

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

September 21, 2001

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, September 21, 2001 at the City Hall Council Chambers, 809 Center Street, Santa Cruz, California.

Chairperson Ainsworth called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Sheryl Ainsworth
Tim Fitzmaurice
Bruce Gabriel
Michelle Hinkle
Mike Keogh
Christopher Krohn
Dennis Norton
Emily Reilly

DIRECTORS ABSENT

Jeff Almquist (arrived at 9:10 a.m.)
Jan Beautz (arrived at 9:15 a.m.)
Rafael Lopez (arrived at 9:50 a.m.)
Ex-Officio Mike Rotkin

STAFF PRESENT

Bryant Baehr, Operations Manager
Paul Chandley, Human Resources Mgr.
Kim Chin, Planning & Marketing Manager
John Daugherty, Access. Svcs. Coord.
Mark Dorfman, Asst. General Manager
Marilyn Fenn, Asst. Finance Manager
Terry Gale, IT Manager

Peggy Gallagher, District Counsel
Eileen Hiltner, Admin Secretary
Tom Hiltner, Grants/Legis. Analyst
David Konno, Fac. Maint. Manager
Ian McFadden, Transit Planner
Tom Stickel, Fleet Maintenance Manager
Leslie R. White, General Manager

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

April Axton, LiftLine
Fahmy Ma'Awad, MASTF
Jim Bosso, S. C. Transportation
Wally Brondstatter, UTU
Scott Bugental, E&D TAC
Dianna Dunn, SEIU
Ed Kramer, MASTF
Lynn Everett Lee, Multisystems

Kassandra Fox, MASTF
Patti Korba, SEA
Carmen Magdaleno, Spanish Interpreter
Tom Onan, CCCIL
Steve Paulsen, UTU
Patricia Spence, MASTF
Marian Taylor, League of Women Voters
Linda Wilshusen, SCCRTC

2. ORAL AND WRITTEN COMMUNICATION

Oral Communications:

Pat Spence, acting as the Paratransit Chairperson for the Disability Awareness program, thanked all participants involved in the recent Paratransit Awareness training.

Fahmy Ma'Awad inquired about the status of the talking buses/call stops. Les White pointed out that this issue is on the agenda as Item #7-11, but went on to explain that the District is currently working on identifying funding and that a letter from the Board Chair has been sent to the SCCRTC requesting consideration that the District receives the CMAQ \$1.5million Broadway-Brommer Bike Path funds if they become available. This amount would be sufficient to retrofit the entire fleet with the Talking Bus technology. The SCCRTC has deferred this decision until their November meeting. Staff is aggressively exploring other funding sources, to bring to the Board in October, in the event the SCCRTC does not allocate the CMAQ funds to the District. Staff has been directed to prepare the specifications to issue a bid for retrofitting the entire fleet. This will allow the District to move forward with the technology and get bids while pursuing funding sources. The awarding of contracts and retrofitting can be done in phases as funding becomes available.

3. LABOR ORGANIZATION COMMUNICATIONS

None

4. METRO USERS GROUP (MUG) COMMUNICATIONS

None

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

Kassandra Fox, MASTF Chair, read the following motions which were made at the MASTF meeting of September 20, 2001:

- a. MASTF recommends approval of the ParaCruz Policies and Procedures Manual.
- b. For the Paratransit service area, MASTF approves of $\frac{3}{4}$ mile for the entire system, and the evaluation of the feasibility of using Transportation Development Act (TDA) funds for out-of-service area trips.
- c. MASTF recommends that the 22 people who are presently in the $\frac{3}{4}$ to 1 $\frac{1}{2}$ mile Paratransit service area who are recertified as ADA eligible be considered for TDA funding.

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

SECTION 1:

ADD TO ITEM #2 ORAL AND WRITTEN COMMUNICATIONS:

- a. J.R. Whiteagle RE: Paratransit Boundaries
(Add written communication)

CONSENT AGENDA:

ADD TO ITEM #7-3 ACCEPT AND FILE AUGUST 2001 RIDERSHIP REPORT
**(Ridership Report will be distributed at Meeting,
Insert Service Interruption Report)**

REGULAR AGENDA:

ADD TO ITEM #10 CONSIDERATION OF ISSUES RELATING TO THE PARATRANSIT
CUSTOMER'S GUIDE/POLICIES AND PROCEDURES FOR
PARATRANSIT OPERATIONS
(Replace Pages 10-1, 10-2, 10-3)

DELETE ITEM #23 CONSIDERATION OF PARATRANSIT SENSITIVITY TRAINING OF
DIRECTORS AND MANAGERS AND RECOMMENDATIONS
THEREFROM
(Discussed at 9/14/01 meeting)

CONSENT AGENDA

- 7-1. **APPROVE REGULAR BOARD MEETING MINUTES OF 8/10/01 & 8/17/01**
7-2. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**
7-3. **ACCEPT AND FILE AUGUST 2001 RIDERSHIP REPORT**
7-4. **CONSIDERATION OF TORT CLAIMS: Deny the claims of: Pamela Lee Spires,
Vickie Ruelas, James C. Goates, Isabel M. Carrasco; Deny the application to file a
late claim and Reject the claim of Pamela Lee Spires as untimely filed**
7-5. **ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 8/16/01**
7-6. **ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF 8/15/01**
7-7. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JULY 2001,
APPROVAL OF BUDGET TRANSFERS**
7-8. **ACCEPT AND FILE STATUS REPORT ON ADA PARATRANSIT PROGRAM FOR
JULY 2001**
7-9. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY 2001**
7-10. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**
7-11. **ACCEPT AND FILE STATUS REPORT ON CALL STOP ISSUE PROGRESS**

- 7-12. ACCEPT AND FILE STAFF REPORT ON THE INVESTIGATION OF BIO-DIESEL AS AN INTERIM FUEL
- 7-13. CONSIDERATION OF RECALCULATION OF TRASH COST FOR METRO CENTER TENANTS AND AMENDMENTS OF SANTA CRUZ METRO CENTER LEASE AGREEMENTS TO REFLECT RECALCULATION
- 7-14. ACCEPT AND FILE STATUS REPORT ON BEACHFEST EVENT
- 7-15. NOTIFICATION OF ACTION TAKEN IN CLOSED SESSION OF JULY 20, 2001, REGARDING MCDONALD'S CORPORATION'S REQUEST FOR RENT REDUCTION
- 7-16. CONSIDERATION OF APPROVAL OF CUSTODIAL SERVICE WORKER II RECLASSIFICATION
- 7-17. a. CONSIDERATION OF ASSIGNING THE METRO MARKET LEASE AT THE SANTA CRUZ METRO CENTER FROM BOB TOTT TO ALI GHARAHGOZLOO AND JESSICA HSU
b. CONSIDERATION OF ASSIGNING THE TRANSMART LEASE AT THE WATSONVILLE TRANSIT CENTER FROM ALI GHARAHGOZLOO AND JESSICA HSU TO KEANG LEE AND MEE T. DIEH-LEE
(Moved to Consent Agenda at 9/14/01 Board Meeting. Staff Report retained original numbering as Item #13)
- 7-18. CONSIDERATION OF CONTRACT EXTENSION WITH CAROLYN C. CHANEY & ASSOCIATES, INC. FOR FEDERAL LEGISLATIVE SERVICES
(Moved to Consent Agenda at 9/14/01 Board Meeting. Staff Report retained original numbering as Item #15)
- 7-19. CONSIDERATION OF CONTRACT EXTENSION WITH SHAW/YODER, INC. FOR STATE LEGISLATIVE SERVICES
(Moved to Consent Agenda at 9/14/01 Board Meeting. Staff Report retained original numbering as Item #16)
- 7-20. CONSIDERATION OF AWARD OF CONTRACT FOR DIESEL AND GASOLINE FUEL
(Moved to Consent Agenda at 9/14/01 Board Meeting. Staff Report retained original numbering as Item #17)
- 7-21. CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING HEAVY DUTY BRAKE DRUMS
(Moved to Consent Agenda at 9/14/01 Board Meeting. Staff Report retained original numbering as Item #18)
- 7-22. CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING HEAVY DUTY BATTERIES
(Moved to Consent Agenda at 9/14/01 Board Meeting. Staff Report retained original numbering as Item #19)
- 7-23. CONSIDERATION OF AWARD OF CONTRACT FOR DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR RETROFITTING DISTRICT FACILITY FOR COMPRESSED NATURAL GAS (CNG) VEHICLE MAINTENANCE
(Moved to Consent Agenda at 9/14/01 Board Meeting. Staff Report retained original numbering as Item #20)
- 7-24. CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING ONE HYBRID VEHICLE
(Moved to Consent Agenda at 9/14/01 Board Meeting. Staff Report retained original numbering as Item #21)

