operating Revenue and Expenses Estimate

- Operating Revenue, net favorable by $\$ 670 \mathrm{~K}$
o Passenger Fares - favorable by $\$ 571 \mathrm{~K}$
o Special Transit Fares - unfavorable by \$99K
- Operating Expense, net favorable by $\$ 3,935 \mathrm{~K}$ - Favorable wages and fringe driven by shortage of bus drivers and other vacant positions; partially offset by increased OT
o Labor Regular - favorable by $\$ 3,519 \mathrm{~K}$
o Labor OT - unfavorable by $\$ 2,163 \mathrm{~K}$
o Fringe Benefits - favorable by $\$ 2,926 \mathrm{~K}$, excludes UAL related costs
o Non-Personnel - unfavorable by \$347K, excludes all COVID and Bond payment related costs
- Operating Deficit lower by $\$ 4,605 \mathrm{~K}$
o Farebox Recovery - 17.7\% vs 15.2\% budget
- Non-Operating Revenue/(Expense), net unfavorable by \$633K - Revenues favorable due to higher Sales Tax revenues, TDA/STA Grants, and Interest Income; partially offset by lower ARPA COVID drawdowns
o Sales Tax/including Measure D - favorable by $\$ 1,370 \mathrm{~K}$
o Federal/State Grants - favorable by $\$ 3,356 \mathrm{~K}$
o COVID Relief Grants - unfavorable by $\$ 6,472 \mathrm{~K}$
o COVID Related costs - favorable by \$222K
o Pension UAL/Bond Payment costs - no variance
o All Other Revenues - favorable by $\$ 890 \mathrm{~K}$
- Operating Surplus before Transfers higher by $\$ 3,972 \mathrm{~K}$
- Bus Replacement Fund - higher by $\$ 265 K$ due to increased Measure D sales tax revenues
o Bus Replacement Fund - Minimum \$3M annual commitment from Measure D sales tax and STA-SGR; FY23 budgeted transfer is \$3.1M
- All Other Transfers: \$2M UAL, \$4.7M OpEx \& Capital Reserves, and \$1.3M Operations Sustainability Reserve
- Operating Surplus after Transfers of $\$ 2.2 \mathrm{M}$, will be transferred to the COVID Recovery Fund


## Slide 9

(Cover) Capital Spending \& Project Completion

## Slide 10

March 31, 2023 Capital Budget Spend
Total Capital Projects spending month to date is $\$ 288 \mathrm{~K}$ against budget of $\$ 641 \mathrm{~K}$

- Construction Related Projects - no spending, no budget
- IT Projects - spending of $\$ 72 \mathrm{~K}$ against budget of $\$ 72 \mathrm{~K}$
- Facilities Repair \& Improvements -spending of \$55K against budget of \$116K
- Revenue Vehicle Replacement - spending of \$161K against budget of \$298K
- Revenue Vehicle Electrification Projects - no spending, no budget
- Non-Revenue Vehicle Replacement - no spending against budget of \$150K
- Fleet \& Maintenance Equipment - no spending, no budget
- Miscellaneous - no spending against budget of \$5K

Total Capital Projects spending year to date is $\$ 2,238 \mathrm{~K}$ against budget of $\$ 3,325 \mathrm{~K}$, which is $25.3 \%$ of $\$ 8,844 \mathrm{~K}$ approved annual budget from November 2022

- Construction Related Projects - spending of $\$ 11 \mathrm{~K}$ against budget of $\$ 9 \mathrm{~K}$, which is $1.0 \%$ of $\$ 1,050 \mathrm{~K}$ annual budget
- IT Projects - spending of $\$ 819 \mathrm{~K}$ against budget of $\$ 790 \mathrm{~K}$, which is $49.6 \%$ of \$1,650K annual budget
- Facilities Repair \& Improvements - spending of $\$ 415 \mathrm{~K}$ against budget of $\$ 576 \mathrm{~K}$, which is $40.2 \%$ of $\$ 1,032 \mathrm{~K}$ annual budget
- Revenue Vehicle Replacement - spending of $\$ 796 \mathrm{~K}$ against budget of $\$ 1,475 \mathrm{~K}$, which is $30.3 \%$ of $\$ 2,626 \mathrm{~K}$ annual budget
- Revenue Vehicle Electrification Projects - spending of \$45K, against budget of $\$ 6 \mathrm{~K}$, which is $3.6 \%$ of $\$ 1,251 \mathrm{~K}$ annual budget
- Non-Revenue Vehicle Replacement - spending of \$63K against budget of $\$ 218 \mathrm{~K}$, which is $13.5 \%$ of $\$ 468 \mathrm{~K}$ annual budget
- Fleet \& Maintenance Equipment - no spending against budget of $\$ 75 \mathrm{~K}$, which is $0.0 \%$ of $\$ 75 \mathrm{~K}$ annual budget
- Miscellaneous - spending of $\$ 89 \mathrm{~K}$ against budget of $\$ 176 \mathrm{~K}$, which is $12.9 \%$ of \$692K annual budget
Overall YTD spending is at $67.3 \%$, or $\$ 2.2 \mathrm{M}$, of budget of $\$ 3.3 \mathrm{M}$; primarily lower due to timing of projects - Security Gates, Automatic Passenger Counters, and non-revenue Service Truck.
Active Projects include:
- ERP System
- AVL/ITS, Automatic Passenger Counters
- ZEB Chargers/Infrastructure


## Slide 11

FY23 Capital Project Completion - Maintenance Yard - Security Hardening
Purpose of project - Remove two old unusable buildings, Repair sinkhole along Rayne building, Install drainage under lot and level lot

Projected costs - Engineering \$49,550, Construction \$348,000
Budget Source - Operating \& Capital Reserve \$436,059
Projected timeline for completion -

- Engineering Contract signed: April 20, 2020
- Construction Contract signed: June 29, 2021 (COVID delays and understaffed)
- Construction Phase estimated at 3 months to complete

Risks - This project requires several permits which may affect the approval process and timing

Slide 12
FY23 Capital Project Completion - Maintenance Yard - Security Hardening
Reports / Studies:

- Historical Assessment of Buildings; Special Inspector to relocate buildings
- Geotechnical / Soils Study
- Topographic Survey
- Archeological Report
- Environmental Abatement

Partnered with Santa Cruz Fire Department for Training
Permits:

- Design Permit
- Encroachment / Grading / Building Permit
- Administrative Use Permit
- Residential Demolition Authorization Permit
- Demolition Permit (Cover) Questions?

Slide 13
FY23 Capital Project Completion - Maintenance Yard - Security Hardening
Results of Project - The two buildings were demolished and removed. Sewer line located and capped. Sinkhole excavated and re-compacted. Installed storm drain system. Resurface areas to create vacant lot.
Actual costs - Engineering \$44,730, Construction $\$ 372,524$, Total $\$ 417,254$, under budget by $\$ 18,805$
Actual timeline for completion - Began Sept 26, 2022, Complete Nov 30, 2022
Hurdles to overcome:

- Additional information and studies on the buildings were needed to obtain permits.
- Redesign of shoring method was needed to obtain construction permit.
- Unexpected finds during construction

Slide 14 - Slide 16
FY23 Capital Project Completion - Maintenance Yard - Security Hardening
Pictures before - during (including a video) - completed

## Slide 17

FY23 Capital Project Completion - Exercise Equipment at Ops
Purpose of project - Provide exercising space and equipment at JKS for employees
Projected costs - \$36,600
Budget Source - Operating \& Capital Reserve
Projected timeline for completion - September 2023
Risks - None
Slide 18
FY23 Capital Project Completion - Exercise Equipment at Ops

Results of Project - A room at JKS Operations was modified to create exercising space to offer a variety of equipment. Employees sign up with HR for access
Actual costs - $\$ 35,164$, under budget by $\$ 1,436$
Actual timeline for completion -September 2022
Hurdles to overcome - None
Slide 19
FY23 Capital Project Completion - Exercise Equipment at Ops
Pictures of Gym
Slide 20
FY23 Capital Project Completion - Replace 4 CNG Buses
Purpose of project - Replace end of life buses with 4 CNG Gillig Buses ( $4 \times 35$ ' CNGs)
Projected costs - Total for all buses $\$ 2,956,083$
Budget Source:

- FY19 FTA5339: \$1,088,000
- Bus Replacement Fund: \$ 420,382
- F19 \&FY20 SGR:
\$ 882,754
- Measure D:
\$ 131,609
- PTMISEA:
\$ 433,338
Projected timeline for completion - Delivery and Acceptance in June 2022
Risks - Delays in manufacturing supply chain


## Slide 21

FY23 Capital Project Completion - Replace 4 CNG Buses
Results of Project - Received 4 buses on schedule, Bus Numbers: 0122, 0222, 0322, 0422 access
Actual costs - $\$ 2,490,913$, under budget by $\$ 465,170$
Actual timeline for completion - Buses arrived June 2022
Hurdles to overcome - Parts delays
Slide 22 - Slide 23
FY23 Capital Project Completion - Replace 4 CNG Buses
Pictures of decommissioned buses, new buses

## Slide 24

FY23 Capital Project Completion - Non-Revenue Electric Vehicles, Chevy Bolts
Purpose of project - Replace expired non-revenue vehicles with electric vehicles to meet zero emission mandates

Projected costs - \$88,381, Budget \$100,000
Budget Source - FY20 FTA5339a
Projected timeline for completion - September 2021
Risks - Delays in manufacturing good

## Slide 25

FY23 Capital Project Completion - Non Revenue Electric Vehicles, Chevy Bolts
Results of Project - Received three Chevy Bolts and spare key fobs
Actual costs - $\$ 94,824$, under budget by $\$ 5,176$
Actual timeline for completion - one Bolt delivered August 2021, two Bolts delivered August 2022
Hurdles to overcome - Recall of electric battery. First Bolt which had been delivered August 2021 could not be put into service until recall was corrected in Jan 2022. Final two Bolts did not get delivered until Aug 2022, and spare key fobs the following spring.

## Slide 26

FY23 Capital Project Completion - Non Revenue Electric Vehicles, Chevy Bolts
Pictures of new Bolts
Slide 27
Questions
Slide 28
(Cover) Appendix
Slide 29
March 31, 2023 Monthly Operating Revenue and Expenses

- Operating Revenue, net unfavorable by \$4K
o Passenger Fares - favorable by $\$ 41 \mathrm{~K}$
o Special Transit Fares - unfavorable by \$45K
- Operating Expense, net favorable by \$411K - Favorable fringe driven by shortage of bus drivers and other vacant positions
o Labor Regular - favorable by \$233K
o Labor OT - unfavorable by \$221K
o Fringe Benefits - favorable by $\$ 266 \mathrm{~K}$, excludes UAL related costs
o Non-Personnel - favorable by $\$ 134 \mathrm{~K}$, excludes all COVID and Bond payment related costs
- Operating Surplus of $\$ 407 \mathrm{~K}$
o Farebox Recovery - 15.5\% vs $14.3 \%$ budget
- Non-Operating Revenue/(Expense), net unfavorable by $\$ 597 \mathrm{~K}$ - COVID Relief grant unfavorable by $\$ 1,629 \mathrm{~K}$ due to lower drawdowns as a result of lower reimbursable costs; partially offset by higher Sales Tax by $\$ 109 \mathrm{~K}$, and other revenue of $\$ 106 \mathrm{~K}$
o Sales Tax/including Measure D - favorable by $\$ 109 \mathrm{~K}$
o Federal/State Grants - favorable by $\$ 792 \mathrm{~K}$
o COVID Relief Grants - unfavorable by $\$ 1,629 \mathrm{~K}$
o COVID Related costs - favorable by $\$ 25 \mathrm{~K}$
o Pension UAL/Bond Payment costs - no variance
o All Other Revenues - favorable by $\$ 106 \mathrm{~K}$
- Operating Surplus before Transfers lower by $\$ 190 \mathrm{~K}$
- Bus Replacement Fund - lower by $\$ 11 \mathrm{~K}$ due to decreased Measure D sales tax revenues
o Bus Replacement Fund - Minimum \$3M annual commitment from Measure D sales tax and STA-SGR; FY23 budgeted transfer is \$3.1M
- Operating Surplus lower by $\$ 190 \mathrm{~K}$


## IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This report pertains to METRO's Financial Stability, Stewardship \& Accountability.

