

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**June 13, 2008**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, June 13, 2008 at the District's Administrative Office located at 370 Encinal Street in Santa Cruz, California.

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

## **SECTION 1: OPEN SESSION**

### **1. ROLL CALL:**

#### **DIRECTORS PRESENT**

Jan Beautz  
Dene Bustichi  
Donald Hagen  
Michelle Hinkle  
Kirby Nicol  
Mike Rotkin (arrived after roll call)  
Dale Skillicorn  
Pat Spence  
Marcela Tavantzis

#### **DIRECTORS ABSENT**

Emily Reilly  
Mark Stone  
Ex-Officio Donna Blitzer

#### **STAFF PRESENT**

Ciro Aguirre, Operations Manager  
Angela Aitken, Finance Manager  
Wally Brondstatter, Acting Paratransit Superintendent  
Frank Cheng, MB Project Manager  
Mark Dorfman, Assistant General Manager  
Mary Ferrick, Fixed Route Superintendent

Debbie Kinslow, Asst Finance Manager  
Robyn Slater, Human Resources Manager  
Tom Stickel, Maintenance Manger  
April Warnock, Paratransit Superintendent  
Les White, General Manager

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

Robert Chacanaca, SCCCE  
Cesar Lara, MBCLC  
Eduardo Montesino, UTU  
Bonnie Morr, UTU

Steve Prince, UTU  
Will Regan, VMU  
Robert Yount, MAC

### **2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS**

#### **Written:**

a. Robert R. Smith

Re: ParaCruz Service

Director Spence asked whether April Warnock had taken care of the client. Les White pointed out that the client is really questioning why paratransit applicants must attend an assessment appointment instead of just having a doctor sign-off on the disability, or having the Eligibility Coordinator conduct home visits. Mr. White said there are occasions where group assessments are conducted on-site, and he is holding off responding to that question until it is decided that the item does not need to be revisited. Director Spence asked why the clients did not get a phone call. Ciro Aguirre explained that due to technical errors, the Eligibility Coordinator was unable to retrieve the applicant's voice mail in a timely manner, and then was unable to reach the applicant at the number provided. Chair Beautz asked if there would be a response to the applicant. April Warnock said that she had called the applicant and explained what had happened, and apologized for the delayed response. Ms. Warnock stated that the applicant questioned why the Eligibility Coordinator does not conduct in-home assessments, and decided that he did not want to use the service after all.

Director Rotkin suggested that an official apology be sent and said that he was not interested in revisiting the policy. Director Rotkin said that any doctor or nurse in the county would gladly sign-off on an eligibility form because there is no cost to them. Chair Beautz likened the situation to the issuance of handicapped placards. Director Rotkin said that was a good reason not to revisit the issue. Vice Chair Bustichi asked if the issue had been resolved with the applicant. Ciro Aguirre said that after the call with April Warnock, the applicant was not interested in paratransit and had found alternative service. Vice Chair Bustichi asked that a letter be sent to Mr. Smith. Director Rotkin suggested that the letter include an explanation of the eligibility assessment policy. Les White offered to send a letter on behalf of the Board.

b. E/D TAC

Re: METRO's Short Range Transit Plan

Les White said that the ED/TAC Committee wanted to know when the SRTP would be available for review, and that they wanted to be participants. Mr. White said that they would certainly be included.

Oral:

None.

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

Bonnie Morr, UTU Local 23, said that the Senior's Dinner was a great success and she was thankful for the use of a bus, and she acknowledged the attendance of Directors Reilly, Hagen, and Beautz. Ms. Morr reminded the Board that there were 17 days left on the contract and said that the process was moving extremely slow. Ms. Morr said there are some concerns over the way it is moving, because UTU would like to see a settlement reached before the expiration of the contract. Ms. Morr said that she had a few successful meetings with the membership, and that she wanted to make sure that they understand exactly where they are – they still feel they are in the beginning stages even though they know that they do not have a lot of time left. Ms. Morr said that it was expressed once in the beginning of the negotiations that there would need to be an agreement by the last Board Meeting on the 27<sup>th</sup> – three days prior to the actual expiration of the contract.

