

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

September 27, 2002

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, September 27, 2002, 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
Michelle Hinkle
Mike Keogh
Dennis Norton
Ana Ventura Phares
Emily Reilly
Ex-Officio Mike Rotkin
Pat Spence
Marcela Tavantzis

DIRECTORS ABSENT

Jeff Almquist (arrived after roll call)
Jan Beautz (arrived after roll call)
Tim Fitzmaurice (arrived after roll call)

STAFF PRESENT

Bryant Baehr, Operations Manager	Robyn Slater, Interim H.R. Manager
Mark Dorfman, Asst. General Manager	Judy Souza, Base Superintendent
Ian McFadden, Transit Planner	Tom Stickel, Fleet Maint. Manager
Steve Paulson, Paratransit Administrator	Leslie R. White, General Manager
Elisabeth Ross, Finance Manager	

EMPLOYEES AND MEMBERS OF THE PUBLIC WHO INDICATED THEY WERE PRESENT

April Axton, Lift Line	Carmen Magdaleno, Spanish Interpreter
Linda Clayton, SEA	Manny Martinez, PSA
Bill Comfort	Bonnie Morr, UTU
Dianna Dunn, SEIU	Will Regan, VMU
Joe Hall, City Redevelopment Agency	Peter Scott
Ed Kramer, Bus Rider	Link Spooner, Lift Line
Deborah Lane, MASTF	Marion Taylor, League of Women Voters
Fahmey MaAwad, Bus Rider	Linda Wilshusen, SCCRTC

2. ORAL AND WRITTEN COMMUNICATION

Written:

- a. Linda Wilshusen, SCCRTC RE: Employee Bus Passes
- b. Kate K. Stafford RE: Bus Shelter
- c. **Federal Transit Administration** RE: **Funding Allocations**

Oral:

April Axton, Acting Program Director for Lift Line, introduced Link Spooner, Community Bridges' new Transportation Division Director for the Connection Shuttle and Lift Line programs.

A gentleman who did not give his name spoke regarding inadequate lighting at many of the bus stops. He stated that it not only is difficult to read the small print on the bus schedules but the poor lighting also encourages criminal activity at the stops. He added that the bus stop next to the Corcoran Lake library is particularly dark. The Board asked staff to check into the allegation of crimes taking place at the bus stops and to report the findings back to the Board. Staff will also look into the size of the wording and numbers on the bus stop schedules.

3. LABOR ORGANIZATION COMMUNICATIONS

Nothing to report at this time.

4. METRO USERS GROUP (MUG) COMMUNICATIONS

Director Hinkle, Chair of MUG, read the following motion that was made at the last meeting:

MUG is opposed to advertising on bus windows due to safety constraints and people not being able to see their stops.

5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS

Deborah Lane, Chair of MASTF, read the following motion made at the last meeting:

MASTF confirms the appointments of Ernestina Saldana Neily and Clay Kempf to the METRO ParaCruz Appeals Panel.

6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

SECTION I:

- ADD TO ITEM #2** c. Federal Transit Administration RE: Funding Allocations
(Insert Written Communication)

CONSENT AGENDA:

- ADD TO ITEM #7-9** ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY 2002
(Insert Report)
- ADD TO ITEM #7-12** ACCEPT AND FILE CALL STOP AUDIT REPORT
(Add Supplemental Report)
- DELETE ITEM #7-14** CONSIDERATION OF ADOPTION OF REVISED FINAL RESOLUTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE SECTION 21354.4 (2.5% @ 55 FULL FORMULA) AND SECTION 21022 (PUBLIC SERVICE CREDIT FOR PERIODS OF LAYOFF)
(Action taken at the 9/13/02 Board Meeting)
- ADD TO ITEM #7-15** CONSIDERATION OF MINOR SERVICE ADJUSTMENTS EFFECTIVE SEPTEMBER 5, 2002
(Add Staff Report)
- ADD TO ITEM #7-20** CONSIDERATION OF APPROVAL TO MODIFICATIONS TO ENCROACHMENT PERMIT BETWEEN SANTA CRUZ METRO AND THE CITY OF SANTA CRUZ REDEVELOPMENT AGENCY
(Add Staff Report)

REGULAR AGENDA:

- ADD TO ITEM #9** CONSIDERATION OF ADOPTION OF RESOLUTIONS OF APPRECIATION FOR DISTRICT RETIREES
(Add Resolutions)
- DELETE ITEM #13** CONSIDERATION OF AWARD OF CONTRACT FOR RELIABUILT CERTIFIED FACTORY REMANUFACTURED DETROIT DIESEL ENGINES
(Action taken at the 9/13/02 Board Meeting)
- DELETE ITEM #14** CONSIDERATION OF AWARD OF CONTRACT FOR EMPLOYEE ASSISTANCE PROGRAM
(Item moved to the October Board Meeting)
- DELETE ITEM #16** CONSIDERATION OF AMENDING PURCHASE ORDER/AGREEMENT WITH WEBER HAYES & ASSOCIATES

FOR THE RENOVATION PROJECT AT SANTA CRUZ METRO CENTER

(Action taken at the 9/13/02 Board Meeting)

ADD TO ITEM #19

CONSIDERATION OF LETTER OF CORRECTION TO COMMUNITY BRIDGES TO ACHIEVE COMPLIANCE WITH CURRENT PARACRUZ CONTRACT
(Add Staff Report)

ADD TO ITEM #20

CONSIDERATION OF THE ROLE OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT IN THE DEVELOPMENT AND CONSTRUCTION OF THE HIGHWAY 1 WIDENING PROJECT
(Add Staff Report)

ADD TO ITEM #22

CONSIDERATION OF STAFF AND FEDERAL TRANSIT ADMINISTRATION (FTA) ACTIONS TO PRESERVE FEDERAL CAPITAL DISCRETIONARY EARMARKED FUNDS
(Add Staff Report)

ADD TO ITEM #23

CONSIDERATION OF ELIMINATING THE BOARD MEETING CURRENTLY SCHEDULED FOR DECEMBER 27, 2002
(Add Staff Report)

CONSENT AGENDA

- 7-1. **APPROVE REGULAR BOARD MEETING MINUTES OF AUGUST 9 AND SPECIAL BOARD MEETING OF AUGUST 30, 2002**
- 7-2. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**
- 7-3. **ACCEPT AND FILE AUGUST 2002 RIDERSHIP REPORT & JULY/AUGUST RIDERSHIP FIGURES**
- 7-4. **CONSIDERATION OF TORT CLAIMS: Deny the Claim of: Beverly Beams, Claim #02-0029**
ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF AUGUST 15, 2002
- 7-6. **ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF AUGUST 14, 2002**
- 7-7. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JULY 2002; APPROVAL OF BUDGET TRANSFERS**
- 7-8. **ACCEPT AND FILE PARACRUZ STATUS REPORT FOR JUNE 2002**
- 7-9. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY 2002**
- 7-10. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**

Director Fitzmaurice mentioned that the High Street bus is making passbys. Bryant Baehr is keeping a record of these and has assigned additional resources in the last week and a half to

address the passbys. One bus passed by students waiting at the stop and the headliner read “bus following”, however, no bus followed. Mr. Baehr will investigate this.

Director Reilly mentioned a bus that sits on Laurel between Mission and King streets. With the new left-turn arrow at Mission, the bus is in the way of traffic. The bus should move further away from the intersection to wait for its passengers. Mr. Baehr will look into this immediately.

- 7-11. **ACCEPT AND FILE METROBASE STATUS REPORT**
- 7-12. **THIS ITEM WAS MOVED TO THE REGULAR AGENDA FOR DISCUSSION AFTER ITEM #10**
- 7-13. **CONSIDERATION OF AUTHORIZATION FOR DISPOSAL OF ASSETS: SEVEN GILLIG BUSES; ONE NEW FLYER BUS; AND ASSOCIATED PARTS INVENTORY; AND DISPOSAL OF FOREIGN AND MUTILATED COIN COLLECTED IN FAREBOXES**
- 7-14. **DELETED – ACTION TAKEN AT THE SEPTEMBER 13, 2002 BOARD MEETING**
- 7-15. **CONSIDERATION OF MINOR SERVICE ADJUSTMENTS EFFECTIVE SEPTEMBER 5, 2002**
- 7-16. **CONSIDERATION OF OFFERING CALPERS OPTION FOR PUBLIC SERVICE CREDIT FOR PEACE CORPS OR AMERICORPS: VISTA SERVICE, FOR DISTRICT EMPLOYEES ENROLLED IN THE PUBLIC EMPLOYEES RETIREMENT SYSTEM**
(Moved to Consent Agenda at the September 13, 2002 Board Meeting. Staff report retained original numbering as Item #11)
- 7-17. **CONSIDERATION OF RESOLUTION AUTHORIZING THE GENERAL MANAGER OR HIS DESIGNEE TO SUBMIT APPLICATIONS TO EXECUTE GRANTS WITH THE U.S. DEPT. OF TRANSPORTATION FOR FEDERAL FUNDING ASSISTANCE**
(Moved to Consent Agenda at the September 13, 2002 Board Meeting. Staff report retained original numbering as Item #12)
- 7-18. **CONSIDERATION OF EXTENDING CONTRACTS WITH BLYMYER ENGINEERS, INC.**
(Moved to Consent Agenda at the September 13, 2002 Board Meeting. Staff report retained original numbering as Item #15)
- 7-19. **CONSIDERATION OF AMENDING BYLAWS TO ENSURE REGULAR BOARD MEETINGS ARE NOT SCHEDULED WITHIN 5 DAYS OF A RECOGNIZED DISTRICT HOLIDAY (THANKSGIVING, CHRISTMAS, NEW YEAR’S DAY)**
*By Motion at their September 13, 2002 meeting the Board moved to review the yearly Board Meeting schedule in January for the forthcoming year.
(Moved to Consent Agenda at the September 13, 2002 Board Meeting. Staff report retained original numbering as Item #17)
- 7-20. **CONSIDERATION OF APPROVAL TO MODIFICATIONS TO ENCROACHMENT PERMIT BETWEEN SANTA CRUZ METRO AND THE CITY OF SANTA CRUZ REDEVELOPMENT AGENCY**

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR REILLY

Approve the Consent Agenda, including Item #7-10.

Motion passed unanimously.

REGULAR AGENDA

8. CONSIDERATION OF PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

The following employees were acknowledged with longevity certificates for their years of service:

FIFTEEN YEARS

Carol A. Howard, Bus Operator
Anna M. Gouveia, Bus Operator
Scott K. Takehana, Bus Operator
Thomas E. Taylor, Bus Operator
Cynthia Cummings, Bus Operator
Eduardo Biddlecome, Bus Operator
Soretta Chatman, Bus Operator

TWENTY YEARS

Frank Sloan, Mechanic II

TWENTY-FIVE YEARS

Robert F. Del Po, Bus Operator

9. CONSIDERATION OF ADOPTION OF RESOLUTIONS OF APPRECIATION FOR DISTRICT RETIREES

Summary:

Chairperson Ainsworth read the names of all District retirees and distributed Resolutions of Appreciation to those retirees who were present. Bus Operators Ray Polanco and Everette Wehe received a special recognition plaque for driving approximately one million miles during their tenure with the District.

Discussion:

Several Directors voiced their sentiments over the retirement of these long-term employees.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ

Approve the Resolutions of Appreciation for each of the 23 District retirees.

Motion passed unanimously by a roll call vote.

THE BOARD TOOK A 10-MINUTE BREAK AT 9:50 A.M. TO ENJOY A SHORT CELEBRATION OF CAKE WITH THE RETIREES AND STAFF PRESENT.

THE BOARD CHAIR RECONVENED THE MEETING AT 10:00 A.M.

10. CONSIDERATION OF APPOINTMENT OF DIRECTORS TO THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION

Summary:

Elisabeth Ross stated that the Board appoints Directors to the Santa Cruz Civic Improvement Corporation (SCCIC) every two years. The SCCIC is a financial organization set up to finance bonds. There is no activity currently, however, one of the offices is currently held by a Director who is no longer on the Board. The annual meeting of the SCCIC takes place in October. The Board is being asked to appoint representatives from the Board to the five (5) offices on the SCCIC for a two-year term.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ

Appoint the four (4) incumbents (Dirs. Ainsworth, Beautz, Fitzmaurice, and Hinkle) plus Director Spence to the SCCIC for a two year term.

Motion passed unanimously.

ITEM #7-12 WAS PULLED FROM THE CONSENT AGENDA FOR DISCUSSION:

7-12. ACCEPT AND FILE CALL STOP AUDIT REPORT

Summary:

Bryant Baehr informed the Board that the upgrade to the Luminator headsign, which would correct the communication problem between the talking bus technology and the headsigns, would normally cost \$24,000. However, the total cost to the District is only \$1,200 since the cable alone, and not the additional card, would correct this problem on the thirty (30) low-floor buses. Mr. Baehr added that it was requested that the "stop request" light be removed because it is so bright. Staff recommends that the "stop request" light remain on the system to aide hearing impaired riders who might need this feature. All training has been completed in the Operations Dept. on this technology, with the exception of those employees on vacation or medical leaves.

Les White reported that he spoke with Digital Recorders at the recent APTA conference regarding the gap in the operation of the technology during trips to the San Lorenzo Valley. Digital Recorders committed to test a new GPS unit and if successful, the District will be upgraded from the 8-satellite system to the 12-satellite system at no charge.

Discussion:

Fahmey Ma'Awad expressed his thanks and gratitude to the Board for converting to the talking bus system. He discussed the following: 1) Requested that the Board reconsider utilizing the Call Stop Committee's list because it was based on manual calling of stops instead of technological. 2) Reconsider the calling of landmarks. He stated that this would absolve the Board of any legal actions also. 3) He has a list of stops that staff could follow to call as many stops as possible, if not all of the stops.

Ed Kramer echoed Mr. Ma'Awad's comments and discussed calling of transfer points, landmarks (points of orientation), street names being announced in a man's voice, and stops being called in a woman's voice. He asked the Board to reconvene the Call Stop Committee to get the technology programmed at its ultimate performance.

Les White stated that staff sent an electronic survey to other transit systems asking what information they mandate for their talking bus system. Mr. White added that reconvening the Call Stop Committee would be prudent, however, it should be done based on the current system performance while keeping in mind that the system is still in the debugging stages. He reiterated that the entire fleet would not be on the electronic system until August 2003. Staff was directed to submit a report to the Board in a few months as to people's input across the board. Director Fitzmaurice asked for a ranking list of the suggestions given, i.e. transfer points would be high on the list. Director Beautz suggested that bus operators obtain suggestions from the riders.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR BEAUTZ

Staff should come forward expeditiously to give the Board their firm recommendations on the amendment to the Call Stops to include all items suggested to the staff to date. This recommendation to be reviewed by stakeholders privately with a written report back to the Board within a reasonable timeframe of 3-6 months after implementation of the entire fleet, except for Highway 17 buses.

Director Fitzmaurice requested a report from staff on the installation of the system and some sense of difficulty to include another wrinkle in the system. Director Almquist recommended that the advertising policy stipulate that the electronic system not be used for advertising and the reasons why it would be a bad idea. Director Tavantzis thanked the staff for the cost savings of the upgrade to the system.

Motion passed unanimously.

Director Reilly asked staff to give a report to the Board in the next month or so on the recent APTA conference.

11. **MOVED TO CONSENT AGENDA AS ITEM #7-16**
12. **MOVED TO CONSENT AGENDA AS ITEM #7-17**
13. **DELETED – ACTION TAKEN AT THE SEPTEMBER 13, 2002 BOARD MEETING**
14. **DELETED**
15. **MOVED TO CONSENT AGENDA AS ITEM #7-18**
16. **DELETED – ACTION TAKEN AT THE SEPTEMBER 13, 2002 BOARD MEETING**
17. **MOVED TO CONSENT AGENDA AS ITEM #7-19**
18. **CONSIDERATION OF APPROVAL OF SANTA CRUZ METRO ADVERTISING POLICY AND REGULATIONS**

Summary:

Mark Dorfman referred the Board to the staff report which was discussed at the September 13 Board meeting and asked if they wish to open up the advertising to a public forum that staff cannot regulate or restrict it to commercial only.

Discussion:

The impact of accepting commercial ads only and no non-profits is as follows: Out of \$230,000 in ads sales by Obie Media year-to-date, 5-7% or \$15,000 was from non-profit advertising. This issue came up due to the contract with Obie Media expiring and new bidders asking what the District restrictions on advertising are. Ex Officio Director Rotkin suggested that a sub-committee be formed to make a determination on questionable ads. Mr. Dorfman pointed out that there are seven (7) categories currently listed as being banned in the current Obie Media contract. Since then, cases have arisen that would establish a new standard, such as community forum vs. commercial advertising.

Les White estimated that the District would obtain \$100,000-\$130,000 as a guarantee based on application ads and between \$60,000-\$80,000 for framed ads. He added that staff wants the proposers to understand that METRO wants to see the highest numbers in both these formats so the Board can decide if it is worthwhile to have a particular type of ad on the bus. Mr. White cited the revenue shortfall of \$610,000 to this year's budget that METRO is experiencing, based on sales tax and the reduction in TDA funds. Mark Dorfman cited a policy that the Metropolitan Atlanta Rapid Transit Authority uses stating the purpose of its advertising is to raise revenues to finance authorities. Atlanta accepts the commercial advertising forum.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR KEOGH

Approve the Santa Cruz Metro Advertising Policy and Regulations which stipulate all advertising displayed in or upon the Santa Cruz Metro's buses shall be strictly commercial in nature and purpose.

Mr. Dorman stated that staff is obtaining prices for the contract to be set up for both five (5) years and for three (3) years with two (2) one-year extensions. The latter term would give the District the ability to end the contract if the economy improves and it is deemed that advertising is not necessary.

Motion passed with Directors Fitzmaurice and Norton voting no.

19. CONSIDERATION OF LETTER OF CORRECTION TO COMMUNITY BRIDGES TO ACHIEVE COMPLIANCE WITH CURRENT PARACRUZ CONTRACT

Summary:

Steve Paulson outlined the areas of non-compliance found when reviewing the July billing from Community Bridges. These areas are listed in the staff report. Staff was able to reduce the bill by \$4,672 due to these non-compliant issues. Staff is working with Community Bridges to bring them into compliance.

Discussion:

ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR BEAUTZ

Authorize the General Manager to issue a Letter of Correction to Community Bridges to achieve compliance with terms of the current METRO ParaCruz contract.

Director Beautz asked to see a report of this nature every six (6) months on the Consent Agenda to keep the Board informed of the status. Director Spence requested a separate log that shows when the numbers are reduced and if there would be an affect on the minimum required, and information on the maximum hold times. Also requested was a report on how the recertification is going and an approximate number of people who have applied for paratransit, the number approved, under what categories they fall, number of denials, the appeals process and outcome of the appeals. Mr. Paulson reported that the total billed for July was \$204,000.

Motion passed unanimously.

20. CONSIDERATION OF THE ROLE OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT IN THE DEVELOPMENT AND CONSTRUCTION OF THE HIGHWAY 1 WIDENING PROJECT

Summary:

Les White reported that currently the Regional Transportation Commission (RTC) and Caltrans are in the environmental design process of this project utilizing State Transportation Improvement Program (STIP) funds. Financing of the Highway 1 widening would require the passage of a tax measure. Mr. White looked into the following when the RTC inquired about the District's Board authority: a) authority for taxing and bonding; 2) authority for use of eminent domain; 3) authority for design build strategy, and, 4) authority for public partnerships. He added that if the Board develops and adopts a finding that this is a transit project (a most critical component), then the Board could make itself the lead agency for the Highway 1 project. The Board has statutory authority to put taxing measures on the ballot. The statewide maximum is an 8.5% tax and the county is currently at 8%. A .5% tax could be passed by the voters. He further added that METRO has the ability to facilitate bonds and Certificates of Participation.

On the topic of eminent domain, Mr. White stated that METRO has "second" position of eminent domain. METRO must first gain the agreement of the general-purpose local government to allow the Board to go forward and exercise the power. The Board needs 9 of 11 votes to acquire property by eminent domain. The Board can exercise the design building option at their discretion.

Mr. White reminded the Board that the District currently has several big, complex projects in progress: MetroBase, Metro Center renovation, Paratransit system and recertification process, system fixed route service. He asked that if the Board desires to move forward with this, even in the discussion stages, that no current METRO funds be redirected away from the transit system.

Discussion:

In response to Director Ainsworth, Mr. White outlined the scope of what the Board is trying to accomplish at this meeting:

- 1) Does the Board desire that Mr. White respond to the Commission?
- 2) A report to the Board of the authorities that the Board possesses.
- 3) If a report is made to the Commission, does the Board think there is enough merit to the fact that the Board might make a finding of transit relevance?

Linda Wilshusen stated that the Commission wants information on the transit district's powers and authorities in relationship to possibly becoming the Highway construction authority. She added that she thinks there is a secondary interest from the Commissioners, to get an indication from the Board of whether or not it wants the Commission to actually consider that option as one of the final options that the Commission will be looking at for the composition of a Highway construct authority. She further added that the Commission is assuming in their staff report that the RTC, as the regional funding agency, would be the local transportation authority for a sales tax measure. The RTC would continue to be the funding entity but the Highway construction authority would be the implementing agency for the project.

Ex Officio Director Rotkin asked that there be a motion made today that leaves no room for misunderstanding that METRO respectfully declines a role in the development and construction of the Highway 1 widening project. Director Keogh stated that METRO must offer the use of our authorities to the RTC to save the time it would take to gather the authorities by way of the legislature. He added that the Board must also protect staff's time so as not to divert them from current transit projects. Director Reilly stated that there is no way METRO can enter into this without a serious loss of focus and support for the primary purpose of METRO. Director Almquist, who made the motion for the RTC to come to METRO with this, stated that there is a way to structure this where it will affect the Board time but not staff's time. He went on to say that it is important to set it up this way to protect staff and current and anticipated revenues for transit operations and capital purposes. Director Beautz thinks that this is a transit issue but she wouldn't mix it in with current transit projects. Director Phares stated that she feels bus service is connected to traffic and is willing to look into METRO's involvement.

Linda Wilshusen pointed out that the authority for transit districts to conduct a design build project ends in January 2005. This needs to be taken into account. The project would need to be reauthorized after that time. She responded to Ex Officio Director Rotkin's inquiry by stating that the only authority that the transit district has that other local purpose government doesn't have is the design build authority. She added that if legislation is required to set up the highway authority, then labor and construction, both local and state, would support the legislation.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ

Continue the meeting past 12:00 noon.

Motion passed unanimously.

Director Norton expressed concern about the eminent domain authority and what the implication to the public would be to have METRO's name attached to this project as the implementing Board. He stated that METRO cannot take on any more projects at this time since it could happen that both MetroBase and the highway widening could take place at the same time. Director Fitzmaurice added that METRO would now have its name on the taxing and bonding which would be confusing to the public and damaging the METRO. He also has questions on who METRO would be arguing with on the issue of eminent domain.

Linda Wilshusen stated that the Commission is assuming that it would remain the funding and programming agency.

Director Tavantzis mentioned that the widening of Highway 1 is important to METRO's mission in that there is no incentive to take the bus if the bus is stuck in the same traffic that commuters are in plus the bus needs to exit the freeway for stops. She added that METRO'S image would be negative to those who were against the widening of the highway but positive with those in favor of it. She suggested the Board leave it open for METRO to assist the RTC.

Director Ainsworth stated that she believes that even if this is a turnkey solution, that Les White is still in the chain of command. Les White added that the Board needs to make a finding to exercise its authority that this is a transit related project. Therefore, it cannot be totally separate from the transit agency. He recommends not having a General Manager for highways and one for transit. The primary impacts:

- 1) Time needed of the Board.
- 2) Does Les White have the capacity to accommodate this? It might be manageable but it would be a major burden. It would only be manageable if it were totally financed, funded and staffed.
- 3) The political issues would be most problematic.

Mr. White strongly recommends that it be integrated at the upper staff level. METRO would benefit from an HOV lane and would still benefit from it if another agency builds it. She asked:

- 1) Is it a transit project?
- 2) Does the Board believe the design build will cut 5-7 years off this project?

Mr. White added that the staff has no great desire for this project, however, if METRO can assist where no one else can, there should be discussion about it.

Ms. Wilshusen stated that the RTC could go ahead with legislation right now and that this will be discussed in December at the RTC workshop. She stated that the critical mechanism to keep it a HOV lane is a bond covenant, which is the most defensible and binding.

