

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

October 24, 2003

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, October 24, 2003 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chairperson Reilly called the meeting to order at 9:03 a.m.

## SECTION 1: OPEN SESSION

### 1. ROLL CALL:

#### DIRECTORS PRESENT

Sheryl Ainsworth  
Jan Beautz (arrived after roll call)  
Michelle Hinkle  
Mike Keogh  
Dennis Norton  
Ana Ventura Phares  
Emily Reilly  
Mike Rotkin  
Ex-Officio Wes Scott  
Pat Spence  
Marcela Tavantzis

#### DIRECTORS ABSENT

County Seat #6 is vacant at this time

#### STAFF PRESENT

Bryant Baehr, Operations Manager  
Margaret Gallagher, District Counsel  
Steve Paulson, Paratransit Administrator  
Elisabeth Ross, Finance Manager

Judy Souza, Base Superintendent  
Tom Stickel, Fleet Maint. Manager  
Les White, General Manager

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

Sharon Barbour, MASTF  
Heather Boerner, *Sentinel*  
Michael Bradshaw, CCCIL  
Scott Bugental, E&D TAC  
Connie/Shelly Day, MASTF/MUG  
Michael Edwards, MASTF  
Kasandra Fox, MASTF  
Jenna Glasky, SEA  
Gary Klemz, SEIU  
Jeff LeBlanc, Transit Rider  
Paul Marcelin-Sampson, Metro Riders  
Union

Manny Martinez, PSA  
Bonnie Morr, UTU  
Dennie Papadopolus, MASTF  
Barbie Schaller, Seniors Commission  
Dave Taylor, Transit Rider  
Jim Taylor, UTU  
Robert Yount, Transit Rider  
Amy Weiss, Spanish Interpreter  
Linda Wilshusen, SCCRTC  
Lesley Wright, MASTF

**2. ORAL AND WRITTEN COMMUNICATION**

Written:

- a. Brad Neily, Californians for Disability Rights RE: MASTF
- b. Jeff LeBlanc, Bus Rider RE: MASTF
- c. Sharon Barbour RE: MASTF
- d. Roger McKowan, Lift Line Advisory Comm. RE: Co-mingling of rides

Director Keogh directed staff to file the *Written Communications* received.

Oral:

Director Spence spoke regarding the letter under *Written Communication* from Sharon Barbour and stated that she had input into the revised bylaws for MASTF prior to her resignation. Only one of her suggestions was recognized in the revised bylaws.

Sharon Barbour reported that MASTF made the following motion to the Board:

- MASTF asks METRO to preserve the current METRO/MASTF structure.

Paul Marcelin-Sampson of the Metro Riders Union thanked Dale Carr, Mark Dorfman and Les White for compiling and sharing information that he requested. He added that Metro Riders Union’s website “iridethebus.org” will be ready in a few weeks.

**3. LABOR ORGANIZATION COMMUNICATIONS**

Nothing at this time.

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

**SECTION I:**

**OPEN SESSION:**

**ADD TO ITEM #2**

ORAL AND WRITTEN COMMUNICATION

- d. Sharon Barbour RE: MASTF
- e. Roger McKowan, Lift Line Advisory Comm. RE: Co-  
**(Insert Letters)** Mingling of rides

**CONSENT AGENDA:**

**ADD TO ITEM #5-1**

APPROVE REGULAR BOARD MEETING MINUTES OF  
SEPTEMBER 26, 2003

**(Insert Minutes)**

**ADD TO ITEM #5-3**

ACCEPT AND FILE SEPTEMBER 2003 RIDERSHIP REPORT  
**(Add Page One of Ridership Report)**

**ADD TO ITEM #5-5**

ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE  
MEETING OF OCTOBER 16, 2003 AND THE MINUTES OF THE  
SEPTEMBER 25, 2003 MEETING

