

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

December 9, 2005

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, December 9, 2005 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Chair Keogh called the meeting to order at 9:00 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz (arrived after roll call)
Dene Bustichi
Michelle Hinkle
Mike Keogh
Dale Skillicorn
Pat Spence
Mark Stone
Marcela Tavantzis

DIRECTORS ABSENT

Stephanie Harlan
Emily Reilly
Mike Rotkin
Ex-Officio Wes Scott

STAFF PRESENT

Mark Dorfman, Assistant General Manager
Margaret Gallagher, District Counsel
Steve Paulson, Paratransit Administrator
Robyn Slater, Human Resources Manager

Judy Souza, Acting Operations Manager
Tom Stickel, Maintenance Manager
Les White, General Manager

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

Genevieve Bookwalter, Sentinel
Carolyn Derwing, UTU
Paul Marcelin-Sampson, MAC Chair/MRU

Pat Piras, Pat Piras Consulting
Will Regan, VMU
Bob Yount, MAC

2. ORAL AND WRITTEN COMMUNICATION

Written:

- a. Dan Stevenson Re: Strike Communication

Oral:

Paul Marcelin-Sampson, MAC Chair, reported that the MAC Paratransit Task Force subcommittee met for the first time on Wednesday and should have input for the Board in February or March on the recommendations of the Task Force.

3. LABOR ORGANIZATION COMMUNICATIONS

None

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

Pages #14.b28 – 14.b31 were distributed to day and are attached to the file copy of these minutes.

CONSENT AGENDA

5-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF NOVEMBER 2005

No questions or comments.

5-2. ACCEPT AND FILE NOVEMBER 2005 RIDERSHIP REPORT

Page 1 of the November Ridership Report will be included in the December 16, 2005 Board Packet.

No questions or comments.

5-3. CONSIDERATION OF TORT CLAIMS: DENY THE CLAIM OF ANDREW CHINELLO, CLAIM #05-0025

No questions or comments.

5-4. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR DECEMBER 21, 2005

No questions or comments.

5-5. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR AUGUST 2005 AND APPROVAL OF BUDGET TRANSFERS

No questions or comments.

5-6. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY AND AUGUST 2005

No questions or comments.

5-7. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF SEPTEMBER 2005

No questions or comments.

5-8. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR THE MONTH OF SEPTEMBER 2005

Will be included in the December 16, 2005 Board Packet.
No questions or comments.

5-9. ACCEPT AND FILE METROBASE STATUS REPORT

No questions or comments.

5-10. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE NOVEMBER 2005 MEETINGS

No questions or comments.

5-11. CONSIDERATION OF FINANCIAL STATEMENTS AND REPORT OF INDEPENDENT AUDITOR FOR YEAR ENDING JUNE 30, 2005

Item was pulled. The Financial Auditors have indicated it will be ready for the January 2005 Board Packet.

5-12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH FOLGER GRAPHICS FOR THE PRINTING OF HEADWAYS

No questions or comments.

5-13. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH CLASSIC GRAPHICS FOR VEHICLE BODY REPAIR AND PAINTING SERVICES

No questions or comments.

5-14. CONSIDERATION OF REPORT ON RESULTS FROM THE FREE FARE PROMOTION AFTER THE TRANSIT STRIKE

No questions or comments.

5-15. ACCEPT AND FILE SANTA CRUZ METRO'S PROPERTY INVENTORIES OF LEASED AND OWNED PROPERTY FOR 2005 WHICH INCLUDES A DETERMINATION OF PROPERTIES THAT ARE IN EXCESS OF METRO'S FORSEEABLE NEEDS

Chair Keogh suggested that the property at 1200 River Street be renegotiated for a term longer than 40 years.

5-16. CONSIDERATION OF A RESOLUTION AUTHORIZING AN AMENDED TDA CLAIM FOR FY 2006

No questions or comments.

5-17. CONSIDERATION OF APPROVAL OF AN AMENDED AND RESTATED GREAT WEST ELIGIBLE DEFERRED COMPENSATION PLAN FOR GOVERNMENTAL EMPLOYERS AND AMENDED ADOPTION AGREEMENT

No questions or comments.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

This presentation will take place at the December 16, 2005 Board meeting.

7. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT TO MODIFY NINE BUS SHELTERS

Will be included in the December 16, 2005 Board Packet.

Tom Stickel reported that the modification is to correct the roof lines that are too close to the curb.

8. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR STATE LEGISLATIVE SERVICES

ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR HINKLE

Move Item #8 to the Consent Agenda.

Motion passed unanimously with Directors Harlan, Reilly and Rotkin being absent.

9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR FEDERAL LEGISLATIVE SERVICES

Will be included in the December 16, 2005 Board Packet.

Les White reported that proposals are still being received for this Item.

10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT FOR METROBASE FUELING AND SERVICING FACILITY AND RELATED SITE WORK

Will be included in the December 16, 2005 Board Packet.

Les White reported that the bids will be opened at 3:00 next Tuesday and clarified that the project includes a 12-month timeframe with liquidated damages if not completed by the deadline.

11. CONSIDERATION OF APPROVAL OF 2006 STATE LEGISLATIVE PROGRAM

Will be included in the December 16, 2005 Board Packet.

Les White reported that there is a possibility of State Funds from bonding proposals that METRO may be able to take advantage of.

12. CONSIDERATION OF APPROVAL OF 2006 FEDERAL LEGISLATIVE PROGRAM

Will be included in the December 16, 2005 Board Packet.

DIRECTOR BEAUTZ ARRIVED

Les White reported that the primary issue for the Board to consider on the Federal Program is how to advocate for the Pacific Station project.

13. CONSIDERATION OF APPOINTMENT OF NOMINEES TO MEMBERSHIP OF THE METRO ADVISORY COMMITTEE (MAC)

Summary:

Les White reported that there is currently one vacancy on the MAC and that Staff recommends that the Board reappoint all existing members that are receptive to serving another 2-year term, as the current terms expire on December 31, 2005.

Discussion:

Director Spence expressed discontent with the amount of interaction and dynamics between MAC and the Board; feels MAC should have their own space on the Board Agenda; feels that their terms should alternate so they don't all expire at the same time; and feels that there should be no term limits. Director Bustichi agreed that the term expirations should be staggered.

Les White clarified that the Board created and can modify the MAC Bylaws. Chair Keogh responded that the Board would most likely reappoint the current MAC members next week and revisit this item in the reasonably near future to address the issues raised by Director Spence.

Paul Marcelin-Sampson, MAC Chair and Bob Yount, MAC Vice Chair announced their presence and availability for questions on this Item.

14. **REVIEW NEW LEGISLATION (AB 1234) WHICH BECOMES EFFECTIVE JANUARY 1, 2006, REGARDING LOCAL PUBLIC AGENCIES' COMPENSATION AND ETHICS REQUIREMENTS INCLUDING TRAINING AND CONSIDERATION OF NECESSARY MODIFICATIONS TO METRO'S BYLAWS**

Summary:

Margaret Gallagher reported that in the next Board Packet she would have more specific recommendations regarding changes to METRO's Bylaws as a result of the new legislation

Ms. Gallagher explained that the new legislation included new rules related to Board member compensation, reimbursement, providing brief reports after attendance at certain meetings, penalties for misuse of public resources, and ethics training requirements. Directors Beautz and Stone stated that reimbursement for attending Ethics Training was not necessary.

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

Margaret Gallagher reported that the Board would have a conference with their Labor Negotiator regarding SEIU Labor Negotiations and would have a conference with their Legal Counsel regarding Carlos Carrera vs. Santa Cruz METRO.

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

SECTION II: CLOSED SESSION

Chair Keogh adjourned to Closed Session at 9:30 a.m. and reconvened to Open Session at 10:10 a.m.

SECTION III: RECONVENE TO OPEN SESSION

17. **REPORT OF CLOSED SESSION**

Margaret Gallagher reported that the Board took no reportable action in Closed Session.

ADJOURN

There being no further business, Chair Keogh adjourned the meeting at 10:11 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator