

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

February 16, 2001

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, February 16, 2001 at the City Hall Council Chambers, 809 Center Street, Santa Cruz, California.

Vice-Chair Reilly called the meeting to order at 8:37 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jeff Almquist
Jan Beautz
Tim Fitzmaurice
Bruce Gabriel
Michelle Hinkle
Mike Keogh
Christopher Krohn
Dennis Norton
Emily Reilly

DIRECTORS ABSENT

Sheryl Ainsworth
Rafael Lopez
Ex-Officio Mike Rotkin

STAFF PRESENT

Bryant Baehr, Operations Manager	Mark Dorfman, Asst. General Manager
Paul Chandley, Human Resource Manager	Margaret Gallagher, District Counsel
	Leslie R. White, General Manager

2. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION:

Margaret Gallagher reported that there was to be a conference with Labor Negotiators, however, Peggy Weaver of SEIU has been unable to meet due to illness. This item was removed from the Agenda. Ms. Gallagher added that there would be a conference with legal counsel regarding anticipated litigation.

3. ORAL AND WRITTEN COMMUNICATION REGARDING CLOSED SESSION

None

SECTION II: CLOSED SESSION

Vice-Chairperson Reilly adjourned to Closed Session at 8:38 a.m. and reconvened to Open Session at 9:42 a.m.

SECTION III: RECONVENE TO OPEN SESSION

STAFF PRESENT

Bryant Baehr, Operations Manager	Mike Goodell, Sr. Database Administrator
Paul Chandley, Human Resource Manager	David Konno, Facilities Maint. Manager
Kim Chin, Planning & Marketing Manager	Kathy O'Mara, Schedule Analyst
Mark Dorfman, Asst. General Manager	Elisabeth Ross, Finance Manager
Marilyn Fenn, Asst. Finance Manager	Judy Souza, Base Superintendent
Terry Gale, IT Manager	Tom Stickel, Fleet Maintenance Manager
Margaret Gallagher, District Counsel	Leslie R. White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

Sharon Barbour, MUG	Jeff LeBlanc, Bus Rider
Jim Bosso, S. C. Transportation	Manny Martinez, PSA
Scott Bugental, E&D TAC	Ian McFadden, UTU
Richard Camperud, Courtesy Cab	John Mellon, VMU
Mary Ferrick, Transit Supervisor	Bonnie Morr, UTU
Kassandra Fox, MASTF	Carolyn O'Donnell, TMA
Mark Hartunian, Food & Nutrition Services	Sam Storey, Food and Nutrition Services
Patti Korba, SEA	Candace Ward, UCSC

1. REPORT OF CLOSED SESSION

Margaret Gallagher reported that the Conference with Labor Negotiator had been deleted from the agenda due to one of the parties being ill and unable to meet with the District negotiators.

The issue of Anticipated Litigation was discussed and it was determined not to litigate at this time, however, this is contingent upon whether certain issues are resolved.

2. ORAL AND WRITTEN COMMUNICATIONS

Written:

- | | |
|-------------------|---|
| a. William Brooks | RE: MetroBase |
| b. UTU | RE: ADA Recertification - UTU Recommendations |
| c. Veronica Elsea | RE: Mission Street Widening Task Force |

Oral:

Scott Bugental, Chair of the Elderly/Disabled Transit Advisory Committee (E/D TAC), relayed to the Board comments made at the recent E/D TAC meeting regarding the recertification process and distributed letters in this regard. These hand-outs are attached as Exhibits A & B. He also expressed surprise at the elimination of the coupons. Director Beautz stated that it was her understanding

that the Board voted years ago not to authorize the issuance of coupons. Mark Dorfman confirmed that no authorization was given to Lift Line to issue coupons. However, at least one agency stated that they are buying several hundred dollars of coupons every 3 weeks. Staff requested that all coupons be honored for the next thirty days to minimize the impact on users. The remainder of this discussion will be heard under Item #13.

Liz Sparks of CCCIL requested discussion from the Board on the issue of prepaid tickets.

3. LABOR ORGANIZATION COMMUNICATIONS

None

4. METRO USERS GROUP (MUG) COMMUNICATIONS

Sharon Barbour read the following Motions that were made at the recent MUG meeting:

- a) Support the Nelson/Nygaard Consultants recommendations #1 through 8 of the ADA Paratransit Certification Project.
- b) Support the Service Review Committee's proposed service improvements for Spring 2001.

