

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

December 13, 2002

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, December 13, 2002 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice-Chairperson Reilly called the meeting to order at 9:02 a.m.

## SECTION 1: OPEN SESSION

### 1. ROLL CALL:

#### DIRECTORS PRESENT

Sheryl Ainsworth  
Tim Fitzmaurice  
Michelle Hinkle  
Mike Keogh  
Emily Reilly  
Pat Spence

#### DIRECTORS ABSENT

Jeff Almquist (arrived after roll call)  
Jan Beautz (arrived after roll call)  
Dennis Norton  
Ana Ventura Phares  
Marcela Tavantzis  
Ex-Officio Mike Rotkin

#### STAFF PRESENT

Bryant Baehr, Operations Manager  
John Daugherty, Access. Svcs. Coord.  
Terry Gale, IT Manager  
Margaret Gallagher, District Counsel  
David Konno, Facilities Maint. Manager

Lloyd Longnecker, Buyer  
Elisabeth Ross, Finance Manager  
Robyn Slater, Interim H.R. Manager  
Tom Stickel, Fleet Maint. Manager

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

Virginia Allender, S.V. Sr. Advocate  
Michael Bradshaw, ~~Rider~~ **CCCIL**  
Cheryl Brondstatter, UTU, Secretary  
**Mike Edwards, Rider**  
Tom Hiltner, SEA  
Jake Hurley, SEIU  
Pete Legorreta, UTU, Vice Chair  
Manny Martinez, PSA

Bonnie Morr, UTU  
Jeff North, UTU, Vice Chair  
Dennis Papadapulo, MASTF  
Will Regan, VMU  
James Taylor, UTU, Vice Chair  
Marian Taylor, League of Women Voters  
Candace Ward, UCSC

### 2. ORAL AND WRITTEN COMMUNICATION

Virginia Allender, Scotts Valley Senior Advocate, introduced herself as serving on many senior programs over the last seventeen years. Ms. Allender explained that she and her husband were notified that they needed to be interviewed as part of the recertification process. The interviews

were conducted separately. Ms. Allender outlined the problems that arose for both her and her husband in getting to and from the interviews via Lift Line. She urged the Board to improve communication between METRO and Lift Line and asked that METRO take the word of a qualified physician that their patient is eligible for the Lift Line program.

#### **DIRECTOR BEAUTZ ARRIVED.**

Michael Bradshaw of the Central Coast Center for Independent Living (CCCIL) stated that the proposed ADA complaint procedure went before CCCIL's Executive Board last night who voted to support this procedure with the following addition of the word "authorized": Under Section VI. Grievance Procedure, Item 6.01 "Any person with a disability or his/her **authorized** representative.....". Mr. Bradshaw also stated that an example of an "authorized representative" should be given, such as a family member, caregiver, or organization.

Dennis Papadopolu, a member of MASTF since its inception, spoke to contest the voting for MASTF officers at last month's meeting. He stated that the voting was not conducted fairly and he submitted a letter to the Board from John Wood in this regard. A copy of which is attached to these Minutes.

Michael Edwards, a former member of MASTF for many years, stated that he is no longer a member due to irregularities of election law that took place within MASTF. He added that his most serious concern was that the Chairperson's vote was counted as an eligible vote, whereby, the MASTF bylaws state that the Chairperson can only vote in the case of a tie. He addressed this issue three times and was told he was out of order after the third time. He was also told that it was a matter of precedent as this was done in the past but the bylaws were not amended to reflect this. Both Directors Beautz and Fitzmaurice requested a report to the Board in January with a review of the procedure used in the election and a review of the process that MASTF used to formulate its bylaws. Mr. White added that Metro Users' Group (MUG) bylaws are approved by the Board, however, the MASTF bylaws have not been.

**ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR REILLY**

**Continue Item 7-5 Minutes of MASTF Committee meeting of November 14, 2002 and look at these in light of further discussion.**

**Motion passed with Directors Almquist, Norton, Phares and Tavantzis being absent.**

An agenda for the January Board meeting will be sent to both Mr. Papadopolu and Mr. Edwards.