Bill Comfort stated that time is of the essence for both the transit district and the widening. The people who made presentations at the RTC outlined the importance of developing an independent mission-focused agency as soon as possible to facilitate the design build as well as funding, preliminary design and environmental reporting. He reiterated that the reason the transit district is key is that it possesses all powers necessary to contract out. METRO would be a mission-focused agency without having to wait for legislation. He believes both can be done together. He asked the Board to please give the General Manager the opportunity educate the RTC at the October 17th transportation workshop on how METRO could help even if the Board decided later not to support the approach.

David Asalias, of Santa Cruz, thinks that the RTC has authority to do this project and doesn't see how a bus district can take over a countywide widening. He can't see that METRO has the expertise in handling a project of this size, nor does he see the political makeup in the Board that is in support of the widening project. He doesn't see the Board looking at the overall county by looking at a HOV lane. He stated that it is the charter of the RTC to look at the overall transportation needs countywide.

Peter Scott, representing the Campaign for Sensible Transportation, submitted a letter to the Board opposing the transit district's involvement in this project and urging the Board to look at the definition of what a transit project is in the enabling legislation of the METRO. Does adding

lanes to Highway 1 fit into this definition? He stated that in the mind of the public, METRO should deal with the public transit and not in terms of private vehicles or HOV lanes.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ

Director be authorized to communicate to the RTC the information in the staff report on METRO's authorities to engage in a design build transit project. That this includes a description of the type of discussion the Board has had here and concerns raised by the Board regarding the impact it might have on transit operations and the method available of how to deal with some of these impacts. Make the minutes of this meeting available to the RTC.

Motion passed with Directors Fitzmaurice, Norton and Reilly voting no.

**DIRECTORS KEOGH AND NORTON LEFT THE MEETING.
DIRECTOR SPENCE LEFT THE ROOM.**

21. **CONSIDERATION OF RESOLUTION TO APPROVE A MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN FOR ACQUISITION OF 425 FRONT STREET, SANTA CRUZ (APN #005-152-30) FOR METRO CENTER RENOVATION**
PUBLIC HEARING WILL BE HELD AFTER 9 A.M.

Summary:

Les White reported that this is a continuation of the project of the redevelopment of the Metro Center. Staff is recommending that the information received through the environmental assessment initial study conducted on the Greyhound property be addressed through an issuance of the Mitigated Negative Declaration. The staff report addresses those things found as part of the environmental study. Staff recommends that the Board move forward to obtain the allocation of \$800,000 from the California Transportation Commission. Joe Hall of the City of Santa Cruz Redevelopment Agency was present to answer Board questions.

CHAIRPERSON AINSWORTH OPENED THE PUBLIC HEARING AT 12:32 P.M.

There were no speakers for the Public Hearing portion of this meeting.

THE PUBLIC HEARING WAS CLOSED AT 12:32 P.M.

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR FITZMAURICE

Adopt a resolution approving a Mitigate Negative Declaration and Mitigation Monitoring Plan for acquisition of 425 Front Street, Santa Cruz (APN #005-152-30)

Motion passed with Directors Keogh, Norton and Spence being absent.

**22. CONSIDERATION OF STAFF AND FEDERAL TRANSIT ADMINISTRATION (FTA)
ACTIONS TO PRESERVE FEDERAL CAPITAL DISCRETIONARY EARMARKED
FUNDS**

ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ

The Board of Directors concurs with staff actions to preserve remaining funds for MetroBase.

Motion passed with Directors Keogh, Norton and Spence being absent.

It was noted that the Board just saved \$2 million.

**23. CONSIDERATION OF ELIMINATING THE BOARD MEETING CURRENTLY
SCHEDULED FOR DECEMBER 27, 2002**

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR PHARES

Eliminate the December 27, 2002 Board Meeting.

Motion passed with Directors Keogh, Norton and Spence being absent.

This information will be published to inform the public of the meeting cancellation. Action items will be taken at the December 13, 2002 Board meeting.

ADJOURN

There being no further business, Chairperson Ainsworth adjourned the meeting at 12:35 p.m.

Respectfully submitted

DALE CARR
Administrative Services Coordinator