## V. FINANCIAL CONSIDERATIONSIIMPACT

Favorable budget variances in Operating Revenues and Expenses contribute to favorable budget variance in Operating Balance, Year to Date as of March 31, 2023.
VI. CHANGES FROM COMMITTEE

N/A

## VII. ALTERNATIVES CONSIDERED

There are no alternatives to consider, as this is an accept and file Year to Date Monthly Financial Report.

## VIII. ATTACHMENTS

Attachment A: Year to Date Monthly Financial Report as of March 31, 2023 Presentation

Prepared by: Cathy Downes, Sr. Financial Analyst
IX. APPROVALS


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Attachment A


Year to Date Monthly Financial Report
as of March 31,2023


| March 2023 key Financial Highights |  |
| :---: | :---: |
| Service | - Fixed Route (including Hwy 17) Cost per Revenue Service Hour is $\$ 257$ vs Budget of \$393 <br> - 12 canceled trips - 7 due to Road Conditions, 4 due to No Operator, 1 due to Traffic <br> - ParaCruz Cost per Trip is $\$ 57$ vs Budget of $\$ 78$ <br> - Non-Student/Hwy 17 Passengers is 118,714 vs Budget of 111,476 <br> - Average "Kids Ride Free" increases of 181 on weekdays, 81 on weekend days |
| Financials | - Total Operating Surplus/(Deficit) is favorable $\$ 0.4 \mathrm{M}$ driven by lower wages of $\$ 0.2 \mathrm{M}$, fringe of $\$ 0.2 \mathrm{M}$, and Non-Personnel of $\$ 0.1 \mathrm{M}$; partially offset by higher OT of $\$ 0.2 \mathrm{M}$ <br> - Non-Operating Revenues/Expense of $\$ 8.7 \mathrm{M}$ are $\$ 0.6 \mathrm{M}$ lower than budget of $\$ 9.3 \mathrm{M}$, primarily due to lower ARPA COVID drawdowns as a result of lower reimbursable costs |
| Capital | - Capital spending of $\$ 288 \mathrm{~K}$ is under budget of $\$ 641 \mathrm{~K}$ primarily due to timing of projects - Security Gates, Automatic Passenger Counters, and non-revenue Service Truck |
| Personnel | - 288 Active Personnel vs 329* Funded Personnel <br> - 44 Vacancies at end of March, 24 related to Paratransit and Bus Operators <br> - Bus Operator Status - 7 graduated in March '23 <br> - Currently have 5 Bus Operators in training <br> - Recruiting 20-25 Bus Operators for early May start |

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'EZOZ पDIPN
9.3A. 3
March YTD FY23 Operating Surplus/(Deficit)
Actual* vs. Budget
$\begin{gathered}\text { Overall \$3 } \\ \text { favorab }\end{gathered}$

YTD Operating Revenue and
YTD Operating Revenue and Expenses

| - \$3.2M Operating Surplus |
| :--- |
|  |
| fringe due to shortage of |
| bus drivers; partially |
| offset by increased OT |
| - Non-Operating Revenues |
| favorable due to higher |
| Sales Tax revenues, |
| TDA/STA Grants, and |
| Interest Income; |
| partially offset by lower |
| ARPA COVID drawdowns |
| as a result of lower |
| reimbursable costs |
|  |

\$000's
Actual* Budget
Fav /
(Unfav)

| $\$ 386$ |
| ---: |
| 103 |
| $\$ 489$ |
| $\$ 2,244$ |
| $(1,504)$ |
| 2,303 |


| $\$ 37,806$ | $\$ 40,473$ | $\$ 2,667$ |
| :--- | :--- | :--- |


$2.4 \%$

| $\$ 24,812$ | $\$ 23,355$ | $\$ 1,457$ |
| ---: | ---: | ---: |
| 12,657 | 10,271 | 2,386 |
| 7,533 | 11,607 | $(4,075)$ |
| $(67)$ | $(244)$ | 177 |
| $(1,959)$ | $(1,959)$ | 0 |
| 1,116 | 509 | 606 |
| $\$ \mathbf{4 4 , 0 9 1}$ | $\mathbf{\$ 4 3 , 5 4 0}$ | $\mathbf{\$ 5 5 1}$ |
| $\$ \mathbf{1 3 , 0 0 1}$ | $\mathbf{\$ 9 , 2 9 4}$ | $\$ \mathbf{3 , 7 0 7}$ | | $\$ 13,001$ | $\$ 9,294$ | $\$ 3,707$ |
| :---: | :---: | :---: |


| $(\$ 2,086)$ | $(\$ 1,786)$ | $(\$ 300)$ |
| :---: | :---: | :---: |
| $\$ 10,915$ | $\$ 7,508$ | $\$ 3,407$ |

Operating Surplus/(Deficit) before Transfers Federal/State Grants
COVID Relief Grants
COVID Related Costs
Pension UAL/Bond Interest Payment
All Other
Total Non-Operating Revenue/(Expense)
Operating Surplus/(Deficit) before Tr Federal/State Grants
COVID Relief Grants
COVID Related Costs
Pension UAL/Bond Interest Payment
All Other
Total Non-Operating Revenue/(Expen
Operating Surplus/(Deficit) before Federa//State Grants
COVID Relief Grants
COVID Related Costs
Pension UAL/Bond Interest P
All Other
Total Non-Operating Revenue/
Operating Surplus/(Defic Non-Operating Revenue/(Expense) Sales Tax/including Measure D Federal/State Grants Federal/State Grants
COVID Relief Grants
COVID Related Costs
Pension UAL/Bond Interest P
All Other
Total Non-Operating Revenue
Operating Surplus/(Deficit Federal/State Grants
COVID Relief Grants
COVID Related Costs
Pension UAL/Bond Interest P
All Other
Total Non-Operating Revenue
Operating Surplus/(Deficit Total Operating Revenue Operating Expense Labor - Regular Labor - OT Operating Revenue Passenger Fares Special Transit Fares Fringe Total OpEx

Non-Personnel (excludes COVID costs) Operating Surplus/(Deficit)
Transfers and Other
Transfers to Bus Replacement Fund
Operating Surplus/(Deficit) after Transfers


Attachment A

June 30, 2023
Full Year Operating Revenue

| \$ 000's | Forecast* | Budget | Fav / <br> (Unfav) |
| :---: | :---: | :---: | :---: |
| Operating Revenue |  |  |  |
| Passenger Fares | \$ 3,008 | \$ 2,437 | \$ 571 |
| Special Transit Fares | 6,052 | 5,953 | 99 |
| Total Operating Revenue | \$ 9,060 | \$ 8,390 | \$ 670 |
| Operating Expense |  |  |  |
| Labor - Regular | \$ 16,895 | \$ 20,415 | \$ 3,519 |
| Labor - OT | 3,487 | 1,325 | $(2,163)$ |
| Fringe | 18,246 | 21,172 | 2,926 |
| Non-Personnel (excludes COVID costs) | 12,456 | 12,108 | (347) |
| Total OpEx | \$ 51,084 | \$ 55,019 | \$ 3,935 |
| Operating Surplus/(Deficit) | (\$ 42,024) | (\$ 46,629) | \$ 4,605 |
| Farebox Recovery | 17.7\% | 15.2\% | 2.5\% |
| Non-Operating Revenue/(Expense) |  |  |  |
| Sales Tax/including Measure D | \$ 32,145 | \$ 30,775 | \$ 1,370 |
| Federa/State Grants | 17,852 | 14,496 | 3,356 |
| COVID Relief Grants | 9,005 | 15,477 | $(6,472)$ |
| COVID Related Costs | (75) | (298) | 222 |
| Pension UAL/Bond Interest Payment | $(5,643)$ | $(5,643)$ | 0 |
| All Other | 1,566 | 676 | 890 |
| Total Non-Operating Revenue/(Expense) | \$ 54,849 | \$ 55,483 | (\$ 633) |

## *

 Revenues favorable due to higher Sales Tax revenues,TDA/STA Grants, and Interest Income; partially offset by
lower ARPA COVID drawdowns Expenses favorable due to lower labor/fringe costs as a result of vacant positions and extended unpaid leaves of absence; partially offset by higher OT costs as a result of unfilled Bus Operator vacancies Bus Replacement Fund
favorable due to net Measure D sales tax revenues of $\$ 0.3 \mathrm{M}$ (less average of five Bus Operators' and two ParaCruz Operators' compensation) All Other Transfers: \$2M UAL, \$4.7M OpEx \& Capital Reserves, and $\$ 1.3 \mathrm{M}$ Operations Sustainability Reserve, $\$ 2.2 \mathrm{M} \mathrm{COVID}$ Recovery Fund

- Revenues favorable due to
higher Sales Tax revenues,
TDA/STA Grants, and Interest
Income; partially offset by
lower ARPA COVID drawdowns
- Expenses favorable due to
lower labor/fringe costs as a
result of vacant positions and
extended unpaid leaves of
absence; partially offset by
higher OT costs as a result of
unfilled Bus Operator
vacancies
Bus Replacement Fund
favorable due to net Measure
D sales tax revenues of \$0.3M
(less average of five Bus
Operators' and two ParaCruz
Operators' compensation)
All Other Transfers: \$2M UAL,
$\$ 4.7 M$ OpEx \& Capital
Reserves, and \$1.3M
Operations Sustainability
Reserve, \$2.2M COVID
Recovery Fund

$$
\text { une 30, } 2023
$$

Full Year Operating Revenue and Expenses*

Attachment A

Capital Spending \&
Completed Projects
FY23 Capital Project Completion
Project: Maintenance Yard - Security Hardening

| Project Number | Purpose |
| :--- | :--- |
| Purpose of project | - Remove two old unusable buildings |
|  | - Repair sinkhole along Rayne building |
| - Install drainage under lot and level lot |  |$|$| Engineering: \$ 49,550 |  |
| :--- | :--- |
| Projected costs | Operating \& Capital Reserve; \$436,059 |

FY23 Capital Project Completion
Project: Maintenance Yard - Security Hardening Reports / Studies:

- Historical Assessment of Buildings; Special Inspector to relocate buildings
- Geotechnical / Soils Study
- Topographic Survey
- Archeological Report
- Environmental Abatement
Partnered with Santa Cruz Fire Department for Training

Permits:

- Encroachment / Grading / Building Permit
- Administrative Use Permit
- Residential Demolition Authorization Permit
- Demolition Permit




Attachment A


FY23 Capital Project Completion
Project: Exercise Equipment at Ops
FY23 Capital Project Completion
Project: Exercise Equipment at Ops