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR NORTON

Approve Consent Agenda.

Motion passed unanimously with Director Lopez absent.

REGULAR AGENDA

- 8. Item #8 will be considered when the employee arrives**
- 9. Item #9 will be taken after 9:30 A.M. for public input.**
- 10. CONSIDERATION OF ISSUES RELATING TO THE PARATRANSIT CUSTOMER'S GUIDE/POLICIES AND PROCEDURES FOR PARATRANSIT OPERATIONS**

Summary:

Kim Chin reported that two documents have been developed with input from MASTF, E&D TAC, and system users: the Paratransit Customer's guide, which is a "How To" for users and the Paratransit Policy & Procedure Manual, which is a "How To" manual for the service provider. Both are key documents to be used in the Request for Proposals (RFP) for Paratransit Operators, due to be released in October 2001. "METRO ParaCruz" is also being proposed as the new name for the Paratransit program. After the Board's approval of the documents and the new name, the RFP will be released, and come back for the Board's approval of the Staff recommended contractor in January 2002.

Discussion:

DIRECTOR LOPEZ ARRIVED AT 9:47 A.M.

A 'Quick Facts' version of the Customer's Guide will be available in large print and Braille. Mr. Chin explained that orientation will be done by METRO through presentations given to different agencies. Also, users will be oriented to the material during ADA certification. The Board expressed concerns including: clarity, accuracy and consistency of information, ease of use, vehicles being identified with decals/logos, and insisted that the Policy & Procedure manual be clear and have exact definitions of what is expected, leaving no room for misunderstanding or misinterpretation by the contracted service provider.

ACTION: MOTION: DIRECTOR GABRIEL SECOND: DIRECTOR BEAUTZ

Approve the Paratransit Customer's Guide, the Paratransit Policy & Procedure Manual and adopt METRO "ParaCruz" as the new name for the Paratransit program.

Motion passed unanimously.

Chairperson Ainsworth returned to Item #8 at this time.

8. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

The Board of Directors formally recognized the following employees for their years of service.

TWENTY-FIVE YEARS

Miguel Urizarri, Bus Operator

Chairperson Ainsworth returned to Item #9 at this time.

**9. CONSIDERATION OF ISSUES RELATING TO THE SERVICE AREA SERVED BY
ADA PARATRANSIT
PUBLIC HEARING AT 9:30 A.M.**

Summary:

Kim Chin reviewed the five (5) different options for the Paratransit Service Area boundaries being presented, noting there is no staff recommendation on this item. Mr. Chin reported that there had been several opportunities for public input including advertised public notices and input from MUG, MASTF and E&D TAC. Mr. Chin reported there are 22 individuals currently receiving Paratransit service in the exception areas. During the last fiscal year these people took 984 trips at a cost of \$19,794.05

Discussion:

The Public Hearing opened at 10:25 a.m.