**(Add Agenda and Minutes)**

**ADD TO ITEMS #5-12**

ACCEPT AND FILE METROBASE STATUS REPORT  
**(Add Staff Report)**

- ADD TO ITEM #5-13** ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION REGARDING THE FOLLOWING CLAIMS ON THE DATES INDICATED: SETTLEMENT WITH ERDEM ESENGIL ON 9/26/03  
**(Add Letter of Notification)**
- REGULAR AGENDA:**  
**ADD TO ITEM #7** CONSIDERATION OF REVISING THE PUBLIC ADVISORY COMMITTEE STRUCTURE  
**(Add Supplemental Information)**
- DELETE ITEM #8** CONSIDERATION OF AMENDING BYLAWS TO SCHEDULE THE REGULAR MEETINGS OF THE BOARD OF DIRECTORS ANNUALLY IN OCTOBER INCLUDING THOSE MEETINGS SCHEDULED WITHIN FIVE CALENDAR DAYS OF RECOGNIZED SANTA CRUZ METRO HOLIDAYS (THANKSGIVING, CHRISTMAS AND NEW YEAR'S DAY)  
**(Action was Taken at the October 10, 2003 Board Meeting)**
- DELETE ITEM #9** CONSIDERATION OF CONTRACT FOR EMPLOYEE DENTAL INSURANCE COVERAGE  
**(Additional Time is Required)**
- ADD TO ITEM #10** CONSIDERATION OF APPROVAL OF THE FORMATION AGREEMENT FOR THE HIGHWAY 1 WIDENING/HIGH OCCUPANCY VEHICLE (HOV) HIGHWAY CONSTRUCTION AUTHORITY (HCS)/JOINT POWERS AUTHORITY (JPA)  
**(Add Staff Report)**
- ADD TO ITEM #11** CONSIDERATION OF APPROVAL OF THE BOARD OF DIRECTORS MEETING SCHEDULE OF 2004  
**(Add Staff Report)**
- ADD TO ITEM #12** CONSIDERATION OF REQUEST TO PARTICIPATE IN THE NATIONAL INFORMATION SHARING AND ANALYSIS CENTER (ISAC)  
**(Add Staff Report)**

A letter from Connie Arnold regarding MASTF was distributed at the meeting. This letter will be attached to these Minutes.

### CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF SEPTEMBER 12, 2003 AND SEPTEMBER 26, 2003
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS
- 5-3. ACCEPT AND FILE SEPTEMBER 2003 RIDERSHIP REPORT
- 5-4. CONSIDERATION OF TORT CLAIMS: None
- 5-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF OCTOBER 16, 2003 AND THE MINUTES OF THE SEPTEMBER 25, 2003 MEETING
- 5-6. ACCEPT AND FILE AGENDA FOR THE MUG COMMITTEE MEETING OF OCTOBER 15, 2003 AND THE MINUTES OF THE SEPTEMBER 17, 2003 MEETING
- 5-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR AUGUST 2003
- 5-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR JULY 2003
- 5-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR AUGUST 2003

- 5-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE  
5-11. ACCEPT AND FILE CALL STOP AUDIT REPORT  
5-12. ACCEPT AND FILE METROBASE STATUS REPORT  
5-13. ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION REGARDING THE FOLLOWING CLAIMS ON THE DATES INDICATED: SETTLEMENT WITH ERDEM ESENGIL ON 9/26/03

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Approve the Consent Agenda.**

**Motion passed unanimously with Director Beautz being absent.**

### **REGULAR AGENDA**

#### **6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

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

##### **FIFTEEN YEARS**

Major Cummins, Bus Operator  
Angel Valdez, Bus Operator

##### **TWENTY-FIVE YEARS**

Randy Swart, Lead Mechanic

#### **7. CONSIDERATION OF REVISING THE PUBLIC ADVISORY COMMITTEE STRUCTURE**

##### **Summary:**

Les White reviewed the history of the two current advisory committees to the Board: Metro Users Group (MUG) and Metro Accessible Services Transit Forum (MASTF) and discussed their creation and affiliation with the Board. He outlined concerns brought before the Board by former MASTF members regarding the election process and membership. Staff was directed to review the construction, support and bylaws of MUG and MASTF and return to the Board with options for advisory committees that are traditionally found in public transit. Mr. White used this information and proposed a set of bylaws for an advisory committee, which would be appointed by the Board with bylaws approved by the Board.

##### **Discussion:**

Several Directors expressed concern that the proposed advisory committee membership would be too large to be efficient. Chairperson Reilly opened the floor to the public for discussion.

Dennis Papadopolus – Mr. Papadopolus has been a member of MASTF since inception. He is in favor of Mr. White's proposed Metro Advisory Committee (MAC) and stated that this would be a way to resolve all the MUG and MASTF problems they have had in the past.

Lesley Wright, MASTF – Ms. Wright expressed her gratitude for having MASTF as a resource to help her find solutions to problems she has encountered with the bus system. She would like to see MASTF remain in tact as it currently stands. She stated that she believes a breakdown in communication between METRO and MASTF is the source of the current difficulties and she encouraged open communication.

Ernestina Saldana - Ms. Saldana is currently on the ParaCruz Appeals Panel. However, she stated that she feels her community is under attack and she has opted to stand united with them in opposition to staff's recommendation that MASTF be eliminated. Therefore, Ms. Saldana has tendered her resignation from the ParaCruz Appeals Panel effective Monday, October 27<sup>th</sup>, 2003 at 12:00 p.m. A copy of Ms. Saldana's resignation is attached to these Minutes.

Michael Edwards – Mr. Edwards has been a member of MASTF for approximately six years. He stated that the excellent communication between management, the bus operators and the transit users has deteriorated over a period of time. He added that the membership and elections within MASTF have become very convoluted. Mr. Edwards is in favor of Mr. White's proposed advisory committee.

Barbie Schaller – Ms. Schaller represents the Seniors Commission, MUG and MASTF. She stated that she would like the Board to rethink the suggestion of another advisory group, however, if the Board decides to go with the Metro Advisory Committee (MAC), she asked that the percentage of senior and disabled advocates be much larger than what is currently being proposed by Mr. White.

Brad Neily – Mr. Neily is with the Californians for Disability Rights. Mr. Neily spoke regarding MASTF's bylaws and membership. He cited the three sub-committees of MASTF as being: the Bus Stop Advisory Committee, Training and Procedures, and Bus Driver Sensitivity Training. He added that the elimination of MASTF would mean loss of direct participation in the decision-making process at other internal levels of the District.

Bob Yount – Mr. Yount spoke of MASTF and its voting requirements and commented that the membership requirements of MASTF were crafted to consider problems encountered by the disabled community. He added that members of the disabled community were more comfortable at MASTF than they might be at a regular committee meeting. Mr. Yount is in favor of retaining MASTF as it currently stands. A copy of Mr. Yount's letter is attached to these Minutes.

Jeff LeBlanc – Mr. LeBlanc has been a member of MASTF for fourteen years and spoke in favor of retaining MASTF as it currently stands. He asked that the Board reject the proposed Metro Advisory Committee recommendation submitted by staff. Mr. LeBlanc's letter is attached to these Minutes.

Connie Day – Ms. Day and her husband have been members of MUG for several years. She stated that if the Board decides to sever MASTF, it would be disasterous as she and her husband depend on this group as members of the disabled and senior community. She pleaded with the Board to keep MASTF in tact.

Stuart Rosenstein – Mr. Rosenstein is a member of MUG and has lived in Santa Cruz for six years. He supports the proposed Metro Advisory Committee and stated that a broader membership all in the same room would be great. He is also supportive of the Directors appointing two members each and stated that this would build great relationships and bring accountability to the group.

**CHAIRPERSON REILLY RECESSED THE BOARD MEETING AT 10:00 A.M. FOR THE ANNUAL MEETING OF THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION AND RECONVENED TO THE BOARD MEETING AT 10:04 A.M.**

Scott Bugental – Mr. Bugental is a member of the Elderly & Disabled Transit Advisory Committee (E&D TAC) and the former director of the Lift Line Program. However, he is speaking on his own behalf today. Mr. Bugental is not in favor of the proposed Metro Advisory Committee. He added that E&D TAC is also opposed to this proposal. His reasoning is that MASTF has some roles with the transit district that relate to the paratransit plan and ADA service that would not be well met by a broader group. He added that a MASTF member also sits on the ParaCruz appeals panel.

Michael Bradshaw – Mr. Bradshaw works at the Central Coast Center for Independent Living (CCCIL) and is on the E&D TAC. His son also uses ADA paratransit. Mr. Bradshaw stated that he believes there is an alternate agenda at work and cites this as the reason behind doing away with MUG and MASTF. He commented that the elimination of MASTF would silence the disabled community concerning transit. Mr. Bradshaw added that he believes MASTF provided monetary savings and possible lawsuits to the district by providing a place to get a better understanding of transit issues.

Kasandra Fox – Ms. Fox has been a member of MASTF for several years. She stated that she helped train bus operators on how to deal with people in wheelchairs. Ms. Fox added that MASTF is unique and if it is replaced with political appointees, it would not have the same input.

Sharon Barbour – Ms. Barbour spoke on behalf of Ed Kramer who could not attend this meeting. Mr. Kramer stated in his email to Ms. Barbour that he feels MASTF has a place in METRO as a platform for the disabled community.

Ms. Barbour, Chair of MASTF, spoke regarding her letter, which is included under *Written Communications*. She stated that concerns were recently brought to MASTF from METRO that METRO has had issues with MASTF for a period of time. She added that these issues were not brought to MASTF's attention. Certain issues that were brought to MASTF's attention, such as the cost of sending out agenda packets, were all addressed by MASTF in a timely manner. As the Chairperson speaking for MASTF, Ms. Barbour stated that MASTF has had a very strong relationship with METRO and she doesn't want to sever that relationship.

R. Paul Marcelin-Sampson – Mr. Marcelin is with the Metro Riders Union and is speaking as a former political appointee and a former appointee of MUG. He commented that Santa Cruz is different enough to have a riders advisory committee comprised of seniors, disabled, students and parents all around the same table.

**PUBLIC COMMENT WAS CLOSED AT THIS TIME.**

Director Rotkin is in favor of retaining a special relationship with MASTF, as an independent entity. However, he doesn't think MASTF should be in a position to direct METRO staff. He is in favor of MASTF retaining a place on the agenda for the Board to receive its agendas and minutes. He added that communication should be improved between METRO and MASTF. He is in favor of a group that is more structured and appointed by the public.

Director Beautz has been convinced of the value of having MASTF as a separate organization. She is, however, concerned about MASTF's structure and voting requirements and if these are being manipulated. Director Beautz commented that she would like to see changes in the bylaws to make MASTF a more traditional committee while still being a separate group.

Ex Officio Director Scott stated that a broad representative group would be an excellent way to have representation for the community at large. He is concerned about the size of the proposed group, however, his recent experience with a similarly sized group proved to be a positive one.

Director Phares agrees that MASTF is a very special group, however, she added that to continually be separate is not helpful. She encouraged a mutual understanding between the disabled community and other transit riders to provide more efficient service which would be improved because of the different groups around the same table. Director Phares is in favor of a broader group.

Director Keogh is convinced of the need for communication from the elderly and disabled community, however, he is not convinced that two different committees are needed. He supports staff's recommendation with the proviso of the absolute understanding that the elderly and disabled be represented on the committee.

Director Norton noted that he understands that MASTF could still exist regardless of the Board's action. He suggested the Board look at whether METRO should provide staff and financial/communication links to the Board. He would like to see MASTF survive. He suggested that one of the two appointments made by each director be from the elderly and disabled communities so at least 50% of the new advisory committee would be from this population.

Director Tavantzis thanked the members of MASTF who met with her. She sees the MASTF bylaws as the biggest obstacle with the Board wanting more control and MASTF having good reasons why the bylaws are set up like they are. Director Tavantzis stated that MASTF should possibly remain an independent group instead of being METRO's sub-committee. She is interested in still hearing from MASTF as their input is valuable, but she added that if the Board does not have input into their bylaws, they cannot be an official advisory committee.

Director Spence stated that she and Director Hinkle have both served as members of the Board and as members of MASTF. She added that members of MASTF have been so discouraged that they resigned. She commented that it is important that METRO has a group that advises specifically on METRO issues rather than disabled rights as a whole. She is in support of a new group being formed. Director Spence added that the appeal panel appointee does not need to be a member of MAC. Lastly, she stated that a broad-based committee would be better and the time and place of the meeting is important to include people who work and who are transit dependent and ride the bus. She stated the MASTF should be on an equal playing field with the Metro Riders Group.

**ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR KEOGH**

**Adopt Staff Recommendation to remove MASTF and MUG from the METRO Board Bylaws and establish a new METRO Advisory Committee that reflects the type of structure typical to public agencies.**

Director Ainsworth expressed concern that the MASTF bylaws dictate what staff will do for them. She asked if MASTF could be independent, have no accountability and still ask for staff support and financial assistance. The heart of the issue is how much staff support, money and official role will we give MASTF. Director Ainsworth stated that she agrees that staff needs to be at all MASTF meetings. The question is whether staff is going to take minutes, provide agendas and clerical help for an independent organization.

Director Reilly also thanked those members of MASTF who spoke with her. She emphasized the importance of the Board hearing from the elderly and disabled community. She sees value of having both an independent MASTF and a Board advisory committee.

**AMENDMENT TO MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ**

**Incorporate current METRO Board bylaws language of Item 14.01(i) into the language for the revised Board bylaws making it Item 14.01(ii). METRO staff shall decide the appropriate level of staff support for MASTF.**

Discussion continued:

Director Beautz stated that the Board needs to set the level of support, not the staff; **that the amendment would put staff in the middle. The Board needs to make that decision today.** She added that some level of support is okay but that notices, agendas, and minutes should be done by the group (MASTF) itself.

Director Reilly added that her idea of a level of support is staff attending meetings and sending out electronic notices of meetings.

Director Keogh doesn't want to put staff in the middle. He supports the amendment to make MASTF an independent agency. He added that one staff attendee and electronic notification of meetings should be the limit of staff participation.

Director Spence stated that she doesn't want METRO-paid staff to do minutes or even electronic distribution of the agendas.

**Director Rotkin stated that his amendment consists of two parts. It appears that there is a consensus that the first part of the amendment should be incorporated into the main motion. Then he inquired of Director Spence whether she wished to take the first part into the main motion by way of a friendly amendment. It was agreed that the first part of the motion, that is that the current language in the METRO Board Bylaws at Section 14.1 (i) would be moved to Section 14.1 (ii). Director Rotkin stated that the second portion of**

**the proposed amendment, that of the appropriate staffing level for MASTF, would need further discussion by the Board.**

Director Ainsworth commented that the minutes should be taken by a MASTF member. METRO should pay expenses associated with copying costs of agenda packets and the notification process. She further added that once staff receives the agendas and minutes, staff would send them out and notice them up. METRO will provide information in the *Headways* of meeting times. For people who don't want the agendas electronically, METRO would mail them out.

Director Beutz stated to send only one staff person, to be determined by our staff based on the agenda, to the MASTF meetings and this person will remain consistent. She added that meeting notices and agendas should be sent out by a staff member. Staff should not do minutes or tape recording of the minutes. Director Beutz stated that she would support the motion if the term "technical assistance" were taken out.

Director Hinkle stated that MASTF thinks if the word "official" is not used in conjunction with that committee, that it would not be heard as much by the Board.

**AMENDMENT: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ**

**Add language to the METRO Bylaws as follows: The District shall regularly send one staff member to the MASTF meetings and this person shall share information from the District and gather concerns from MASTF. The District shall help in the preparation and distribution of meeting notices and agendas. Information on MASTF will remain in the *Headways* publication.**

Les White asked for a point of clarification: He stated that the MASTF bylaws have a direction for a specific individual from the staff and he asked the Board if that is the will of the Board that this continues. Director Beutz responded that the one staff member is at Les White's discretion. Director Rotkin clarified that METRO staff would not tape record the MASTF meetings nor would they record minutes of MASTF meetings.

**Amendment passed by a vote of eight to two.**

**ACTION: MAIN MOTION WITH AMENDMENT INCORPORATED**

**Remove MUG from the METRO Board Bylaws and establish a new METRO Advisory Committee that reflects the type of structure typical to public agencies. Incorporate current METRO Board bylaws language of Item 14.01(i) into the language for the revised Board bylaws making it Item 14.01(ii). Add language to the METRO Bylaws as follows: The District shall regularly send one staff member to the MASTF meetings and this person shall share information from the District and gather concerns from MASTF. The District shall help in the preparation and distribution of meeting notices and agendas. Information on MASTF will remain in the *Headways* publication.**

**Motion passed unanimously.**

Chairperson Reilly was asked by Bonnie Morr to hear one person who was late for Oral Communications:

Elisa Hernandez – Ms. Hernandez is the Acting Secretary of Committee of Adjustment and the labor representative from UTU for Lift Line. She received documentation that approximately ten Lift Line drivers would be laid off by November 1 plus a dispatcher and one in-take person. Community Bridges is planning to use the cab services to make up the difference for the loss of drivers. According to the labor contract, this seems to border on an unfair labor practice.

**CHAIRPERSON REILLY ADJOURNED TO CLOSED SESSION AT THIS TIME.**

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

Margaret Gallagher reported that the Board would discuss one case of anticipated litigation and one real property issue regarding APN 086-102-14. Les White, METRO's negotiator, would receive instructions regarding price and terms..

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

None

**SECTION II: CLOSED SESSION**

Chairperson Reilly adjourned to Closed Session at 11:24 a.m. and reconvened to Open Session at 11:55 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**15. REPORT OF CLOSED SESSION**

Margaret Gallagher had nothing to report at this time.

**8. DELETED – ACTION TAKEN AT THE OCTOBER 10, 2003 BOARD MEETING**

**9. DELETED – ADDITIONAL TIME IS REQUIRED**

**10. CONSIDERATION OF APPROVAL OF THE FORMATION AGREEMENT FOR THE HIGHWAY 1 WIDENING/HIGH OCCUPANCY VEHICLE (HOV) HIGHWAY CONSTRUCTION AUTHORITY (HCA)/JOINT POWERS AUTHORITY (JPA)**

**Summary**

Les White reported that METRO received a communication from the Highway 1 JPA working group to develop a formation agreement for the creation of a JPA to oversee the Highway 1 widening and High Occupancy Vehicle (HOV) project. The cities of Scotts Valley, Capitola,

Watsonville and the County of Santa Cruz have all approved entering into the agreement. The City of Santa Cruz will be reconsidering this at its October 28<sup>th</sup> City Council meeting. The agreement will obligate METRO to pay 10% (or approximately \$7,500) of the funding needed for JPA expenses incurred which are not covered under Project Approval/Environmental Document (PA/ED) oversight function. Mr. White recommends that METRO be allowed to pay this amount in full in the second year out of the FY 04/05 budget.

Staff recommends that the Board authorize execution of this agreement since it would be in METRO's best interests to be involved to ensure nothing would preclude METRO from using the HOV aspects of the design and to provide input on how it would affect service, park & ride lots, etc.

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR NORTON**

**Approve the Formation Agreement for the Highway 1 Widening/HOV HCA/Joint Powers Authority and request that the first two year's funding requirement be payable in Fiscal Year 2004/2005.**

**Motion passed with Director Rotkin voting no and Directors Phares and Reilly being absent.**

Director Rotkin commented that he is concerned there might be undisclosed liability in terms of legal issues and that METRO might be burdened with financial costs as a result of possible legal action.

**11. CONSIDERATION OF APPROVAL OF THE BOARD OF DIRECTORS MEETING SCHEDULE FOR 2004**

**ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR ROTKIN**

**Adopt the 2004 Board Meeting schedule as presented in the staff report.**

**Motion passed unanimously with Director Phares and Reilly being absent.**

**12. CONSIDERATION OF REQUEST TO PARTICIPATE IN THE NATIONAL INFORMATION SHARING AND ANALYSIS CENTER (ISAC)**

**Summary:**

Bryant Baehr reported that the Department of Transportation, the Department of Homeland Security, FTA, and Transportation Security Administration set up a clearinghouse for information as it relates to cyber attacks and computer attacks. APTA has been designated as the sector coordinator. The federal government has provided a \$1.2 million grant to fund this service for a two-year period. There is no cost to METRO during this trial period. Mr. White added that all agencies involved share information on what they do to protect themselves.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR AINSWORTH**

**Approve METRO's participation in the National Information Sharing and Analysis Center (ISAC) and authorize the General Manager to execute the necessary Participation Agreement.**

**Discussion:**

Bonnie Morr asked if there would be information on the protective dividers placed between the drivers and passengers. Mr. Baehr responded that all types of information would be reviewed. He added that the IT Department would coordinator most of the data since most of this will be cyber related. Staff will return to the Board in two years to see if they would like to continue to be a member of this organization.

**Motion passed unanimously with Directors Phares and Reilly being absent.**

**ADJOURN**

There being no further business, Vice Chairperson Keogh adjourned the meeting at 12:08 p.m.

Respectfully submitted.

DALE CARR  
Administrative Services Coordinator