### **3. LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr informed the Board that UTU elections are complete for the next four years. She introduced Pete Legorreta and Jeff North, Vice Chairs, and Cheryl Brondstatter, Secretary. She will bring the new local members elected to the January Board meeting for introductions.

4. **METRO USERS GROUP (MUG) COMMUNICATIONS**

The next MUG meeting will be held on December 18, 2002.

5. **METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS**

Nothing to report at this time.

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

**SECTION I:**

**CONSENT AGENDA:**

**ADD TO ITEM #7-1** APPROVE REGULAR BOARD MEETING MINUTES OF NOVEMBER 8 AND NOVEMBER 22, 2002  
**(Insert corrected page of November 8, 2002 Minutes)**

**ADD TO ITEM #7-4** CONSIDERATION OF TORT CLAIMS: Deny the claim of: Dorothy Parker, Claim #07-02-11  
**(Insert Claim)**

Vice Chairperson Reilly deleted Item #7-17 Consideration of request to begin advertising contract on January 1, 2002 from the Consent Agenda.

**CONSENT AGENDA**

7-1. **APPROVE REGULAR BOARD MEETING MINUTES OF NOVEMBER 8 AND NOVEMBER 22, 2002**

Director Spence stated that the Minutes of November 8, Item 2 Oral and Written Communication should have read "regarding the circumstances of her resignation as MASTF paratransit chair." The Minutes will be revised to reflect this change.

7-2. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**

7-3. **ACCEPT AND FILE NOVEMBER RIDERSHIP REPORT**

7-4. **CONSIDERATION OF TORT CLAIMS: Deny the claims of: Sabrina McPherson, Claim #02-0033; Dorothy Parker, Claim #07-02-11**

7-5. **ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF NOVEMBER 14, 2002**

This item was continued to a future Board Meeting.

- 7-6. **ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF NOVEMBER 13, 2002**
- 7-7. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR OCTOBER 2002, APPROVAL OF BUDGET TRANSFERS**
- 7-8. **ACCEPT AND FILE PARACRUZ STATUS REPORT FOR SEPTEMBER 2002**

The report states that the contract allows for Lift Line to make pickups up to 15 minutes early. Director Spence asked Bryant Baehr to check the contract to ensure it is 15 minutes and not 10 minutes that is allowable. Director Beautz was informed that penalty fees are associated with areas in which Lift Line is non-compliant with the contract. METRO's payment to Community Bridges would be reduced by the penalty amount in each case. Mr. White added that the amount of penalties would be included in future reports.

**DIRECTOR ALMQUIST ARRIVED.**

Director Spence also inquired as to whether there are separate statistics for ADA phone calls as it relates to average hold times. She was informed that there is no separation between ADA calls and other services provided by Community Bridges – there is a separate phone number but not a separate computer system to single out the ADA calls.

- 7-9. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR OCTOBER 2002**
- 7-10. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**
- 7-11. **ACCEPT AND FILE METROBASE STATUS REPORT**
- 7-12. **CONSIDERATION OF CALL STOP AUDIT REPORT**

It was noted that there was 100% compliance with call stops during this reporting period. Mr. Baehr made a correction to the staff report in that the audits cost approximately \$10,000 per year, not \$20,000 as stated in the staff report.

- 7-13. **CONSIDERATION OF RESULTS OF AMERICAN PUBLIC TRANSIT ASSOCIATION (APTA) SURVEY ON THE IMPACT OF ECONOMIC CONDITIONS ON TRANSIT**

Mr. White discussed the California Transportation Commission's impacts on both State Transportation Improvement Funds (STIP) and METRO's request to reclaim the \$7.8 million in MetroBase money that may not be released. Mr. White is working to ensure that commitments that have been in place over the last 24 months are honored, especially by the state. He is also very concerned with the February and August bus deliveries and added that the Highway 17 buses are in severe jeopardy. There was discussion regarding options METRO would have if VTA didn't pay their part of the Highway 17 service. Options would be to discontinue the service, or raise fares. Mr. White will request that Senator McPherson and Assemblymember Laird intervene on existing contracts. Mr. White also discussed how the state would honor a payment in progress or an invoice over a signed contract and stated that staff would request an invoice from New Flyer in order to secure the funds. Les White reported that METRO is still working with Caltrans about paying the bill for 29 buses in February. Staff is also in discussion with VTA regarding their budget cutting impacts which may affect their payment for half of the Highway 17 Express service.

**7-14. ACCEPT AND FILE NEW STORMWATER REGULATIONS IMPACT AT TRANSIT CENTERS AND BUS STOPS**

Director Almquist asked David Konno to look into obtaining equipment that would suck the water up, thereby eliminating the flow to the storm water drain system. Mr. Konno replied that he is looking at all the different strategies that could be used.

**7-15. CONSIDERATION OF ONE-YEAR TRIAL PROGRAM FOR INSTALLATION OF NEEDLE DISPOSAL PROGRAM AT TRANSIT CENTER RESTROOMS**

The discussion of this issue related to the numerous places that needles have been found and how to avoid injury to both employees and transit riders.

**7-16. STATUS REPORT FOR THE CONSTRUCTION, MAINTENANCE, AND OPERATION OF A TRANSIT-ORIENTED CHILD CARE AND APARTMENT COMPLEX CENTER FOR PROPERTY APN'S 17-011-51 AND 52 IN WATSONVILLE, PURSUANT TO A LEASE AGREEMENT BETWEEN THE CITY OF WATSONVILLE AND THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

**7-17. CONSIDERATION OF REQUEST TO BEGIN ADVERTISING CONTRACT ON JANUARY 1, 2003**

**ACTION: MOTION: DIRECTOR AINSWORTH SECOND: DIRECTOR BEAUTZ**

**Approve the Consent Agenda.**

**Motion passed with Directors Norton, Phares and Tavantzis being absent and Directors Beautz and Fitzmaurice abstaining from voting on the 11/22/02 Board Meeting Minutes since they were absent.**

**REGULAR AGENDA**

**8. CONSIDERATION OF ISSUES OF PROCEDURE FOR UNION REPRESENTATIVES**

**Summary:**

Jake Hurley, Field Representative for SEIU Local 415, thanked the Board for putting him on the agenda. He stated that SEIU is motivated to work with METRO to provide the best service to the public and to make sure that the concerns of the members are addressed. He asked that the Board take this into consideration when opening an issue for discussion and that SEIU be given the opportunity to have their concerns addressed at each meeting. Mr. Hurley described the events that took place at the November 22<sup>nd</sup> Board meeting and stated that the issue was addressed and he does not foresee this to be a continuing problem.

**Discussion:**

Several Directors stated that union organizations should not be allowed to speak on issues discussed earlier on the agenda. The public will be invited to speak on each issue as the agenda items are discussed. Oral Communications on each agenda will allow for unions and the public to speak regarding issues not on the agenda. It was reiterated that once an item is voted on, there should be no further discussion. Bonnie Morr stated that she wasn't given the opportunity to speak after each individual item at the November meeting and, therefore, saved all her comments until the end of the meeting. The Board agreed that Ms. Morr shouldn't have been allowed to speak but that going forward, the Chair or Vice Chair would be sure to ask the public, which includes union representatives, if they have any comments during each agenda item.

At this time, Ms. Morr introduced James Taylor as a new Vice Chair of UTU.

**9. CONSIDERATION OF AWARD OF CONTRACT FOR PRINTING OF HEADWAYS**

**ACTION: MOTION: DIRECTOR FITZMAURICE SECOND: DIRECTOR BEAUTZ**

**Authorize the General Manager to enter into a contract with Folger Graphics for the printing of *Headways*.**

**Discussion:**

Director Ainsworth inquired as to why there are no local bids included in the staff report. The Board was informed that the Invitation for Bids was sent to all local printers and was also advertised in all local newspapers. However, no local printers responded. She was informed that this type of work requires a web press which many vendors do not have.