Scott Bugental reported that E&D TAC's recommendation is to maintain the boundaries as they are with no grandfathering clause and no TDA funds usage, because he believes the \$20,000 per year it costs to serve the people in the 1- ½mile exception areas is insignificant to the District. This would require the District to provide Paratransit service to all current or future ADA certified person in the 1- ½mile exception areas. Wally Brondstatter, UTU, and Linda Wilshusen, SCCRTC, recommended a ¾mile boundary with no grandfathering. April Axton, LiftLine, submitted a letter from a person whose mother currently receives Paratransit service in an exception area. It was pointed out by the Board that ADA Paratransit service is a totally unfunded federal mandate, and that contrary to popular belief, there are transportation alternatives available such as Taxi Script, Stroke Center Support, Medical Vouchers and the Volunteer Center. Tom Onan, CCCIL, read his enclosed letter and believes the ADA regulations are absolute minimums and the District should provide more service than is required. The Board then discussed cost to the District, TDA funds and alternative transportation. It was also pointed out that the implementation of the exception areas 10 years ago was a result of requests by LiftLine and CCCIL.

Chairperson Ainsworth closed the Public Hearing at 11:15 A.M.

ACTION: MOTION: DIRECTOR GABRIEL SECOND: DIRECTOR FITZMAURICE

Approve a ¾mile Paratransit Service Area boundary, with no Grandfathering. Staff is directed to pursue alternative transportation for the 22 people currently receiving Paratransit service in the 5 exception areas that will be eliminated by this motion. Staff is also directed to re-evaluate this issue as the District’s financial position improves.

Motion passed with opposition from Directors Fitzmaurice and Krohn.

Director Keogh left the meeting at 11:45 A.M

11. CONSIDERATION OF APPROVAL OF RESOLUTION OF INTENTION TO AMEND CALPERS CONTRACT TO PROVIDE ONE-YEAR FINAL COMPENSATION AND MILITARY SERVICE CREDIT AS PUBLIC SERVICE

Summary:

Paul Chandley recommended that the Board of Directors approve the attached Resolution of Intention to approve two amendments to the California Public Employees' Retirement System (CalPERS) contract. First, changing the formula from three years final service to one-year final service. Secondly, to add military service credit as public service for the purposes of retirement. CalPERS requires this be done in two steps. First the “Resolution of Intention” needs to be approved, then the final adoption of the amendment will be brought before the Board next month.

Discussion:

Director Fitzmaurice would like to talk about adding other classifications to this resolution at some point in the future.

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR NORTON

Approve the Resolution of Intention to amend CalPERS contract to provide one-year final compensation and military service credit as public service

AYES: Directors – Ainsworth, Almquist, Beautz, Fitzmaurice, Gabriel, Hinkle, Krohn, Lopez, Norton, Reilly

NOES: None

ABSTAIN: None

ABSENT: Director Keogh

Motion passed unanimously with Director Keogh absent.

12. CONSIDERATION OF AMENDING DISTRICT BYLAWS TO SET ALTERNATE MEETING LOCATIONS FOR THE REGULAR BOARD MEETINGS TO INCLUDE ONE ANNUAL MEETING AT CITY COUNCIL CHAMBERS FOR WATSONVILLE, CAPITOLA AND SCOTTS VALLEY

Summary:

Margaret Gallagher reported that the memo attached would bring the bylaws into compliance with the Board's direction. It is recommended that the meetings to be held at these alternate cities coincide with the SCCRTC meetings in the same cities so the two meetings can be advertised together.

Discussion:

Concern was expressed about ADA accessibility at the alternative locations.

ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR FITZMAURICE

Approve Staff recommendation to amend District bylaws to set alternate meeting locations for the regular Board meetings to include one annual meeting at City Council Chambers for Watsonville, Capitola and Scotts Valley, with the following amendment: that the alternate sites be fully accessible.

Motion passed unanimously with Director Keogh absent

13. MOVED TO CONSENT AS ITEM #7-17

14. CONSIDERATION OF REQUEST OF SANTA CRUZ TRANSPORTATION FOR RATE ADJUSTMENT

Director Keogh returned at 11:50 a.m.

Summary:

Mark Dorfman explained Staff is recommending to the Board to reject Santa Cruz Transportation's request because the District has a contract with Community Bridges, and Community Bridges has their own contractual relationship with Santa Cruz Transportation. The District is awaiting a proposal from Community Bridges for the provision of Paratransit rides going forward. As soon as the District receives the proposal and the contract for services is awarded, Community Bridges should then discuss this issue with their subcontractor. If the request were accepted, the impact on the District would be \$116,352.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR NORTON

Adopt Staff recommendation to reject rate adjustment request from Santa Cruz Transportation and to encourage LiftLine to continue working on proposal. Chair will

send a letter to LiftLine urging them to submit their proposal by the end of this month as they promised. It was further recommended that LiftLine treat their subcontractors in a way that allows the subcontractors to remain viable.

Discussion:

Jim Bosso, Santa Cruz Transportation, explained that in June 2000, they requested an increase in the 1996 rates. This was delayed due to contract re-negotiations with LiftLine (Community Bridges). Santa Cruz Transportation and their attorney approached Community Bridges again in July 2000 and were told the District's Board was whom they should be talking to. Letters were sent periodically to Les White explaining the situation, however no change has taken place. Santa Cruz Transportation operating costs have increased since 1996, but contracted rates have not, causing Santa Cruz Transportation to be unable to keep up. The Board is being asked to recommend to Community Bridges that they raise their contracted rates with Santa Cruz Transportation.

Les White replied that a condition for extending the contract with Community Bridges was to address changes in costs. The District has repeatedly and will continue to ask LiftLine for a comprehensive proposal to extend its contract through June 30, 2002. Both Mark Hartunian and Sam Storey assured the District they would have the proposal, which includes rate increases, completed by the end of this month.

Motion passed unanimously.

15. **MOVED TO CONSENT AS ITEM #7-18**
16. **MOVED TO CONSENT AS ITEM #7-19**
17. **MOVED TO CONSENT AS ITEM #7-20**
18. **MOVED TO CONSENT AS ITEM #7-21**
19. **MOVED TO CONSENT AS ITEM #7-22**
20. **MOVED TO CONSENT AS ITEM #7-23**
21. **MOVED TO CONSENT AS ITEM #7-24**
22. **CONSIDERATION OF RESOLUTIONS AUTHORIZING AMENDED STATE TRANSIT ASSISTANCE (STA) AND TRANSIT DEVELOPMENT ACT (TDA) CLAIMS FOR FY 2002**

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR FITZMAURICE

Approve Staff recommendation to authorize Staff to submit an amended claim to the Santa Cruz County Regional Transportation Commission for FY2002 State Transit Assistance (STA) funds and Transportation Development Act (TDA) funds.

Motion passed unanimously.

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR REILLY

Extend meeting for 15 minutes.

Motion passed unanimously

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

Margaret Gallagher reported that there would be discussion of the claim of Deborah Lane & Joshua Loya, which has significant exposure to litigation. There will be a conference with Real Property Negotiator regarding Lucy's Beauty Shop, regarding the price and term of her lease. Also there will be discussion with legal counsel regarding consideration of Initiation of Litigation on 2 separate cases, and also current litigation of SCMTD v. Bruce Gabriel.

24. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None

SECTION II: CLOSED SESSION

Chairperson Ainsworth adjourned to Closed Session at 12:05 P.M. and reconvened to Open Session at 12:45 P.M.

SECTION III: RECONVENE TO OPEN SESSION

25. REPORT OF CLOSED SESSION

Margaret Gallagher stated that there is nothing to report at this time.

ADJOURN

There being no further business, Chairperson Ainsworth adjourned the meeting at 12:47 p.m.

Respectfully submitted,

CINDI THOMAS

Administrative Secretary

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