Ms. Barbour reiterated the Motion from last November wherein MUG directed staff to move forward on purchasing new buses in a proactive manner.

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

Kassandra Fox, Chair of MASTF, read resolutions made at the recent MASTF meeting:

- a) MASTF approves of the eight recommendations from the Recertification Consultants.
- b) MASTF approves of the proposed bus improvement changes.
- c) Amend the MASTF constitution to appoint a new person to their Board who will be the ADA representative.

Ms. Fox added that MASTF supports the continuing sales of green, prepaid paratransit ride coupons until a permanent alternative can be devised. MASTF recommends that Metro avoid making drastic changes to the present methods until the audit recertification is completed and changes have been approved by the Santa Cruz Board.

Ms. Fox distributed a petition from the Stroke Center in support of green coupons.

6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

SECTION III

ORAL AND WRITTEN COMMUNICATIONS:

ADD TO ITEM #2 Written Communication from Veronica Elsea
RE: Mission Street Widening Task Force

CONSENT AGENDA:

ADD TO ITEM #7-1 REGULAR BOARD MEETING MINUTES OF 1/12/01 AND
1/19/01
(Add Revised Page 1 of 1/12/01 Minutes
Add Revised Pages 2 and 13 of 1/19/01 Minutes)

ADD TO ITEM #7-14 ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA
CRUZ SERVICE STATUS REPORT
(Add Staff Report)

REGULAR AGENDA:

DELETE ITEM #8 PRESENTATION AND CONSIDERATION OF
RECOMMENDATIONS FROM THE ADA
RECERTIFICATION STUDY - NELSON NYGAARD
(Action taken at 2/9/01 Board Meeting)

ADD TO ITEM #17 CONSIDERATION OF APPROVING THE TRANSFER OF
THE LEASE AGREEMENT WITH FILIBERTO PORRAS,
D.B.A. LA MISSION RESTAURANT, TO MATISSE
SELMAN, D.B.A. "SUSHI NOW", FOR THE KIOSK SPACE
AT THE SANTA CRUZ METRO CENTER, EFFECTIVE
MARCH 1, 2001 AND AUTHORIZE THE GENERAL
MANAGER TO EXECUTE A LEASE AMENDMENT
INCLUDING MODIFICATION OF THE RENT AND OTHER
TERMS, THEREAFTER
(Add Staff Report)

ADD TO ITEM #18 CONSIDERATION OF AUTHORIZATION FOR TENANT
FILIBERTO PORRAS TO SUBLEASE SANTA CRUZ
METRO CENTER RESTAURANT SPACE
(Staff Report to be Distributed at 2/16/01 Board Meeting)

Item #18 was deleted from the Agenda.

CONSENT AGENDA

- 7-1. APPROVE REGULAR BOARD MEETING MINUTES OF 1/12/01 AND 1/19/01
- 7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
- 7-3. ACCEPT AND FILE PASSENGER LIFT REPORT FOR JANUARY 2001
- 7-4. CONSIDERATION OF TORT CLAIMS: None
- 7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 1/18/01
- 7-6. ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF 1/17/01
- 7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR DECEMBER 2000, APPROVAL OF BUDGET TRANSFERS
- 7-8. CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF ASSETS
- 7-9. CONSIDERATION OF AUTHORIZATION FOR DELETION OF MISSING ASSETS FROM DISTRICT'S RECORDS
- 7-10. CONSIDERATION OF RESOLUTION AUTHORIZING THE SECRETARY/GENERAL MANAGER TO DISPOSE OF EXCESS ASSETS WITH AN ACQUISITION COST OF LESS THAN \$5,000.00
- 7-11. CONSIDERATION OF DESIGNATION OF DISTRICT COUNSEL AS ALTERNATE MEMBER OF CALTIP BOARD OF DIRECTORS
- 7-12. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR DECEMBER 2000
- 7-13. ACCEPT AND FILE STATUS REPORT ON ADA PARATRANSIT PROGRAM FOR DECEMBER 2000
- 7-14. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE STATUS REPORT
- 7-15. ACCEPT AND FILE RESULTS OF THE WATSONVILLE SHOPPER SHUTTLE
- 7-16. CONSIDERATION OF REDUCING PARKING LOT LIGHTING AT SCOTTS VALLEY TRANSIT CENTER

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ALMQUIST

Approve Consent Agenda

Motion passed unanimously with Directors Ainsworth and Lopez absent.