**Motion passed with Directors Norton, Phares and Tavantzis being absent.**

**10. CONSIDERATION OF AWARD OF CONTRACT FOR VEHICLE BODY REPAIR AND PAINT SERVICES**

**Summary:**

Tom Stickel reported that this contract is for vehicle body and repair paint on both revenue and non-revenue vehicles. The Fleet Maintenance Dept.'s goal is to completely paint eight buses each year. Currently, there is a campaign to paint older buses, do minor repairs and upgrade the exterior lighting to L.E.D.

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

**Authorize the General Manager to execute a contract for vehicle body repair and paint services with Classic Graphics.**

Will Regan who represents the mechanics of VMU stated that this is the type of work that could be done in-house when the consolidated MetroBase facility is complete. Les White added that if this was brought in-house, it would cost a lot less money. Jeff North asked for clarification on whether this could be done in-house with just the first phase of MetroBase being completed and was informed that we would probably not have this capability in the Phase 1 facilities.

**Motion passed with Directors Norton, Phares and Tavantzis being absent.**

**11. CONSIDERATION OF AMENDING HAZARDOUS WASTE DISPOSAL CONTRACT**

**Summary:**

Tom Stickel reported that this contract renewal is for the removal of hazardous waste materials.

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

**Authorize the General Manager to execute an amendment to the contract with Evergreen Environmental Services to extend the term of the contract for one (1) additional year.**

**Motion passed with Directors Norton, Phares and Tavantzis being absent.**

**12. CONSIDERATION OF AMENDING AWARD OF CONTRACT FOR RESIDENT BUS INSPECTOR SERVICES**

**Summary:**

Tom Stickel reported that buses are currently under construction in Canada and Minnesota. The location for the final production changed and, therefore, additional costs will be incurred to send the Resident Bus Inspector to the new location.

**Discussion:**

Director Fitzmaurice asked why METRO is responsible for the expenses since it was New Flyer who made the location change. He was informed that under the terms of the grant funding that METRO received for the bus purchase, METRO is required to provide bus inspection services.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR BEAUTZ**

**Authorize the General Manager to amend the contract for resident bus inspection services with J & S Maintenance Professional Services, Inc. to increase the contract by an additional \$4,650.**

**Motion passed with Director Fitzmaurice voting no and Directors Norton, Phares and Tavantzis being absent.**

**13. CONSIDERATION OF AMENDMENT AND REINSTATEMENT OF DISTRICT'S DEFERRED COMPENSATION PLAN AND TRUST, IN ORDER TO IDENTIFY A NEW TRUSTEE AND TO FACILITATE CHANGES IN THE LAWS FOR 457 PLANS**

**Summary:**

Margaret Gallagher explained that METRO has two different deferred compensation plans: one with PERS and one with NPC. NPC was purchased by Great West and took over METRO's program. This item was discussed with the unions who were given additional time to evaluate the plan. Ms. Gallagher stated that she would "meet and confer" with SEIU on some of the recommendations, such as the employee loan issue. To avoid tax consequences to the participants in the plan, these changes need to be implemented by December 31, 2002. Ms. Gallagher referred the Board to the specific documents that required adopting (i.e. Items a. through e. on page 13-A-3 of the staff report). Ms. Gallagher recommends that the Board adopt her recommendations to implement Items 1, 2, 4, 6 and 7 on pages 13-A-4 and 13-A-5 of the staff report. She recommends that the Board not implement Items 3, 5 and 8 at this time. These items may be brought back to the Board at a future date. Ms. Gallagher's recommendations are based on cost and administrative time.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ALMQUIST**

**Amend and restate the District's NPC Deferred Compensation Plan and Trust, in order to identify a new trustee and adopt certain changes to the newly adopted plan as set forth in staff report dated November 22, 2002 in order to facilitate changes in the laws for 457 plans.**

**Discussion:**

Director Ainsworth asked for clarification on the 1.25% which was reduced to .75% per transaction and was informed that this is the administration fee that Great West charges participants for requested transactions. This reduction was agreed to by Great West if METRO adopted the Deferred Compensation Annuity Contract.