Attachment A
Y23 Capital Project Completion
Project: Replace 4 CNG Buses

| $\begin{aligned} & 20-0002 \\ & 21-0008 \end{aligned}$ | Purpose |
| :---: | :---: |
| Purpose of project | Replace end of life buses with 4 CNG Gillig Buses $\text { ( } 4 \times 35^{\prime} \text { CNGs) }$ |
| Projected costs | Total for 4 buses: $\quad \$ 2,956,083$ |
| Budget source | FY19 FTA 5339: $\$ 1,088,000$  <br> Bus Replacement Fund: $\$ 420,382$  <br> F19 \&FY20 SGR: $\$$ 882,754 <br> Measure D: $\$$ 131,609 <br> PTMISEA: $\$$ 433,338 |
| Projected timeline for completion | Delivery and Acceptance in June 2022 |
| Risks | Delays in manufacturing supply chain |

FY23 Capital Project Completion
Project: Replace 4 CNG Buses

| 19-0024 | Results |
| :--- | :--- |
| Results of project | Received 4 buses on schedule! <br> Bus Numbers: 0122, 0222, 0322,0422 |
| Actual costs | Bus Invoices: \$2,490,913 |
| Actual timeline for <br> completion | Buses arrived June 2022 |
| Hurdles to overcome | Parts delays |



Attachment A


$\begin{aligned} & \text { FY23 Capital Project Completion } \\ & \text { Project: Non Revenue Electric Vehicles } \\ & \text { Chevy Bolts }\end{aligned}$

| 21-0005 | Purpose |
| :--- | :--- |
| Purpose of project | Replace expired non-revenue vehicles with electric <br> non rev vehicles to meet zero emission mandates |
| Projected costs <br> Budget | $\$ 88,381$ <br> Budget source |
| Projected timeline for <br> completion | September 2021 |
| Risks | Delays in manufactured goods |


| $\frac{\text { FY23 Capital Project Completion }}{\text { Project: Non Revenue Electric Vehicles }}$ |
| :--- |
| Chevy Bolts |
|  |

[^5]corrected in Jan 2022.
Final two Bolts did not get delivered until Aug
2022, and spare key fobs the following spring


9.3A. 27
March 31, 2023

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TO: Board of Directors
FROM: Dawn Crummié, HR Director
SUBJECT: CONSIDERATION OF AUTHORIZING THE CEOIGENERAL MANAGER TO EXECUTE A 4TH AMENDMENT EXTENDING THE CONTRACT FOR TWO YEARS WITH LAW OFFICES OF MARIE F. SANG FOR LEGAL SERVICES IN THE AREA OF WORKERS' COMEPNSENSATION, INCREASING THE CONTRACT TOTAL BY \$24,000

## I. RECOMMENDED ACTION

That the Board of Directors authorize the CEO/General Manager to execute
a $4^{\text {th }}$ amendment extending the contract for two years with Law Offices of Marie F. Sang for Legal Services in the Area of Workers' Compensation, increasing the contract total by $\$ 24,000$ for the additional two-year period, thereby increasing the total contract authority from \$185,000 to \$209,000.

## II. SUMMARY

- The Santa Cruz Metropolitan Transit District (METRO) has a contract with Law Offices of Marie F. Sang for Legal Services in the Area of Workers' Compensation that will expire on April 30, 2023.
- As Marie Sang is in the middle of handling a number of cases, METRO staff believe there are valid business reasons (continuity; costs savings; institutional knowledge) to continue with her services.
- Marie Sang is willing to extend the term of her contract for two years, and has requested an equitable increase to her hourly rate.
- Staff are very satisfied with Law Offices of Marie F. Sang's performance under this contract, and recommend that the Board of Directors (Board) authorize extending this contract by two (2) years with the requested increase in Marie Sang's bill rate.


## III. DISCUSSION/BACKGROUND

Following a competitive procurement, METRO established a contract with Law Offices of Marie F. Sang on May 1, 2013 for Legal Services in the Area of Workers' Compensation.
Marie Sang has done an excellent job of representing METRO during the past ten years, and is in the middle of handling a number of cases. METRO staff believe there are valid business reasons to continue with her services.

Marie Sang has agreed to extend the term of her contract by two years. Ms. Sang has kept her rate very low throughout the entire term of this contract, and has not requested an increase for the last five years. While she is now requesting a 5.9\% increase to her bill rate, the higher rate will still be well below market rate for these services. Marie Sang has also chosen to participate in METRO's Sustainability Initiative, and will be reducing her hourly rate by $5 \%$ for this purpose. In accordance with the Board-adopted Social Equity and Community Funding Policy, METRO will donate this savings by contributing to one or more of METRO's community funding partners.

Staff recommends that the Board authorize the CEO to execute a $4^{\text {th }}$ amendment to the contract with Law Offices of Marie F. Sang to extend the term of the contract by two years, approve an increase to Marie Sang's hourly rate, and increase the contract total by $\$ 24,000$. Dawn Crummié, HR Director, will continue to serve as the Contract Administrator and will ensure contract compliance.

## IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This contract aligns with the Financial Stability, Stewardship \& Accountability Strategic Priority.

## V. FINANCIAL CONSIDERATIONSIIMPACT

This contract has a total not to exceed of $\$ 185,000$. Additional funds in an amount of $\$ 24,000$ are requested for approval at this time. The new contract total not to exceed would be $\$ 209,000$.
The required funding in the amount of $\$ 24,000$ is included in the FY23-FY25 Worker's Comp Insurance (502081) Operating Budgets.

## VI. CHANGES FROM COMMITTEE

N/A

## VII. ALTERNATIVES CONSIDERED

- Do not extend this contract. Staff does not recommend this option, as Ms. Sang has done an excellent job representing METRO and legal services will be needed for current and future workers' compensation claims.


## VIII. ATTACHMENTS

Attachment A: Fourth Amendment to the Contract with Law Offices of Marie F. Sang

Prepared by: Ian Berry, Purchasing Assistant

Board of Directors
April 28, 2023
Page 3 of 3

## IX. APPROVALS

Dawn Crummié, HR Director

Approved as to fiscal impact: Chuck Farmer, CFO


Michael Tree, CEO/General Manager


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## Attachment A

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT FOURTH AMENDMENT TO CONTRACT NO. 13-23 FOR LEGAL SERVICES IN THE AREA OF WORKERS' COMPENSATION

This Fourth Amendment to Contract No. 13-23 for Legal Services in the Area of Workers' Compensation is made effective April 28, 2023 between the Santa Cruz Metropolitan Transit District ("Santa Cruz METRO"), a political subdivision of the State of California, and Law Offices of Marie F. Sang ("Contractor").

## I. RECITALS

1.1 Santa Cruz METRO and Contractor entered into a Contract for Legal Services in the Area of Workers' Compensation ("Contract") on May 1, 2013.
1.2 The Contract is due to expire on April 30, 2023.
1.3 The Contract allows for amendment upon mutual written consent.
1.4 Contractor has submitted a proposal for modification to the contract terms, which Santa Cruz METRO has accepted.
1.5 Contractor has elected to participate in Santa Cruz METRO's Sustainability Initiative, and is reducing its hourly rate by $5 \%$ for this purpose.
1.6 Santa Cruz METRO and Contractor desire to amend the Contract to extend the Contract term, increase the Contract total not-to-exceed amount, and incorporate Contractor's requested modification.

Therefore, Santa Cruz METRO and Contractor amend the Contract as follows:

## II. TERM

Article 4.01 is amended to add the following language:
Under the terms of the Fourth Amendment, the term of this Contract is extended by two years, through April 30, 2025. At the option of Santa Cruz METRO, this Contract may be renewed at any time for any reason upon mutual written consent.

## III. COMPENSATION

Article 5.01 is amended to add the following language:
Effective May 1, 2023, Santa Cruz METRO shall compensate Contractor for services performed at a rate of $\$ 171.00$ per hour. This rate reflects a $5 \%$ Sustainability Discount to Contractor's new hourly bill rate of $\$ 180.00$ per hour, in accordance with Contractor's proposal dated April 6, 2023, Attachment A to this Fourth Amendment.

## Attachment A

Under the terms of the Fourth Amendment, the Contract total not-to-exceed amount is increased by $\$ 24,000$. The new Contract total not-to-exceed amount is $\$ 209,000$. Contractor understands and agrees that if it exceeds the maximum amount payable under this Contract, it does so at its own risk.

## IV. REMAINING TERMS AND CONDITIONS

All other provisions of the Contract that are not affected by this Fourth Amendment shall remain unchanged and in full force and effect.

## V. AUTHORITY

Each party has full power to enter into and perform this Fourth Amendment to the Contract and the person signing this Fourth Amendment on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this Fourth Amendment to the Contract, understands it, and agrees to be bound by it.

Signed on $\qquad$

Santa Cruz METRO -
SANTA CRUZ METROPOLITAN
TRANSIT DISTRICT
Michael Tree, CEO/General Manager

Contractor
LAW OFFICES OF MARIE F. SANG

Marie F. Sang, Owner


Approved as to Form:
Julie Sherman, General Counsel


# Attachment A <br> <br> ATTACHMENT A 

 <br> <br> ATTACHMENT A}

MARIE F. SANG *

* Certified Specialist, Workers' Compensation Law The State Bar of Califorma
Board of Legal Specialization

LAW OFFICES OF
MARIE F. SANG
1875 S . WINCHESTER BOULEVARD SUITE 202
CAMPBELL. CA 95008

Telephone (408) 866-7974
Facsimile (408) 866-1797
Email: msang@ix.netcom.com

April 6, 2023

Joan Jeffries, Purchasing Manager
Santa Cruz METRO
110 Vernon Street
Santa Cruz, CA 95060

## RE: RENEWAL - Ṣanta Cruz METRO Contract No. 13-23 for Legal Services in the Area of Workers' Compensation

Dear Ms. Jeffries:
This letter is to confirm my intent to extend the existing contract for legal services in the area of Workers' Compensation services for an additional 2 years, from May 1, 2023 through April 30, 2025 with the following modifications: hourly rate increase to $\$ 180.00$ per hour with a $5 \%$ discount for the Sustainability Initiative. Please let me know if the foregoing is acceptable to Santa Cruz METRO.

Very truly yours,


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DATE: April 28, 2023
TO: Board of Directors
FROM: Chuck Farmer, CFO
SUBJECT: CONSIDERATION OF DECLARING VEHICLES AND/OR EQUIPMENT AS EXCESS FOR PURPOSES OF DISPOSAL OR AUCTION

## I. RECOMMENDED ACTION

That the Board of Directors approve a resolution declaring vehicles and/or
obsolete equipment as ready for disposal or auction and direct the
CEO/General Manager to dispose of the surplus item in conformance with
METRO's Administrative Policy Number AP-2020 - Fixed Assets and
Inventoried Items.

## II. SUMMARY

- In accordance with Santa Cruz Metropolitan Transit District's (METRO's) policy on disposal of fixed assets, at least once per year Finance Department management shall recommend to the Board of Directors a list of items to be declared excess with appropriate action for disposal.
- Vehicles, property and/or equipment have exceeded their useful lives and are no longer needed by METRO.
- Staff recommends that the Board of Directors approve the resolution for the disposal or auction of excess property (Attachment A) and declare the item(s) listed in Exhibit A as excess and direct staff to use appropriate action for disposal.