REGULAR AGENDA

8. DELETED
9. CONSIDERATION OF ACCEPTANCE OF FINANCIAL STATEMENTS AND REPORTS OF INDEPENDENT AUDITOR FOR YEAR-ENDING JUNE 30, 2000.

Summary:

Elisabeth Ross introduced Kim McCormick of Grant Thornton who gave a brief presentation on the audited financial statements for June 30, 2000. Ms. McCormick informed the Board that her firm conducted an audit of the District as well as an audit of

the financial statements. During their review of the District's internal controls, Grant Thornton also audited the federal awards and looked at compliance of regulations associated with the federal funds. There is also an inventory taken of fixed assets every three years. This process has been completed. Ms. McCormick stated that the audit went very well.

Discussion:

Director Fitzmaurice inquired as to why the Workers' Compensation Liability is exactly the same amount as last year and was informed that this figure is a combination of claims actually incurred and reported as well as claims incurred but not yet reported to the carrier. Estimates need to be made every three years. For the three-year period, the figures will remain the same. This figure is an actuarial number. The same situation applies to the Damage and Health Claims. This is a reserve against a balance that the District has to pay.

Director Keogh inquired about the Net Pension Obligation under the Pension Plan category and was informed that due to the success of PERS investments, the pension plan is overfunded. PERS recommended that the District makes no contribution and this resulted in the "\$0" figure shown.

Documentation concerning security for computer network systems will be forwarded to the District's IT Manager and a report will be brought back to the Board. Director Almquist attributed the "clean audit" to the good work by Ms. Ross and her staff.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ

Accept the audited financial statements and reports prepared by the firm of Grant Thornton LLP for the year ending June 30, 2000.

Motion passed unanimously with Directors Ainsworth and Lopez absent.

10. CONSIDERATION OF SECOND READING AND ADOPTION OF AMENDMENT TO FARE ORDINANCE TO DELETE RESTRICTIONS ON HIGHWAY 17 FOR SENIOR AND DISABLED FARES

Summary:

Bryant Baehr reported that this is the final stage in removing the time restriction on the reduced fare on Highway 17. Currently, the reduced fare is only available to seniors and the disabled from 9:30 a.m. to 2:30 p.m. The Board voted to remove this restriction at their December meeting.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ

Amend the District Fare Ordinance by deleting the time restriction on the senior/disabled fare on Highway 17 service.

Motion passed unanimously with Directors Ainsworth and Lopez absent.

**11. CONSIDERATION OF SERVICE IMPROVEMENTS FOR SPRING 2001
PUBLIC HEARING TO BE HELD AT 9:00 A.M.**

Summary:

Mr. Baehr and the Service Review Committee worked together to propose \$522,140.00 worth of improvements for the Spring of 2001. UTU pushed back the bidding process by two weeks in order to facilitate these changes.

Mary Ferrick, Ian McFadden, Kathy O'Mara and Bryant Baehr presented slides showing changes/improvements to the service routes. Highlights of this discussion were: five stops were added on Western Drive after approval by the Transportation Commission, Delaware route does not include a stop at Long's Marine Lab, additional hours of supplemental (OATIE - Operations Action Team) Service has been added to the university, Westside routes will be published in the *Headways*. Bryant Baehr highlighted the proposed changes to the Highway 17 service. Letters of support for the service improvements were received from the Mission Street Widening Task Force and from Cabrillo College.

Discussion:

Discussions will take place between District staff and Mall representatives regarding utilization of the Capitola Mall for a park and ride facility. Mr. White suggested calling on Director Norton and other members of the Capitola City Council for assistance in this regard. Mr. White noted that the \$500,000 in funding for these improvements was from the additional TDA funds.

The Public Hearing was opened for input at 10:30 a.m.

Carolyn O'Donnell of the Santa Cruz Transportation Management Association stated that the TMA is working with Cabrillo College in developing a transportation demand management plan. This plan is expected to be adopted in June by the Cabrillo College Board of Trustees. TMA and Cabrillo are also working on a viable bus pass program.

Jeff LeBlanc thanked the Board and staff for the new service on Route #71, which currently is standing room only in the afternoons.

Candace Ward of UCSC stated that the university is very pleased to be included in the service improvement packet. Ms. Ward expressed her thanks to District Staff for an excellent presentation.

There being no further public input, the Public Hearing was closed at 10:36 a.m.

**ACTION: MOTION: DIRECTOR FITZMAURICE
SECOND: DIRECTOR GABRIEL**

Approve the service enhancements proposed by Staff to be effective March 29, 2001.

Motion passed unanimously with Directors Ainsworth and Lopez absent.

12. CONSIDERATION OF AUTHORIZATION TO OPERATE A SHUTTLE BUS FOR THE UNITED TRANSPORTATION UNION (UTU) SENIOR DINNER

Summary:

Staff is requesting Board approval to operate a shuttle for the UTU Senior dinner held on April 5, 2001, from 4:00 to 6:00 p.m. Estimated cost of this shuttle is \$171.00.

Discussion:

**ACTION: MOTION: DIRECTOR ALMQUIST
SECOND: DIRECTOR FITZMAURICE**

Approve operation of shuttle for the UTU Senior dinner held on April 5, 2001.

Ian McFadden invited all Board members to participate at this function. Kasandra Fox urged the Board to approve this shuttle.

Motion passed unanimously with Directors Ainsworth and Lopez absent.

13. CONSIDERATION OF APPROVAL OF A CONTRACT EXTENSION WITH FOOD AND NUTRITION SERVICES FOR PARATRANSIT SERVICES INCLUDING A 4% COST-OF-LIVING INCREASE, MODIFICATION OF THE PERCENTAGE OF TAXI RIDES OUT OF THE TOTAL PARATRANSIT RIDES AND OTHER MODIFICATIONS

Summary:

Margaret Gallagher stated that the Food and Nutrition Services (FNS) contract was for a three-year period beginning on January 1, 1998, and expiring on December 31, 2000. For the last two months the contract was extended by the Board for 30 days each in order to work out the details of the contract and billing issues. Ms. Gallagher added

that FNS had voluntarily submitted the Paratransit Services Monthly Compliance Certificate so the District could provide the Federal Transit Agency with certification assurances. FNS has agreed to the language specified in Exhibit C of the staff report which denotes specific changes to the paratransit program that was recommended through the audit. Modifications to the Amendment were distributed to the Board.

Mark Dorfman has been working with Mark Hartunian regarding the 70/30 split of ADA rides between FNS and their sub-contractors. There is language in the agreement that will allow for modification of that split at a later date. District staff has been working with FNS to resolve the issues of green coupons and travelling outside of the service area. Currently, FNS is working with riders outside the service area by charging them for the ride to CTSA, then once inside the service area, it is considered an ADA ride and billed to the District. Margaret Gallagher will review the regulations regarding rides outside the service area and other issues and will make a Board presentation regarding the paratransit program in March.

Discussion:

Direction Gabriel inquired about those people who have been on a 30-day temporary certification for an extended period. Ms. Gallagher stated that FNS has been asked to inform these people that they would have to be certified or the rides will not be allowed. FNS has until March 7th, 2001, to accomplish this. Director Almquist asked that when any of these "extended" people call for a ride, that a notation be made in the log that the person has been notified of the recertification requirement.

Director Almquist further requested that FNS be required to separate the District's financial contribution from all other agencies, such as MediCal. He inquired as to why FNS would be granted an additional 4% and Mark Dorfman noted that FNS is being asked for a breakdown of the current rate of \$15.30 plus overhead. Director Norton requested a detailed breakdown in the form of a Cost Benefit Analysis. Mark Hartunian stated that the records showing where the District funds go to support the program can be provided.

Sam Storey reviewed the increased costs, such as fuel, and the living wage, to show why the 4% increase is needed. He further added that since its inception, CTSA has had a coupon program. He stated that it appeared in the contract that this program would be at the discretion of FNS. At Mr. Storey's request, a letter with clear directives and guidelines was submitted to him from the District at the end of January. This letter instructed FNS staff to cease providing coupons until the recertification process could be reviewed. Coupons had been terminated for the ADA program at that point. Mr. Storey stated that FNS is satisfied with the language in the contract and that he fully intends to cooperate with the Board and District staff to resolve the issue regarding MediCal.

On the issue of utilizing TDA funds to subsidize ADA rides, Director Keogh was informed that the total billed amount to the District last year was \$2,055,000 vs. CTSA

expenditures in the amount of \$2,372,000. Approximately \$500,000 was moved from another funding source to the ADA side of the ledger. FNS staff requested several months be granted for data collection to present funding breakdown and usage to the Board.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ALMQUIST

Extend the Paratransit Contract with Food and Nutrition Services through December 31, 2001 with a CPI adjustment of 4% and a reopener clause regarding the implementation of any District-approved recommendations from the Auditors, the potential increase in costs as a result of collective bargaining by Food and Nutrition and/or the modification of the taxi percentage of total paratransit rides, including a monthly certification statement and implementation of certain tasks recommended by the ADA paratransit consultants as more particularly set forth in the attached Amendment.