Ms. Gallagher added that a committee would be formed with the assistance of Great West to educate staff on how to deal with certain issues, such as employee emergency loans.

**Motion passed unanimously with Directors Norton, Phares and Tavantzis being absent.**

**14. CONSIDERATION OF SOLE SOURCE AWARD OF CONTRACT FOR HASTUS ROSTERING SOFTWARE MODULE**

**Summary:**

Mr. Stickel stated that initially, METRO had a contract with MultiSystems to provide this package of software and services to help with the dispatch of the buses. MultiSystems was unable to complete this contract and the contract was cancelled. Hastus offers a package that will go with the rest of the dispatch needs. Staff recommendation is to award the contract to Hastus.



**DIRECTOR SPENCE LEFT THE ROOM.**

**Discussion:**

Director Fitzmaurice was concerned that the District would be supporting the UNIX system which he had heard was going out business. There was discussion in this regard. Director Ainsworth inquired about the cost for on-going support and was informed that METRO has a current contract with Giro for on-going support to maintain the license and this will increase a few thousand dollars per year with the addition of this software module.

**ACTION: MOTION: DIRECTOR AINSWORTH SECOND: DIRECTOR ALMQUIST**

**Authorize the General Manager to enter into a contract with Giro to purchase Hastus Rostering software, software customization, and training for an amount not to exceed \$62,740 with Giro as a sole source provider.**

**Motion passed with Directors Norton, Phares, Spence and Tavantzis being absent.**

**15. CONSIDERATION OF CHANGE ORDER TO NEW FLYER OF AMERICA CONTRACT FOR DIESEL LOW-FLOOR BUSES THAT CAN BE CONVERTED TO COMPRESSED NATURAL GAS (CNG)**

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

**Authorize the General Manager to execute an amendment to the contract with New Flyer of America for the production of fifteen (15) each 35 Foot Diesel Low Floor Transit Buses and fourteen (14) each 40 Foot Diesel Low Floor Transit Buses that can be converted to CNG to change bus specifications resulting in an overall reduction in the unit price of each bus by \$1,506.**

**Discussion:**

There was a brief discussion regarding passenger reading lights which are driver controlled. Leaving these reading lights as passenger controlled would allow them to be turned off for vandalism purposes without the operator being aware of it.

**Motion passed with Directors Norton, Phares, Spence and Tavantzis being absent.**

**16. CONSIDERATION OF AMENDING AWARD OF CONTRACT FOR FOUR EACH COMPRESSED NATURAL GAS (CNG) POWERED PASSENGER VANS**

**Summary:**

These are replacements for the driver shuttle vans.

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

**Authorize the General Manager to amend the contract for the purchase of four CNG powered passenger vans with S & C Ford to increase the dollar amount of the contract an additional \$3,294.40 for a total not to exceed contract amount of \$104,836.**

**Motion passed with Directors Norton, Phares, Spence and Tavantzis being absent.**

**DIRECTOR SPENCE RETURNED TO THE MEETING.**

**17. CONSIDERATION OF BUS SHELTER REQUEST FOR FELTON TEEN CENTER**

**Summary:**

Bryant Baehr reported that this is a request for a specialized bus shelter in Felton at the teen center. Currently, there are no funds for the shelter program. However, Mr. White added that when the shelter program is reinstated, Ms. Stafford could partner with the District utilizing the base level funds that the District would spend on a shelter and make the shelter more customized with what funds she could bring to the table. He further stated that this option would be left open for one year from now if the economy improves.

**Discussion:**

Director Ainsworth asked if staff has minimum specs for situations like this and was informed that we do.