## III. DISCUSSION/BACKGROUND

In preparation for the implementation of a new ERP system at METRO, historical capital asset records are currently being reviewed and reconciled by staff in order to ensure that complete and accurate data will be exported to the new accounting system. Several capital items have been deemed as obsolete, identified in the Excess Vehicle \& Equipment Listing (Exhibit A):

- Bus Announcement System: nos. 4884 \& 4957
- Two (2) Buildings at 1217 River St. APN\# 008-013-07: no. 5521
- HASTUS - Maintenance \& Support 1/1/12 to 12/31/12: no. 5794
- Puridiom - Maintenance 7/1/10 to 6/30/11; no.5667.01F

The assets recommended for disposal are fully depreciated, so there is no financial obligation to a granting agency with regard to the recommended disposal. METRO no longer has a need for the assets listed in Exhibit A; therefore, it is recommended that they be disposed of at this time.
The disposition of these assets has been coordinated with management and staff in processing them for disposal, recycling or auction, if appropriate.

Staff recommends that the Board of Directors approve a resolution (Attachment A) and declare the items listed in Exhibit $A$ as excess and direct staff to use appropriate action for disposal.

## IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This report pertains to Financial Stability, Stewardship, \& Accountability.

## V. FINANCIAL CONSIDERATIONS/IMPACT

The estimated total gross market value of the assets included in the disposal list is approximately $\$ 3,532$. These assets have reached the end of their useful life and are obsolete. There is minimal financial impact as a result of these disposals.

Any revenue generated from the sale of equipment or inventory is recorded in the District's general ledger, to account 407090-100 "Gain/Loss on Disposal of Assets."

## VI. CHANGES FROM COMMITTEE

## N/A

## VII. ALTERNATIVES CONSIDERED

- Keep the assets in the capital asset inventory. Staff does not recommend this alternative because the items have exceeded their useful life and/or are costprohibitive to repair and are no longer in use.


## VIII. ATTACHMENTS

$$
\begin{array}{ll}
\text { Attachment A: } & \begin{array}{l}
\text { Resolution to Approve the Disposal or Auction of Excess } \\
\text { Assets }
\end{array} \\
\text { Exhibit A: } & \text { Excess Vehicle \& Equipment Listing - as of April 28, } 2023
\end{array}
$$

## IX. APPROVALS:

Approved as to fiscal impact: Chuck Farmer, CFO

Michael Tree, CEO/General Manager


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# BEFORE THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

Resolution No.
On the Motion of Director:
Duly Seconded by Director:
The Following Resolution is Adopted:

## RESOLUTION TO APPROVE THE DISPOSAL OR AUCTION OF EXCESS ASSETS

WHEREAS, the Santa Cruz Metropolitan Transit District (District), receives federal financial assistance from the Federal Transit Administration (FTA) to acquire real property, equipment and supplies, and rolling stock; and

WHEREAS, all such assets must be managed, used, and disposed of in accordance with applicable laws and regulations; and

WHEREAS, the FTA prescribes the method and delivers guidance to public transit operators to comply with grant management requirements in accordance with the regulations in Title 49 Code of Federal Regulations, part 24 (49CFR 24) and FTA Circular 5010.1E; and

WHEREAS, the acquisition cost of each item identified as excess is greater than \$5,000; and

WHEREAS, the District has determined that it is necessary to either dispose of the property, and/or to place the items up for auction.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT, that it hereby resolves, determines and orders as follows:

1. The following assets are declared excess property on the Excess Vehicle \& Equipment Listing as of 04/28/2023, "Exhibit A" and may be disposed of or auctioned as such:
a. "Bus Announcement System: nos. 4884 \& 4957"
b. "Two (2) Buildings at 1217 River St. APN\# 008-013-07: no. 5521";
c. "HASTUS - Maintenance \& Support 1/1/12 to 12/31/12: no. 5794";
d. "Puridiom - Maintenance 7/1/10 to 6/30/11; no.5667.01F";

## Attachment A

Resolution No.

## Page 2 of 3

PASSED AND ADOPTED by the Board of Directors of the Santa Cruz Metropolitan Transit District on April 28, 2023, by the following vote:

```
AYES: DIRECTORS -
```

NOES: DIRECTORS -
ABSENT: DIRECTORS -
ABSTAIN: DIRECTORS -

# APPROVE: 

Shebreh Kalantari-Johnson, Board Chair

## ATTEST:

Michael Tree
CEO/General Manager

APPROVED AS TO FORM:

## JULIE SHERMAN

General Counsel

## Attachment A

Resolution No.
Page 3 of 3

## EXHIBIT A, SANTA CRUZ METROPOLITAN TRANSIT DISTRICT RESOLUTION NO.

SANTA CRUZ METROPOLITAN TRANSIT DISTIRCT EXCESS VEHICLE \& EQUIPMENT LISTING AS OF 04/28/2023
(Attached)


Exhibit A

DATE: April 28, 2023
TO: Board of Directors
FROM: Wondimu Mengistu, Capital Planning and Grants Program Manager

## SUBJECT: CONSIDER A RESOLUTION DESIGNATING THE CEO/GENERAL MANAGER AS THE AUTHORIZED AGENT TO SUBMIT A GRANT application and execute actions necessary to receive FORMULA FUNDS FROM THE FY23 LOW CARBON TRANSIT OPERATIONS PROGRAM

## I. RECOMMENDED ACTION

That the Board adopt a resolution designating the CEO/General Manager as the Authorized Agent to submit a grant application and execute all agreements and actions necessary to receive funds from the FY23 Low Carbon Transit Operations Program, including authorizing the CEO/General Manager to request the SCCRTC pass its allocation of FY23 LCTOP funds to METRO

## II. SUMMARY

- The California State Controller's Office (SCO) has allocated funds from the Greenhouse Gas Reduction Fund to the Low Carbon Transit Operations Program (LCTOP) for transit projects that reduce greenhouse gas emissions.
- For FY2022-23 (FY23), the State Controller's Office allocated \$1,243,363 to Santa Cruz County, $\$ 654,314$ to the Santa Cruz County Regional Transportation Commission (RTC) and \$589,049 to the Santa Cruz Metropolitan Transit District (METRO) to implement an LCTOP project.
- METRO initiated a twelve-month Youth Ride Free pilot program beginning March 1, 2023 through March 1, 2024, waiving METRO fares for regular service for K-12 youth.
- Staff recommends using the FY23 LCTOP funds on its countywide Youth Ride Free Program to allow youth in grades K-12 to ride local METRO buses for free for two additional years through April 3, 2026.
- METRO requests that the RTC contribute $100 \%$ of its allocation amount of $\$ 654,314$ to METRO for its countywide Youth Ride Free Program.
- Staff recommends that the Board of Directors (Board) adopt a resolution designating the CEO/General Manager as the Authorized Agent to submit an
application and to execute all agreements and take all other actions, including executing the Certifications and Assurances, necessary to receive the LCTOP funds.


## III. DISCUSSION/BACKGROUND

In 2006, Governor Schwarzenegger executed the California Global Warming Solutions Act of 2006 (AB 32), landmark legislation that set targets to reduce greenhouse gas emissions to 1990 levels by 2020. AB 32 spawned trailing legislation that created new programs and designated various state agencies to administer them. In 2014, Governor Brown signed the Transit, Affordable Housing and Sustainable Communities Program (SB 862), which distributed revenue from the sale of carbon emission credits to various programs, to increase transit ridership and reduce overall emissions from transportation sources. SB 862 established the LCTOP to distribute Cap-and-Trade revenue to regional transportation planning agencies and to public transit operators for new services and infrastructure that expand transit service, increase ridership and reduce emissions.

The LCTOP is a formula grant program that receives 5\% annually of Greenhouse Gas Reduction Funds generated from the sale of carbon credits in the Cap and Trade program. The State Controller's Office (SCO) then allocates the LCTOP funds to Regional Transportation Planning Agencies (the RTC in Santa Cruz County) and to public transit agencies by the same formula used to allocate State Transit Assistance (STA) funds. For the FY23 program, the SCO allocated $\$ 654,314$ to the RTC and $\$ 589,049$ to METRO for a total of $\$ 1,243,363$ to Santa Cruz County. In FY22, RTC sponsored METRO's Zero-Emission Watsonville Circulator Operating Project and contributed its allocation to METRO to implement the project. METRO requests that RTC allocate $100 \%(\$ 654,314)$ of its FY23 LCTOP funds to METRO for its countywide Youth Ride Free Program. If the RTC concurs, METRO will submit an allocation request for the combined total of \$1,243,363 allocated to Santa Cruz County for FY23.

Eligible projects for LCTOP include expenditures that directly enhance or expand transit service by supporting new or expanded bus services, and may include fueling, maintenance, and other costs to operate those services. METRO initiated a twelve-month Youth Ride Free pilot program beginning March 1, 2023 through March 1, 2024, waiving METRO fares for regular service for K-12 youth. Staff recommends using the FY23 LCTOP funds on its countywide Youth Ride Free Program to allow youth in grades K-12 to ride local METRO buses for free for two additional years through April 3, 2026. This program supports METRO's goal of increasing transit ridership, expand access to opportunities and resources for youth, and support equity goals by eliminating the fare burden for youth, many of whom come from low-income households. The program is also expected to help develop lifelong transit riders and shift trips currently taken in private automobiles to buses (increase transit mode share).

The deadline to submit the FY23 application is May 1, 2023. The application requires a Board Resolution to approve the project and authorize the CEO/General Manager as the Authorized Agent to submit an application, execute agreements and receive funds. Caltrans will pay the funds in advance of project implementation.

Staff recommends that the Board approve using LCTOP funds for countywide Youth Ride Free Program and adoption of a resolution (Attachment A) to:

1. Designate the CEO/General Manager as the Authorized Agent to submit an application and execute all agreements necessary to receive LCTOP funds from Caltrans and authorize the CEO/General Manager to execute Certifications and Assurances required to participate in the Low Carbon Transit Operating Program (Attachment B).
2. Authorize the CEO/General Manager to request that the RTC pass its allocation of FY23 LCTOP funds to METRO (Attachment C).

## IV. FINANCIAL CONSIDERATIONSIIMPACT

METRO would receive a total of $\$ 1,243,363$ from the FY23 LCTOP allocation to Santa Cruz County, including $\$ 654,314$ of RTC's share. METRO will deposit these funds into a segregated, interest-bearing account until they are expended on the Youth Ride Free Program, as described in detail above.

## V. CHANGES FROM COMMITTEE

## N/A

## VI. ALTERNATIVES CONSIDERED

Do not receive the FY23 LCTOP allocation. Staff does not recommend this alternative because METRO would lose critically needed revenue to allow youth in grades K-12 to ride local METRO buses for free for two additional years through April 3, 2026.