By March 15, 2001, FNS shall provide the District with a complete breakdown of all sources of transportation revenues and all transportation expenses for the most recent complete year for which they have financial information.

Additionally, that there be a continuation of the 30-day program through March 7th. After March 7th, the District will no longer accept green or other coupons unless it is a coupon issued or authorized explicitly by the Transit District. Any coupon not used at the point at which the District has terminated its agreement should be reimbursed.

All in favor with Directors Ainsworth and Lopez absent.

ITEMS 15 THROUGH 17 WERE TAKEN OUT OF ORDER FOR THE PURPOSE OF APPROVAL.

**ACTION: MOTION: DIRECTOR FITZMAURICE
SECOND: DIRECTOR ALMQUIST**

Approve Items 15 through 17

15. CONSIDERATION OF ACCEPTANCE OF CONDITIONS FROM THE CALIFORNIA AIR RESOURCES BOARD (CARB) FOR IMPLEMENTATION OF THE URBAN BUS REGULATION

Summary:

DIRECTOR REILLY LEFT THE MEETING

Les White asked the Board to withdraw the \$3.5M earmark request for bus acquisitions since we cannot buy these buses. He added that if the request were not withdrawn, it would probably be withdrawn for us.

ACTION: AMENDMENT TO MOTION:

Authorize approval to withdraw earmarked funds as stipulated in Item 15.

Motion passed unanimously with Directors Ainsworth, Lopez and Reilly absent.

DIRECTOR REILLY RETURNED TO THE MEETING

16. CONSIDERATION OF AGREEMENT WITH SANTA CRUZ SEASIDE COMPANY FOR PROVISION OF LATE NIGHT SERVICE
17. CONSIDERATION OF APPROVING THE TRANSFER OF THE LEASE AGREEMENT WITH FILIBERTO PORRAS, D.B.A. LA MISSION RESTAURANT, TO MATISSE SELMAN, D.B.A. "SUSHI NOW", FOR THE KIOSK SPACE AT THE SANTA CRUZ METRO CENTER, EFFECTIVE MARCH 1, 2001 AND AUTHORIZE THE GENERAL MANAGER TO EXECUTE A LEASE AMENDMENT INCLUDING MODIFICATION OF THE RENT AND OTHER TERMS, THEREAFTER
14. CONSIDERATION OF SUBMITTING COMMENTS TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION ON THE REGIONAL TRANSPORTATION PLAN "ACTION ELEMENT" LIST OF PROJECTS

Discussion:

From the "Likely Constrained" list attached to the staff report, Director Beautz requested that the bike rack at the Capitola Mall be added back onto the Constrained List. She further requested that an alternate fleet of smaller buses **not** be deleted since this is documentation for the next thirty years. Director Keogh asked that more park and ride lots be added throughout the County. Add the re-power conversion to the constrained list.

DIRECTOR KROHN LEFT THE MEETING

**ACTION: MOTION: DIRECTOR FITZMAURICE
SECOND: DIRECTOR KEOGH**

Authorize staff to submit comments to the SCCRTC on the likely list of projects for the Regional Transportation Plan Action Element.

Motion passed unanimously with Directors Ainsworth, Krohn and Lopez absent.

18. **DELETED**

ADJOURN

There being no further business, Vice-Chair Reilly adjourned the meeting at 12:20 p.m.

Respectfully submitted,

DALE CARR
Administrative Services Coordinator

NOTICE TO PUBLIC

Members of the public may address the Board of Directors on a topic not on the agenda but within the jurisdiction of the Board of Directors or on the consent agenda by approaching the podium during consideration of Agenda Item #1 "Oral and Written tion I. Presentations will be limited in time in accordance with District Resolution 69-2-1.

Members of the public may address the Board of Directors on a topic on the agenda by approaching the podium immediately after presentation of the staff report but before the Board of Directors' deliberation on the topic to be addressed. Presentations will be limited in time in accordance with District Resolution 69-2-1. 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.

The Santa Cruz Metropolitan Transit District does not discriminate on the basis of disability. The Santa Cruz City Council Chambers is located in an accessible facility. If you wish to attend this meeting and require special assistance in order to participate, please contact Dale Carr at 426-6080 at least 72 hours in advance of the Board of Directors meeting.