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

**Direct staff to sent a letter to Ms. Stafford reiterating that if she could find a way of financing this, staff would be happy to work with her to provide the minimum specs and to assist in installing it .**

**Motion passed with Directors Norton, Phares and Tavantzis being absent.**

**18. CONSIDERATION OF ADOPTION OF ADA/504 POLICY AND PROCEDURE**

**Summary:**

Margaret Gallagher is requesting that the Board adopt the policy attached to the staff report and to take into account Michael Bradshaw's comments. She would work out language and put it on the Consent Agenda for the January 24, 2003 Board meeting for the Board to review. The proposed procedure follows federal regulations. Ms. Gallagher added that she would include language encouraging employees to immediately bring forward any complaints or issues.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ALMQUIST**

**Adopt the attached ADA/504 Policy and Procedure, which includes a Grievance Procedure. Return to the Board with language adding "authorized" representative and**

**giving an example, such as a family member, caregiver, or organization. Include language encouraging employees to bring forward any complaints or issues.**

Bonnie Morr expressed concern that employees would not understand how this procedure works and was referred to the Training Module which was develop with SEIU input.

**Motion passed with Directors Norton, Phares and Tavantzis being absent.**

**19. CONSIDERATION OF ALLOWING THE LAND TRUST OF SANTA CRUZ COUNTY TO ACQUIRE THE PROPERTY LOCATED AT 617 REDWOOD DRIVE, FELTON, CALIFORNIA, TO ENSURE THE MAINTENANCE OF THE PROPERTY BY THE NEIGHBORHOOD**

**Summary:**

Approximately 3,000 square feet of property on Redwood Drive was given to the District for a bus stop. This road is inaccessible to buses and the bus stop has since been abandoned by the District. Neighbors of this property contacted the District about keeping this property as open space. Ms. Gallagher stated that there are some legal issues, one of which is whether this would be considered a gift of public funds. However, if the land is transferred to the Land Trust, which is a non-profit corporation, with the stipulation that it must be kept as open space for use by the public, then the public purpose requirements would be satisfied and this would alleviate the concern of a gift of public funds.

**Discussion:**

Director Almquist thanked Mr. and Mrs. Wright for working on this. He asked that staff make findings that this property has zero net economic value and that there is risk of injury to the public should METRO continue to keep it as we have been in the unmaintained state.

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

**Allow the Land Trust of Santa Cruz County to acquire the property located at 617 Redwood Drive, Felton, California, currently owned by Santa Cruz Metro, to ensure the maintenance of the property by the neighborhood. A \$5,000 endowment was donated by the neighbors. Direct Counsel to prepare language that this property must be kept as open space for use by the public, and include findings that the Board supports surplusing this property on the basis that it has no economic value and represents a potential liability to the District if we keep it. Direct staff to cap the well on the property.**

Nancy Wright thanked Margaret Gallagher and Director Almquist for their efforts. She confirmed her desire to have the well capped and stated that the neighborhood is looking forward to restoring the kiosk and treating it as a public amenity for the community. She added that she would like the well to be filled in rather than just capped.

**Motion passed with Director Keogh voting no and Directors Norton, Phares and Tavantzis being absent.**

**20. CONSIDERATION OF ADOPTING REVISIONS TO THE DRUG AND ALCOHOL TESTING POLICY REGULATION**

**Summary:**

Margaret Gallagher reported that the Drug and Alcohol Testing Policy was adopted in 1996. There have been some revisions made by the federal government. Ms. Gallagher conducted a “meet and confer” with both unions and everyone has accepted the regulation.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ALMQUIST**

**Adopt the revisions to the Drug and Alcohol Policy Regulation.**

Bonnie Morr mentioned that the Department of Transportation’s drug testing policy addresses prescription and non-prescription drugs. She added that there is no real list from the D.O.T. nor any testing facilities with which to be compliant.