## VII. ATTACHMENTS

Attachment A: Resolution designating the CEO/General Manager as the Authorized Agent and authorizing the execution of Certifications and Assurances for the Low Carbon Transit Operating Program

Attachment B: Authorized Agent and Certifications and Assurance Forms

Prepared by: Wondimu Mengistu, Capital Planning \& Grants Program Manager

Board of Directors
April 28, 2023
Page 4 of 4

## VIII. APPROVALS

John Urgo, Planning and Development Director


Approved as to form:
Julie Sherman, District Counsel

Approved as to fiscal impact: Chuck Farmer, CFO


Michael Tree, CEO/General Manager


# BEFORE THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

Resolution No. On the Motion of Director: Duly Seconded by Director: The Following Resolution is Adopted:<br>$\qquad$<br>\title{ RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT AUTHORIZING THE EXECUTION OF CERTIFICATIONS AND ASSURANCES AND DESIGNATING THE CEOIGENERAL MANAGER, AS THE AUTHORIZED AGENT TO EXECUTE ALL ACTIONS NECESSARY TO RECEIVE FY2022-2023 FUNDS FROM THE LOW CARBON TRANSIT OPERATIONS PROGRAM }

WHEREAS, California Governor Brown executed the Transit, Affordable Housing and Sustainable Communities Program (SB 862) in 2014 to reduce greenhouse gas emissions from the transportation sector; and

WHEREAS, SB 862 established the Low Carbon Transit Operations Program (LCTOP) to receive revenue from the sale of emission allowances in California's Cap-andTrade program and distribute these funds to transit operators and regional transportation planning agencies for projects that increase transit ridership; and

WHEREAS, SB 862 designated the California Department of Transportation (Caltrans) as the administrative agency to implement, monitor and establish Guidelines for the LCTOP; and

WHEREAS, the Santa Cruz Metropolitan Transit District (METRO) is an eligible LCTOP recipient that can receive funds directly from the LCTOP and from other sponsors to which the LCTOP also allocates funds; and

WHEREAS, METRO staff proposes Board authorization to claim the FY2022-2023 LCTOP funds allocated by the State Controller's Office (SCO) to Santa Cruz County to METRO for its countywide Youth Ride Free Program for two years; and

WHEREAS, METRO staff proposes Board authorization to request that the Santa Cruz County Regional Transportation Commission (RTC) sponsor METRO's project and contribute its FY2022 - 2023 LCTOP allocation to METRO; and

WHEREAS, METRO staff recommends the Board authorizes submittal of the following allocation request to the California Department of Transportation for Santa Cruz County's FY2022-2023 LCTOP funds:
$\qquad$ Attachment A

Short Description: Countywide Youth Ride Free Program (YouthCruz) to allow youth in grades $\mathrm{K}-12$ to ride local METRO buses for free for two years..

Benefit to a Priority Populations: Located within the boundaries of a SB535-defined Disadvantaged

Community census tract. Expands access to opportunities and resources for youth, and support equity goals by eliminating the fare burden for youth, many of whom come from lowincome households

Amount to benefit Priority Populations: \$407,778
Contributing Sponsor: RTC: \$654,314.
NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Santa Cruz Metropolitan Transit District hereby agrees to comply with all conditions and requirements set forth in the Certification and Assurances document and the applicable statutes, regulations and guidelines for the LCTOP; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Santa Cruz Metropolitan Transit District hereby designates Michael Tree, CEO/General Manager, or designee, as the Authorized Agent to execute all agreements and take all actions necessary to receive funds from the LCTOP; and

BE IT FURTHER RESOLVED, that the Board of Directors of the Santa Cruz Metropolitan Transit District hereby authorizes Michael Tree, CEO/General Manager, or designee, to request that the RTC pass its allocation of LCTOP funds to METRO, and authorizes staff to use the FY2022-2023 LCTOP funds for operating assistance to operate the new route for about a year.

PASSED AND ADOPTED by the Board of Directors of the Santa Cruz Metropolitan Transit District this $28^{\text {th }}$ Day of April 2023 by the following vote:

AYES: Directors -
NOES: Directors -
ABSTAIN: Directors -
ABSENT: Directors -

## APPROVED:

$\overline{\text { Shebreh Kalantari-Johnson, Board Chair }}$

## ATTEST:

Michael Tree, CEO/General Manager

## APPROVED AS TO FORM:

Julie Sherman, General Counsel

## Attachment B

FY 2022-2023 LCTOP
Authorized Agent

## AS THE <br> Board Chair

## Santa Cruz Metropolitan Transit District

## OF THE

I hereby authorize the following individual(s) to execute for and on behalf of the named Regional Entity/Transit Operator, any actions necessary for the purpose of obtaining Low Carbon Transit Operations Program (LCTOP) funds provided by the California Department of Transportation, Division of Rail and Mass Transportation. I understand that if there is a change in the authorized agent, the project sponsor must submit a new form. This form is required even when the authorized agent is the executive authority himself. I understand the Board must provide a resolution approving the Authorized Agent. The Board Resolution appointing the Authorized Agent is attached.

| Michael Tree, CEO/General Manager | OR |
| :---: | :---: |
| (Name and Title of Authorized Agent) |  |
| Click here to enter text. | OR |
| (Name and Title of Authorized Agent) |  |
| Click here to enter text. | OR |
| (Name and Title of Authorized Agent) |  |
| Click here to enter text. | OR |

(Name and Title of Authorized Agent)
Shebreh Kalantari-Johnson Board Chair
(Print Name)
(Title)

Approved this 28 day of April $\quad 2023$

# Attachment B 

## FY 2022-2023 LCTOP

# Certifications and Assurances 

| Lead Agency: | Santa Cruz Metropolitan Transit District |
| :--- | :--- |
| Project Title: | Countywide Youth Ride Free Pilot Program |
| Prepared by: | Wondimu Mengistu, Capital Planning and Grants Program Manager |

The California Department of Transportation (Caltrans) has adopted the following Certifications and Assurances for the Low Carbon Transit Operations Program (LCTOP). As a condition of the receipt of LCTOP funds, Lead Agency must comply with these terms and conditions.

## A. General

1. The Lead Agency agrees to abide by the current LCTOP Guidelines and applicable legal requirements.
2. The Lead Agency must submit to Caltrans a signed Authorized Agent form designating the representative who can submit documents on behalf of the project sponsor and a copy of the board resolution appointing the Authorized Agent.

## B. Project Administration

1. The Lead Agency certifies that required environmental documentation is complete before requesting an allocation of LCTOP funds. The Lead Agency assures that projects approved for LCTOP funding comply with Public Resources Code § 21100 and § 21150.
2. The Lead Agency certifies that a dedicated bank account for LCTOP funds only will be established within 30 days of receipt of LCTOP funds.
3. The Lead Agency certifies that when LCTOP funds are used for a transit capital project, that the project will be completed and remain in operation for its useful life.
4. The Lead Agency certifies that it has the legal, financial, and technical capacity to carry out the project, including the safety and security aspects of that project.
5. The Lead Agency certifies that they will notify Caltrans of pending litigation, dispute, or negative audit findings related to the project, before receiving an allocation of funds.
6. The Lead Agency must maintain satisfactory continuing control over the use of project equipment and facilities and will adequately maintain project equipment and facilities for the useful life of the project.
7. Any interest the Lead Agency earns on LCTOP funds must be used only on approved LCTOP projects.
8. The Lead Agency must notify Caltrans of any changes to the approved project with a Corrective Action Plan (CAP).

## Attachment B

## FY 2022-2023 LCTOP

9. Under extraordinary circumstances, a Lead Agency may terminate a project prior to completion. In the event the Lead Agency terminates a project prior to completion, the Lead Agency must (1) contact Caltrans in writing and follow-up with a phone call verifying receipt of such notice; (2) pursuant to verification, submit a final report indicating the reason for the termination and demonstrating the expended funds were used on the intended purpose; (3) submit a request to reassign the funds to a new project within 180 days of termination.
C. Reporting
10. The Lead Agency must submit the following LCTOP reports:
a. Annual Project Activity Reports October $27^{\text {th }}$ each year.
b. A Close Out Report within six months of project completion.
c. The annual audit required under the Transportation Development Act (TDA), to verify receipt and appropriate expenditure of LCTOP funds. A copy of the audit report must be submitted to Caltrans within six months of the close of the year (December 31) each year in which LCTOP funds have been received or expended.
d. Project Outcome Reporting as defined by CARB Funding Guidelines.
e. Jobs Reporting as defined by CARB Funding Guidelines.
11. Other Reporting Requirements: CARB develops and revises Funding Guidelines that will include reporting requirements for all State agencies that receive appropriations from the Greenhouse Gas Reduction Fund. Caltrans and project sponsors will need to submit reporting information in accordance with CARB’s Funding Guidelines, including reporting on greenhouse gas reductions and benefits to disadvantaged communities.

## D. Cost Principles

1. The Lead Agency agrees to comply with Title 2 of the Code of Federal Regulations 225 (2 CFR 225), Cost Principles for State and Local Government, and 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
2. The Lead Agency agrees, and will assure that its contractors and subcontractors will be obligated to agree, that:
a. Contract Cost Principles and Procedures, 48 CFR, Federal Acquisition Regulations System, Chapter 1, Part 31, et seq., shall be used to determine the allow ability of individual project cost items and
b. Those parties shall comply with Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments. Every sub-recipient receiving LCTOP funds as a contractor or sub-contractor shall comply with

## Attachment B

## FY 2022-2023 LCTOP

Federal administrative procedures in accordance with 2 CFR, Part 200, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
3. Any project cost for which the Lead Agency has received funds that are determined by subsequent audit to be unallowable under 2 CFR 225, 48 CFR, Chapter 1, Part 31 or 2 CFR, Part 200, are subject to repayment by the Lead Agency to the State of California (State). All projects must reduce greenhouse gas emissions, as required under Public Resources Code section 75230, and any project that fails to reduce greenhouse gases shall also have its project costs submit to repayment by the Lead Agency to the State. Should the Lead Agency fail to reimburse moneys due to the State within thirty (30) days of demand, or within such other period as may be agreed in writing between the Parties hereto, the State is authorized to intercept and withhold future payments due the Lead Agency from the State or any third-party source, including but not limited to, the State Treasurer and the State Controller.

## A. Record Retention

1. The Lead Agency agrees and will assure that its contractors and subcontractors shall establish and maintain an accounting system and records that properly accumulate and segregate incurred project costs and matching funds by line item for the project. The accounting system of the Lead Agency, its contractors and all subcontractors shall conform to Generally Accepted Accounting Principles (GAAP) and enable the determination of incurred costs at interim points of completion. All accounting records and other supporting papers of the Lead Agency, its contractors and subcontractors connected with LCTOP funding shall be maintained for a minimum of three (3) years after the "Project Closeout" report or final Phase 2 report is submitted (per ARB Funding Guidelines, Vol. 3, page 3.A-16), and shall be held open to inspection, copying, and audit by representatives of the State and the California State Auditor. Copies thereof will be furnished by the Lead Agency, its contractors, and subcontractors upon receipt of any request made by the State or its agents. In conducting an audit of the costs claimed, the State will rely to the maximum extent possible on any prior audit of the Lead Agency pursuant to the provisions of federal and State law. In the absence of such an audit, any acceptable audit work performed by the Lead Agency's external and internal auditors may be relied upon and used by the State when planning and conducting additional audits.
2. For the purpose of determining compliance with Title 21, California Code of Regulations, Section 2500 et seq., when applicable, and other matters connected with the performance of the Lead Agency’s contracts with third parties pursuant to Government Code § 8546.7, the project sponsor, its contractors and subcontractors and the State shall each maintain and make available for inspection all books, documents, papers, accounting records, and other evidence pertaining to the performance of such contracts, including, but not limited to, the costs of administering those various contracts. All of the above referenced parties shall make such materials available at their respective offices at all reasonable times

## Attachment B

## FY 2022-2023 LCTOP

during the entire project period and for three (3) years from the date of final payment. The State, the California State Auditor, or any duly authorized representative of the State, shall each have access to any books, records, and documents that are pertinent to a project for audits, examinations, excerpts, and transactions, and the Lead Agency shall furnish copies thereof if requested.
3. The Lead Agency, its contractors and subcontractors will permit access to all records of employment, employment advertisements, employment application forms, and other pertinent data and records by the State Fair Employment Practices and Housing Commission, or any other agency of the State of California designated by the State, for the purpose of any investigation to ascertain compliance with this document.

## F. Special Situations

Caltrans may perform an audit and/or request detailed project information of the project sponsor's LCTOP funded projects at Caltrans' discretion at any time prior to the completion of the LCTOP.

I certify all of these conditions will be met.

Michael Tree
(Print Authorized Agent)
(Signature)

CEO/General Manager
(Title)

# Attachment B 

## FY 2022-2023 LCTOP

Allocation

| Lead Agency: | Santa Cruz Metropolitan Transit District |
| :--- | :--- |
| Project Title: | Countywide Youth Ride Free Pilot Program |
| Regional |  |
| Entity: | Santa Cruz County Regional Transportation Commission |
| County: | Santa Cruz |

Lead Agency: I certify the scope, cost, schedule, and benefits as identified in the attached Allocation Request (Request) and attachments are true and accurate and demonstrate a fully funded operable project. I understand the Request is subject to any additional restrictions, limitations or conditions that may be enacted by the State Legislature, including the State's budgetary process and/or auction receipts. In the event the project cannot be completed as originally scoped, scheduled and estimated, or the project is terminated prior to completion, Lead Agency shall, at its own expense, ensure that the project is in a safe and operable condition for the public. I understand this project will be monitored by the California Department of Transportation - Division of Rail and Mass Transportation.

| Authorized Agent: | Michael Tree |
| :--- | :--- |
| Title: | CEO/General Manager |
| Lead Agency: | Santa Cruz Metropolitan Transit District |

Signature:
PUC Funds Type: $\quad \mathbf{9 9 3 1 3} \mathbf{\$} 654,314$
PUC Funds Type: 99314 \$ 589,049

Contributing Sponsor(s): The contributing sponsor is an entity that passes funds to the Lead Agency to support a project. The contributing sponsor could be the regional entity (PUC 99313) passing their funds to a recipient agency within their region or a recipient agency (PUC 99314) passing their funds through to either a regional entity or a recipient agency within their region. The contributing sponsor(s) must also sign and state the amount and type of LCTOP funds (PUC Sections 99313 and 99314) they are contributing the project. Sign below or attach a separate officially signed letter providing that information. If there is more than one contributing sponsor, please submit additional page, or a letter from the additional Contributing Sponsors.

| Authorized Agent: | Guy Preston |
| :--- | :--- |
| Title: | Executive Director |
| Lead Agency: | Santa Cruz County Regional Transportation Commission |

Signature:

| PUC Funds Type: | $\mathbf{9 9 3 1 3} \$ 654,314$ |
| :--- | :--- |
| PUC Funds Type: | $\mathbf{9 9 3 1 4} \$ 589,049$ |

FROM: Eddie Benson, Maintenance Manager
SUBJECT: CONSIDERATION OF RATIFICATION OF USE OF STATE OF CALIFORNIA DEPARTMENT OF GENERAL SERVICES CONTRACT FOR THE PURCHASE OF ONE NON-REVENUE EMERGENCY SERVICE TRUCK

## I. RECOMMENDED ACTION

That the Board of Directors ratify the use of the State of California, Department of General Services Cooperative Vehicle Contract for the purchase of one (1) non-revenue service truck from Downtown Ford Sacramento for $\$ 67,877.42$.

## II. SUMMARY

- The Santa Cruz Metropolitan Transit District (METRO) has the need for a nonrevenue vehicle to replace aging non-revenue vehicles in METRO's fleet. This service truck will be used to respond to emergencies of buses and other METRO vehicles needing roadside support throughout Santa Cruz County.
- Funds for this purchase are available through METRO's 5339a FY20 formula grant.
- Staff located purchase options from the State of California Department of General Services (DGS) Cooperative Vehicle Contract for a service truck meeting METRO's specifications, and found one dealer with this truck available.
- Due to the historically low levels of inventory and the corresponding risk of this truck being sold prior to today's Board meeting, the CEO determined it was in METRO's best interest to order the truck as soon as possible. Staff is recommending that the Board now ratify the use of the DGS Cooperative Vehicle Contract for the purchase of one service truck in an amount not to exceed $\$ 67,877.42$.


## III. DISCUSSION/BACKGROUND

METRO has the need for a new service truck to replace aging vehicles in its nonrevenue fleet. This new service truck will increase METRO's ability to provide roadside assistance to buses and other vehicles suffering breakdowns while on their route. It will help move these buses to safe locations when they fail in hazardous areas, avoiding unnecessary and expensive towing.

Staff located purchase options from the DGS Cooperative Vehicle Contract for a service truck that met METRO's specifications, a Ford F250 super cab pickup. Utilizing statewide cooperative purchasing agreements streamlines the procurement process and allows for better pricing than METRO would normally obtain on its own due to the larger quantities requested in the bids.

Staff then contacted multiple automotive dealers, and following an exhaustive search, found only one dealer, Downtown Ford Sacramento, that had this truck in stock. As Downtown Ford would not hold this truck for METRO, and the likelihood it would be sold prior to today's Board meeting was very high, the CEO determined it was in METRO's best interest to order this truck as soon as possible.

Staff recommends that the Board now ratify the use of the DGS Cooperative Vehicle Contract for the purchase of this Ford F250 service truck in an amount not to exceed $\$ 67,877.42$.

## IV. FINANCIAL CONSIDERATIONSIIMPACT

Funds in the amount of $\$ 67,877.42$ to support this procurement are available in the FY20 5339a formula grant and included in the FY23 Capital Budget/Portfolio.

## V. CHANGES FROM COMMITTEE

 N/A
## VI. ALTERNATIVES CONSIDERED

- None


## VII. ATTACHMENTS

## Attachment A: Downtown Ford Sacramento Quote Sheet

Prepared by: Tanya Gilliam, Purchasing Agent

## VIII. APPROVALS



Approved as to fiscal impact: Chuck Farmer, CFO

Michael Tree, CEO/General Manager


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Name
$\qquad$
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# SUBJECT: CONSIDERATION OF AUTHORIZING THE CEO/GENERAL MANAGER TO EXECUTE A $3^{\text {RD }}$ AMENDMENT EXTENDING THE CONTRACT FOR TWO YEARS WITH BROWN ARMSTRONG ACCOUNTANCY CORPORATION FOR FINANCIAL AUDIT AND TAX SERVICES, INCREASING THE CONTRACT TOTAL BY $\$ \mathbf{9 5 , 1 5 0}$ 

## I. RECOMMENDED ACTION

That the Board of Directors authorize the CEO/General Manager to execute
a $3^{\text {rd }}$ amendment extending the contract for two years with Brown Armstrong Accountancy Corporation for Financial Audit and Tax Services, increasing the contract total by $\$ 95,150$ for the additional two-year period, thereby increasing the total contract authority from \$222,033 to \$317,183.

## II. SUMMARY

- The Santa Cruz Metropolitan Transit District (METRO) has a contract with Brown Armstrong Accountancy Corporation (Brown Armstrong) for Financial Audit and Tax Services that will expire May 30, 2023.
- Due to the implementation of METRO's new Enterprise Resource Planning (ERP) system, staff recommends not changing auditors at this time.
- Brown Armstrong is willing to extend the term for two years with no changes to the contract terms and conditions, and no increase in their annual fee.
- Brown Armstrong has performed its duties very well under this contract. Staff recommends that the Board of Directors (Board) authorize extending the contract by two years. Purchasing staff will issue a new procurement for these services in time to recommend award before this additional two-year term expires.


## III. DISCUSSION/BACKGROUND

State law requires that METRO undergo an audit of their financial statements on an annual basis. The statements are to be prepared in accordance with generally accepted accounting principles and must be audited in accordance with generally accepted auditing standards by a firm of Certified Public Accountants licensed to practice in the State of California.
METRO established a three-year contract with Brown Armstrong for these services on May 31, 2018, with two optional one-year extensions. Both options have been exercised, and this contract will expire on May 30, 2023.

In October of last year, METRO kicked off its ERP project, with an implementation stage that will continue through the fall of 2024. This major project involves the replacement of all of METRO's financial systems and practices. Staff believe it would not be beneficial to bring in new auditors while all METRO's financial systems are being overhauled, and that maintaining continuity of auditing services throughout this process is a wiser choice.
Brown Armstrong has agreed to extend the term of their contract by two years, and moreover, will not increase their yearly fee for either of the next two audit cycles.
Staff recommends that the Board authorize the CEO to execute a $3^{\text {rd }}$ amendment to the contract with Brown Armstrong to extend the term of the contract to May 30, 2025 , and to increase the contract total by $\$ 95,150$. Chuck Farmer, CFO, will continue to serve as the Contract Administrator and will ensure contract compliance.

## IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This contract aligns to the Financial Stability, Stewardship \& Accountability Strategic Priority.
V. FINANCIAL CONSIDERATIONS/IMPACT

This contract has a total not to exceed of $\$ 222,033$. Additional funds in an amount of $\$ 95,150$ are requested for approval at this time. The new contract total not to exceed would be $\$ 317,183$.

Funds to support this contract are included in the Finance FY24-FY26 Accounting \& Audit Fees (503011) Operating Budgets.

## VI. CHANGES FROM COMMITTEE

N/A

## VII. ALTERNATIVES CONSIDERED

- No alternative is recommended for the reasons detailed above. Purchasing staff plan on issuing a new procurement for Financial Audit and Tax Services in early 2025.


## VIII. ATTACHMENTS

Attachment A: Third Amendment to the Contract with Brown Armstrong

Prepared by: Joan Jeffries, Purchasing Manager

Board of Directors
April 28, 2023
Page 3 of 3

## IX. APPROVALS

Approved as to fiscal impact: Chuck Farmer, CFO


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## Attachment A

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT THIRD AMENDMENT TO CONTRACT NO. 18-09 FOR FINANCIAL AUDIT AND TAX SERVICES

This Third Amendment to Contract No. 18-09 for Financial Audit and Tax Services is made effective May 29, 2023, between the Santa Cruz Metropolitan Transit District ("Santa Cruz METRO"), a political subdivision of the State of California, and Brown Armstrong Accountancy Corporation ("Contractor").

## I. RECITALS

1.1 Santa Cruz METRO and Contractor entered into a Contract for Financial Audit and Tax Services ("Contract") on May 31, 2018.
1.2 The Contract is due to expire on May 30, 2023.
1.3 The Contract allows for amendment upon mutual written consent.
1.4 Santa Cruz METRO and Contractor desire to amend the Contract to extend the Contract term and to increase the Contract total not-to-exceed amount.

Therefore, Santa Cruz METRO and Contractor amend the Contract as follows:

## II. TERM

Article 4.01 is amended to add the following language:
Under the terms of the Third Amendment, the term of his Contract is extended by two years, through May 30, 2025.

Santa Cruz METRO and Contractor may extend the term of this Contract at any time for any reason upon mutual written consent.

## III. COMPENSATION

Article 5.01 is amended to add the following language:
The Contractor agrees to perform all audit services for $\$ 45,575$ for FY 22/23 and $\$ 45,575$ for FY 23/24, for a total all-inclusive fee for these two years of $\$ 95,150$.

Under the terms of the Third Amendment, the Contract total not-to-exceed amount is increased by $\$ 95,150$. The new Contract total not-to-exceed amount is $\$ 317,183$. Contractor understands and agrees that if it exceeds the maximum amount payable under this Contract, it does so at its own risk.

## Attachment A

## IV. REMAINING TERMS AND CONDITIONS

All other provisions of the Contract that are not affected by this Third Amendment shall remain unchanged and in full force and effect.

## V. AUTHORITY

Each party has full power to enter into and perform this Third Amendment to the Contract and the person signing this Third Amendment on behalf of each has been properly authorized and empowered to enter into it. Each party further acknowledges that it has read this Third Amendment to the Contract, understands it, and agrees to be bound by it.

Signed on $\qquad$

Santa Cruz METRO -
SANTA CRUZ METROPOLITAN
TRANSIT DISTRICT
Michael Tree, CEO/General Manager

Contractor -
BROWN ARMSTRONG
ACCOUNTANCY CORPORATION

Ryan Nielsen, CPA/Partner


Approved as to Form:
Julie Sherman, General Counsel


DATE: April 28, 2023
TO: Board of Directors
FROM: Wondimu Mengistu, Capital Planning and Grants Program Manager

## SUBJECT: CONSIDER A RESOLUTION SUPPORTING ASSEMBLY BILL (AB) 610 AND DIRECTING METRO STAFF TO ENGAGE ASSEMBLYMEMBER HOLDEN AND ALL RELEVANT STAKEHOLDERS TO ADVANCE THE LEGISLATION IN THE 2023-24 REGULAR LEGISLATIVE SESSION

## I. RECOMMENDED ACTION

That the Board adopt a resolution supporting AB 610 and directing METRO
staff to engage Assemblymember Holden and all relevant stakeholders to advance the legislation in the 2023-24 Regular Legislative Session

## II. SUMMARY

- The Santa Cruz Metropolitan Transit District (METRO) has a goal of increasing transit ridership to seven million trips within the next five years.
- Youth under the age of 18 currently comprise $9.7 \%$ of METRO boardings (2019 On-Board Survey) yet are 19\% of Santa Cruz County residents, suggesting room for growth in this demographic.
- METRO initiated its current year-long Youth Ride Free Pilot Program in March 2023 to provide fare free transit on local METRO buses to youth in grades K12 throughout Santa Cruz County.
- The Youth Ride Free Pilot Program is designed to further encourage ridership growth, expand access to opportunities and resources for youth, and lower the economic burden for those who use transit by economy necessity.
- METRO requires stable external funding to continue its Youth Ride Free Pilot Program.
- Assemblymember Chris Holden (D-Pasadena) has introduced AB 610 in the 2023-24 Regular Legislative Session of the California State Legislature to establish the Youth Transit Pass Pilot Program at the California Department of Transportation to be supported by a new state appropriation.
- AB 610 has the potential to provide stable external funding to METRO to continue its Youth Ride Free Pilot Program and its partnerships with the University of California at Santa Cruz (UCSC) and Cabrillo College.
- Staff recommends that the Board of Directors (Board) adopt a resolution that supports AB 610 and directs METRO staff to engage Assemblymember Holden and all relevant stakeholders to advance the legislation in the 2023-24 Regular Legislative Session.


## III. DISCUSSION/BACKGROUND

The Santa Cruz Metropolitan Transit District (METRO) has a goal of increasing transit ridership to seven million trips within the next five years. To this end, METRO initiated a twelve-month Youth Ride Free pilot program beginning March 1, 2023 through March 1, 2024, waiving METRO fares for regular service for K-12 youth. METRO has also requested funding from the California Department of Transportation's Low Carbon Transit Operations Program (LCTOP) for FY 202223 to address these costs and extend the current year-long Youth Ride Free Pilot Program through FY25-26. This program supports METRO's goal of increasing transit ridership, expand access to opportunities and resources for youth, and support equity goals by eliminating the fare burden for youth, many of whom come from low-income households. The program is also expected to help develop lifelong transit riders and shift trips currently taken in private automobiles to buses (increase transit mode share). However, as METRO relies on farebox revenue, fare free transit requires sustainable funding sources to move beyond the shortterm pilot stage.
On February 9, 2023, Assemblymember Chris Holden (D-Pasadena) introduced AB 610 in the 2023-24 Regular Legislative Session of the California State Legislature to establish the Youth Transit Pass Pilot Program at the California Department of Transportation to be supported by a new state appropriation. AB 610 would authorize California transit agencies to submit funding requests to the California Department of Transportation's Youth Transit Pass Pilot Program to secure new funding to support fare free transit programs that demonstrate partnership between the transit agency and educational institutions. AB 610 requires, on or before June 30, 2024, Caltrans to develop guidelines for the administration of the program and sunsets the program on January 1, 2029.
$A B 610$ requires that grant moneys awarded to the transit agency and education institutions may only be used for the following purposes agreed to by a transit agency and the relevant educational institutions in their grant application, until fully expended:
a) The costs of creating, designing, developing, advertising, distributing, and implementing free youth transit passes pursuant to the program.
b) The costs of providing free transit service to holders of free youth transit passes pursuant to the program.
c) The costs of maintaining, subsidizing, or expanding an existing fare free program.
d) Other costs of administering and participating in the program.

AB 1919 (Holden) of 2022 was nearly identical to this bill. That bill was vetoed by the Governor.

Youth under the age of 18 currently comprise $9.7 \%$ of METRO boardings (2019 On-Board Survey). However, 19\% of Santa Cruz County residents - 51,327 persons - are under 18 years of age, suggesting room for growth in this demographic. AB 610 has the potential to provide stable external funding to METRO to continue its Youth Ride Free Pilot Program and its partnerships with UCSC and Cabrillo College.
This bill was referred to the Assembly Appropriations Committee and is set to be heard on 04/26/23. Staff recommends that the Board adopt a resolution supporting AB 610 and direct METRO staff to engage Assemblymember Holden and all relevant stakeholders to advance the legislation in the 2023-24 Regular Legislative Session.

## IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

AB 610 would align with the following Strategic Priorities:

- Service Quality and Delivery
- Strategic Alliances and Community Outreach
- Financial Stability, Stewardship \& Accountability


## V. FINANCIAL CONSIDERATIONSIIMPACT

AB 610 has the potential to provide stable external funding to METRO to continue its Youth Ride Free Pilot Program and its partnerships with UCSC and Cabrillo College, as described in detail above.

## VI. CHANGES FROM COMMITTEE

N/A

## VII. ALTERNATIVES CONSIDERED

Do not support AB 610. Staff does not recommend this alternative because METRO would need sustainable funding sources to move beyond the short-term free youth fares pilot stage.

## VIII. ATTACHMENTS

Attachment A: Resolution supporting AB 610 and directing METRO staff to engage Assemblymember Holden and all relevant stakeholders to advance the legislation in the 2023-24 Regular Legislative Session.

Prepared by: Wondimu Mengistu, Capital Planning and Grants Program Manager

Board of Directors
April 28, 2023
Page 4 of 4

## IX. APPROVALS

John Ergo, Planning and Development Director

Approved as to form: Julie Sherman, District Counsel


Approved as to fiscal impact: Chuck Farmer, CFO


# BEFORE THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

Resolution No.<br>On the Motion of Director:<br>Duly Seconded by Director:<br>The Following Resolution is Adopted:


#### Abstract

RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT SUPPORTING ASSEMBLY BILL (AB) 610 AND DIRECTING METRO STAFF TO ENGAGE ASSEMBLYMEMBER HOLDEN AND ALL RELEVANT STAKEHOLDERS TO ADVANCE THE LEGISLATION IN THE 2023-24 REGULAR LEGISLATIVE SESSION


WHEREAS, the Santa Cruz Metropolitan Transit District (METRO) initiated its current year-long Youth Ride Free Pilot Program in March 2023 to provide fare free transit on local METRO buses to youth in grades K-12 throughout Santa Cruz County; and

WHEREAS, youth under the age of 18 currently comprise $9.7 \%$ of METRO boardings in 2019, and represent a ridership growth opportunity for METRO; and

WHEREAS, the Youth Ride Free Pilot Program is designed to further encourage ridership growth, expand access to opportunities and resources for youth, and lower the economic burden for those who use transit by economy necessity; and

WHEREAS, the Youth Ride Free Pilot Program will result in fare revenue losses and may potentially increase the costs of operations; and

WHEREAS, METRO has requested funding from the California Department of Transportation's Low Carbon Transit Operations Program for FY 2022-23 to address these costs and extend the current year-long Youth Ride Free Pilot Program through FY25-26; and

WHEREAS, METRO requires stable external funding to continue its Youth Ride Free Pilot Program and further support its partnerships with the University of California at Santa Cruz (UCSC) and Cabrillo College to limit the financial impact of these programs to METRO services; and

WHEREAS, Assemblymember Chris Holden (D-Pasadena) has introduced AB 610 in the 2023-24 Regular Legislative Session of the California State Legislature to establish the Youth Transit Pass Pilot Program at the California Department of Transportation to be supported by a new state appropriation; and

## Attachment A

Resolution No. $\qquad$
Page 2

WHEREAS, AB 610 would authorize California transit agencies to submit funding requests to the California Department of Transportation's Youth Transit Pass Pilot Program to secure new funding to support fare free transit programs that demonstrate partnership between the transit agency and educational institutions; and

WHEREAS, AB 610 has the potential to provide stable external funding to METRO to continue its Youth Ride Free Pilot Program and its partnerships with UCSC and Cabrillo College.

NOW, THEREFORE, BE IT RESOLVED, that the Santa Cruz Metropolitan Transit District Board of Directors supports AB 610 and directs METRO staff to engage Assemblymember Holden and all relevant stakeholders to advance the legislation in the 2023-24 Regular Legislative Session.

PASSED AND ADOPTED this 28th Day of April 2023 by the following vote:

## AYES: Directors -

NOES: Directors -

ABSTAIN: Directors -
ABSENT: Directors -

Approved:
Shebreh Kalantari-Johnson, Chair

Attest:
Michael Tree,
CEO/General Manager

Approved as to form:
Julie A. Sherman, General Counsel

DATE: April 28, 2023
TO: Board of Directors
FROM: Curtis Moses, Safety, Security and Risk Management Director
SUBJECT: RECOMMENDED ACTION ON TORT CLAIMS

## I. RECOMMENDED ACTION

## That the Board of Directors Approve Staff Recommendations for Claims for

 the Month of April 2023, as reflected in Section VIII of this report
## II. SUMMARY

This staff report provides the Board of Directors with recommendations on claims submitted to the Santa Cruz Metropolitan Transit District (METRO).

## III. DISCUSSION/BACKGROUND

METRO's Risk Department received one claim for the month of April 2023 for money or damages. As a public entity, METRO must act "within 45 days after the claim has been presented" (Govt C §912.4(a)). See staff recommendations in paragraph VIII.
IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This report pertains to METRO's Financial Stability, Stewardship and Accountability.
V. FINANCIAL CONSIDERATIONSIIMPACT

None

## VI. CHANGES FROM COMMITTEE

N/A

## VII. ALTERNATIVES CONSIDERED

Within the 45-day period, the Board of Directors may take the following actions:

- Reject the claim entirely;
- Allow it in full;
- Allow it in part and reject the balance;
- Compromise it, if the liability or amount due is disputed (Govt C §912.4(a)); or
- Do nothing, and allow the claim to be denied by operation of law (Govt C §912.4 (c)).


## VIII. DESCRIPTION OF CLAIM

| Claimant | Claim \# | Description | Recommended <br> Action |
| :---: | :---: | :--- | :---: |
| Moreno, Florinda | $23-0007$ | Claimant alleges that <br> METRO is responsible for <br> paying her daughter's <br> medical expenses after <br> she fell. Amount of claim: <br> $\$ 3,378.82$ | Reject |

Prepared by: Tom Szestowicki, Safety Specialist

## IX. APPROVALS

Curtis Moses, Safety, Security and Risk Management Director


Michael Tree CEO/General Manager


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CERTIFICATE
of ACHIEVEMENT


SAFETY MANAGEMENT SYSTEM


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FROM: Joan Jeffries, Purchasing Manager

## SUBJECT: ADOPTION OF THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT AND INTRODUCTION OF THE INFORMAL BIDDING ORDINANCE

## I. RECOMMENDED ACTION

That the Board of Directors take the following actions:

1. Adopt a resolution to become subject to the California Uniform Public Construction Cost Accounting Act;
2. Introduce, by title only, the Ordinance Relating to the California Uniform Public Construction Cost Accounting Act to Provide Informal Bidding Procedures for Public Projects; and
3. Schedule a public hearing, the second reading, and adoption at a future Board meeting.

## II. SUMMARY

The California Uniform Public Construction Cost Accounting Act ("CUPCCAA" or "the Act"), enacted in 1983 under Public Contract Code Section 22000 et seq., allows local agencies to replace their statutory public works bidding thresholds with higher thresholds if the agencies (1) adopt a resolution opting-in to the requirements of the Act and becoming subject to procedures adopted by the California Uniform Construction Cost Accounting Commission (Commission), (2) inform the State Controller's Office of such election, and (3) adopt an ordinance establishing informal bidding procedures for public works contracts below the Act's formal bidding threshold.

Currently, CUPCCAA permits agencies to utilize informal bidding procedures for public works contracts under $\$ 200,000$, and negotiated contracts or purchase orders for public works contracts up to $\$ 60,000$. In contrast, the Santa Cruz Metropolitan Transit District (METRO) currently is required to engage in formal bidding for public works contracts greater than \$10,000. Historically, METRO has struggled to get contractors to bid on its public works contracts-particularly low value public works projects. Becoming subject to the Act will provide METRO with administrative cost savings and streamlined project delivery, so that it can move more quickly to contract for and complete smaller projects.
Under METRO's enabling legislation, it may not adopt an ordinance at the first reading and without holding a public hearing. If METRO elects to become subject
to the Act, the Board of Directors will be asked, at its May meeting, to hold a public hearing and adopt an ordinance establishing METRO's procedures for carrying out informal solicitations in accordance with the Act, and to revise METRO's Procurement Policy.

## III. DISCUSSION/BACKGROUND

The Commission has developed uniform public construction cost accounting procedures for implementation by local agencies in the performance of, or in the contracting for, public projects. Every five years the Commission considers whether there have been material changes in public construction costs and makes recommendations to the State Controller regarding adjustments to the bidding procedure monetary limits. The monetary limits were last increased in 2019. The Commission consists of 14 members including a designated member of the Contractors' State License Board, seven members representing the public sector (counties, cities, school districts, and special districts), and six members representing the private sector (public works contractors and unions).
A range of cities, counties and special districts across the State have opted to become subject to the Act. Locally, these include, but are not limited to, the City of Capitola, the City of Scotts Valley, the City of Watsonville, Cabrillo Community College District, Mountain Elementary School District, Pajaro Valley Unified School District, the Santa Cruz County Office of Education, the Santa Cruz County Regional Transportation Commission, and the Santa Cruz Port District.
METRO is currently required to use a formal bidding process to solicit public works projects when the estimated cost exceeds $\$ 10,000$. This requires development of a formal solicitation, outreach to potential contractors, advertisement in a newspaper of general circulation and possibly a pre-bid meeting before award to the lowest bidder. This process can take many months to complete, and requires significant staff resources, even for relatively low-dollar value projects such as the following contracts:

Carpet Replacement at Pacific Station:
Three (3) Security Gates at 138 Golf Club Drive:
Hazardous Building Materials Abatement:
Earthwork and Grading at 135 Dubois Street:
Exterior Painting of the Cavallaro Transit Center:
\$14,543
\$23,850
\$29,050
\$33,600
\$36,190

Staff worked with Legal Counsel to evaluate options to facilitate more effective and streamlined procurement of low value public works projects. Adoption and implementation of CUPCCAA will allow METRO to solicit and award public works projects at higher dollar limits than currently allowed by law and METRO's Procurement Policy. The Act provides for alternative bidding procedures when an agency performs public works by contract, as follows:

- Public works projects of $\$ 60,000$ or less may be awarded by negotiated contract or by purchase order.
- Public works projects between $\$ 60,000$ and $\$ 200,000$ may be let to contract by the informal bidding procedures set forth in the Act.
- Public works projects of more than $\$ 200,000$ will continue to be procured through METRO's current formal bidding procedures.

In order for METRO to utilize the Act's procedures and bid limits, the Board must first adopt a resolution to become subject to CUPCCAA and it must send notice of such adoption to the State Controller's Office. In addition, the Board must adopt informal bidding procedures to govern procurements below the formal bidding threshold. Included in the recommended action is introduction of the informal bidding ordinance, by title only, and scheduling a public hearing and second reading for a future Board meeting. At a future meeting, staff will also present modifications to the Procurement Policy.

## IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

Financial Responsibility, Stability, Stewardship, Accountability

## V. FINANCIAL CONSIDERATIONS/IMPACT

There is no budget impact for this action.

## VI. CHANGES FROM COMMITTEE

None.

## VII. ALTERNATIVES CONSIDERED

- Endeavor to secure an increase to METRO's bidding threshold through the State Legislature. This option would take considerable time and resources and the outcome is uncertain.
- Retain the existing bid thresholds. This option is not advised as METRO will very likely continue to struggle to get adequate responses to its public works solicitations.


## VIII. ATTACHMENTS

Attachment A: Resolution Electing to Become Subject to the California Public Construction Cost Accounting Act.
Attachment B: Ordinance Relating to the California Uniform Public Construction Cost Accounting Act to Provide Informal Bidding Procedures for Public Projects

Prepared by: Joan Jeffries, Purchasing Manager

Page 4 of 4
IX. APPROVALS

Chuck Farmer, CFO

Approved as to fiscal impact: Kristina Mihaylova, Deputy Finance Director

Michael Tree, CEO/General Manager


# BEFORE THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

Resolution No.
On the Motion of Director:
Duly Seconded by Director:
The Following Resolution is Adopted:

## RESOLUTION ELECTING TO BECOME SUBJECT TO THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT

WHEREAS, California Public Contract Code Section 22000 et seq., the California Uniform Public Construction Cost Accounting Act (the "Act"), establishes a uniform cost accounting standard for construction work contracted by local agencies; and

WHEREAS, the California Uniform Construction Cost Accounting Commission (the "Commission"), established under the Act, has developed uniform public construction cost accounting procedures for implementation by local public agencies in the contracting for construction of public projects; and

WHEREAS, the staff recommends that the Board of Directors of the Santa Cruz Metropolitan Transit District elect to become subject to the procedures set forth in the Act, and to the Commission's policies and procedures manual, as they may each be amended from time to time.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Santa Cruz Metropolitan Transit District ("Board") does hereby elect under California Public Contract Code Section 22030, to become subject to the California Uniform Public Construction Cost Accounting Act and to the California Uniform Construction Cost Accounting Commission's policies and procedures manual, as they may each be amended from time to time; and

BE IT FURTHER RESOLVED that the Board directs the CEO/General Manager or designee to notify the State Controller's Office of this election.

PASSED AND ADOPTED this 28th Day of April 2023 by the following vote:
AYES: Directors -
NOES: Directors -

## Attachment A

Resolution \# $\qquad$ Page 2 of 2

ABSTAIN: Directors -
ABSENT: Directors -

## APPROVED:

Shebreh Kalantri-Johnson, Chair

## ATTEST:

Michael Tree,
CEO/General Manager

## APPROVED AS TO FORM:

Julie A. Sherman, General Counsel

# BEFORE THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

Ordinance No.<br>On the Motion of Director:<br>Duly Seconded by Director:<br>The Following Ordinance is Adopted:

## RELATING TO THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT TO PROVIDE INFORMAL BIDDING PROCEDURES FOR PUBLIC PROJECTS

WHEREAS, California Public Contract Code Section 22000 et seq., the California Uniform Public Construction Cost Accounting Act (the "Act"), establishes a uniform cost accounting standard for construction work contracted by local agencies; and

WHEREAS, the California Uniform Construction Cost Accounting Commission (the "Commission"), established under the Act, has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of, or in the contracting for, construction of public projects; and

WHEREAS, the Board of Directors of the Santa Cruz Metropolitan Transit District ("Metro") elected for Metro to become subject to the procedures set forth in the Act, and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each be amended from time to time.

BE IT ENACTED by the Board of Directors of the Santa Cruz Metropolitan Transit District:

## SECTION 1. BIDDING PROCEDURES FOR PUBLIC PROJECTS

The Santa Cruz Metropolitan Transit District ("Metro") adopts the procedures set forth herein for bidding and award of Public Projects.
(a) Informal Bid Procedures.

Public Projects, as defined by the California Uniform Public Construction Cost Accounting Act (Section 22000 et seq. of the Public Contract Code) (the "Act"), and in accordance with the limits listed in Section 22032 of the Public Contract Code, may be let to contract by informal procedures as set forth in Section 22032, et seq., of the Public Contract Code.
(b) Notice to Contractors Inviting Informal Bids.

Metro will comply with the requirements of Public Contract Code Section 22034.
Where a Public Project is to be performed, which is subject to the provisions of this Ordinance, a notice inviting informal bids will be circulated using one or both of the following:
(1) Notices inviting informal bids may be mailed, emailed, or faxed to all contractors for the category of work to be bid as shown on the list developed in accordance with Public Contract Code Section 22034 and this Section 1.
(2) Notices inviting informal bids may be mailed, emailed, or faxed to all construction trade journals as specified by the Commission in accordance with Section 22036 of the Public Contract Code.

Additional contractors and/or construction trade journals may be notified at Metro's discretion, provided however, if the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

The notice inviting informal bids shall describe the project in general terms and how to obtain more detailed information about the project, and state the time and place for submission of bids.

## (c) Award of contracts.

The CEO/General Manager or their designee is authorized to award informal contracts pursuant to this Ordinance.

If all bids received are in excess of the informal bidding limits listed in Section 22032 of the Public Contract Code, the Board of Directors may, by adoption of a resolution by a four-fifths vote, award the contract up to the amount listed in Section 22034(d) of the Public Contract Code or less, to the lowest responsible bidder, if it determines Metro's cost estimate was reasonable.

## SECTION 2. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, the holding shall not affect the validity or enforceability of the remaining provisions, and the Board of Directors declares that it would have adopted each provision of this Ordinance irrespective of the validity of any other provision.

## SECTION 3. EFFECTIVE DATE

This ordinance becomes effective on May 19, 2023.

PASSED AND ADOPTED this 19th Day of May, 2023 by the following vote:
AYES: Directors -
NOES: Directors -
ABSTAIN: Directors -
ABSENT: Directors -

## APPROVED:

Shebreh Kalantri-Johnson, Chair

## ATTEST:

Michael Tree,
CEO/General Manager

## APPROVED AS TO FORM:

Julie A. Sherman, General Counsel

# VERBAL PRESENTATION 

## CEO ORAL REPORT

## Michael Tree

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[^3]:    When people and destinations are
    scattered over long distances, it's more
    expensive to serve them all.

[^4]:    JARRETT WALKER + associates
    9.2.27

[^5]:    Results of project
    Actual costs
    Actual timeline for
    completion
    Hurdles to overcome