**Motion passed with Directors Norton, Phares and Tavantzis being absent.**

**21. CONSIDERATION OF NOMINATION OF DIRECTORS TO SERVE AS BOARD OFFICERS FOR THE YEAR 2003, TRANSPORTATION COMMISSION, AND METRO USERS GROUP CHAIRPERSON ASSIGNMENTS**

**Summary:**

Les White stated that the nominations for various commissions and committees are made at the December meeting with the elections taking place at the January meeting. The following positions need to be filled: Three Board members to the Regional Transportation Commission plus alternates, the Chair and Vice Chair positions on the Board, and the Chair of the Metro Users Group.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ALMQUIST**

**The following Directors are nominated:**

**Director Reilly for Board Chairperson**

**Director Keogh for Board Vice-Chairperson**

**Directors Spence, Reilly and Keogh as appointees to the Regional Transportation Commission**

**Directors Phares, Hinkle and Tavantzis, respectively, as Alternates 1, 2 and 3.**

**Director Hinkle as the MUG Chairperson**

Director Beautz informed the Board that Michelle Hinkle was reappointed to the Metro Board at the last County Board of Supervisors meeting.

**No voting was required on this Motion to identify nominations.**

**22. CONSIDERATION OF A RESOLUTION AUTHORIZING AN APPLICATION TO CALTRANS FOR FY 2002-2003 RURAL OPERATING ASSISTANCE**

**ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR BEAUTZ**

**Authorize the Secretary/General Manager to submit a grant application to the California Department of Transportation to assist funding public transit operations in the non-urbanized part of Santa Cruz County.**

**Motion passed unanimously by a roll call vote with Directors Norton, Phares and Tavantzis being absent.**

**23. CONSIDERATION OF AWARD OF CONTRACT FOR LONG-TERM DISABILITY INSURANCE**

**Summary:**

Tom Stickel reported that METRO currently has a contract with UNUM Provident Corporation who was also the sole respondent to the Request for Proposals. He added that this firm offered METRO a good rate for the long-term disability insurance.

**ACTION: MOTION: DIRECTOR AINSWORTH SECOND: DIRECTOR BEAUTZ**

**Authorize the General Manager to execute a contract for Long-Term Disability Insurance with UNUM Provident Corporation.**

**Discussion:**

Bonnie Morr of UTU and Manny Martinez of PSA stated that they didn't receive the information in a timely fashion in order to review it. However, she was assured that the provisions would be the same as the last time around. Tom Stickel added that he spoke with the Human Resources Dept. (HRD) and Purchasing will coordinate with HRD on contracts that would represent benefit issues. He assured the Board that future contracts would have a leadtime of 120 days, which would allow sufficient time for the unions to review.

There was a discussion regarding supplying the Board with the entire contract in their packets and whether this was necessary for every contract issue. Les White stated that the agenda is reviewed by himself and Counsel along with the Chair and Vice Chair of the Board each month. The nature of the contract could be reviewed at that time and the Chair and/or Vice Chair could suggest whether the entire contract should be supplied to the Board or not. Staff was directed to make any contracts available in the lobby of METRO's Administration Building when they are not provided in the agenda packet. An addendum should be made to the agenda stating where this information is available for review by the public.

**Motion passed with Directors Norton, Phares and Tavantzis being absent.**

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

Margaret Gallagher reported that the Board would be discussing existing litigation in the case of Lane, et al vs. SCMTD, Jeff Northon Vs. SCMTD, Jose Val Rodriguez vs. SCMTD and Sandra/Neil Bass vs. SCMTD.

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

None

**SECTION II: CLOSED SESSION**

Vice Chairperson Reilly adjourned to Closed Session at 11:01 a.m. and reconvened to Open Session at 1:05 p.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**22. REPORT OF CLOSED SESSION**

There was nothing to report at this time.

**ADJOURN**

There being no further business, Chairperson Reilly adjourned the meeting at 1:05 p.m.

Respectfully submitted.

DALE CARR  
Administrative Services Coordinator