Bonnie Morr said that they need to know that the Board is going to be willing to help encourage the process along...a little bit better than where they are. Ms. Morr also said that they are grateful for the movement that the District has made in areas - they plunked a 15% increase on low-entry wages, and then in turn they plunked a 1% increase on the rest of the earnings, and she said they found that rude and a little bit disrespectful, because people who have been working and putting their energy in need to be respected for the work that they do. Ms. Morr said they'd like to see some sort of fair and equitable wage increase, and stated that the membership is expecting to be able to get 95% on the medical, and they have been paying more than anyone else here, and the current proposal from the District, at the time that the increase on medical costs will go in, and the increase that the District has come up with, which is a little more than 2%, they end up basically paying the same amount or possibly a little bit more, depending on the increase PERS will put on the medical benefits. Ms. Morr said that PERS was a given for every other unit except for UTU, and there has been no movement shown. Ms. Morr said that those are the issues they have been dealing with for three years, and that she has to be able to bring this package back to the membership and they need to be able to ratify it, and there are certain areas that are extremely important to that membership and they deserve to have those adjustments.

Bonnie Morr stated that they have been paying more than anyone - whether they're in SEIU or in Management. Ms. Morr said that it costs them more to do their jobs, so they do not see the return in wages, and what they have gotten so far is unacceptable, and that there needs to be tremendous movement. Ms. Morr said that they were hearing what was being said about issues like working conditions and that she was hoping to start additional dialogue and take care of some of those issues, but the Board needs to know that there are not a lot of days left, and she has a group of people out there that are paying very close attention. Ms. Morr said she had tried keeping everything as quiet as possible, within reason, so folks understand that there are not a lot of days left until the next Board meeting and they want to close by then, but the District had to come towards them. Ms. Morr said that they deserve a fair and equitable contract as everybody else has received from the District. Ms. Morr said that they have been struggling for a long time and they are back again in the same place, and they needed the Board's support.

Cesar Lara, Executive Director of the Monterey Bay Central Labor Council, said that they were concerned that there was less than two weeks remaining before the contract expired, and that last time 20-25 thousand people were left without bus service, and they are concerned about the impact on the community. Robert Chacanaca, President of the Santa Cruz Council of Classified Employees, expressed his concern for the safety and summer economic opportunities of the school students who would be affected by a drivers strike. Mr. Chacanaca said that the loss of bus service would force more teens to ride bikes, and that there had already been three fatal cycling deaths in Santa Cruz County.

Chair Beautz said that everyone wanted to settle, and said it was fair to note that during May the Union was only available 3 days for bargaining, but now everyone must make a commitment to the bargaining schedule. Bonnie Morr said that there were also days when the District negotiating team was unavailable, and that the Union is willing and available to meet. Vice Chair Bustichi said it was important to understand that the District negotiators have staff duties to perform, so their time is a little limited, and he said that it really comes down to three principal issues: medical, PERS, and wages. Vice Chair Bustichi said he hoped to get down to the fundamental issues and not talk about the other things so they can go away. Ms. Morr said they are focusing on the

issues and she agreed that negotiations are not for the public, that the Union really wanted to see some movement from the District because it is not currently working. Chair Beautz asked Ms. Morr if she was saying that they are available every day in June. Ms. Morr said absolutely that they are. Les White pointed out that movement in negotiations should always come from both sides. Mr. White asked that both Mr. Lara and Mr. Chacanaca consider writing a letter to our delegation in Sacramento because the legislature has taken away billions from transit statewide over the last two years, equating to a \$3.5 million loss to METRO per year, which really limits METRO's ability to respond to the issues they have raised. Mr. White added that METRO considers them partners in trying to get those resources in so that METRO can share those resources out. Cesar Lara said that he planned to meet with John Laird and Anna Caballero.

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

None at this time.

**CONSENT AGENDA**

**5-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF MAY 2008**

No questions or comments.

**5-2. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR APRIL 2008**

No questions or comments.

**5-3. CONSIDERATION OF TORT CLAIMS: NONE**

No questions or comments.

**5-4. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JUNE 18, 2008 AND MINUTES OF APRIL 16, 2008**

Director Spence said she was under the impression that bikes were allowed inside the bus at Scotts Valley. Les White said that she was correct, and it was possible that the policy has not been enforced, but the Board policy states that bikes may only come in at Scotts Valley. Ciro Aguirre said that there was a lapse in enforcement, but the policy has been clarified so that bicycles may not be brought inside the bus at MetroCenter, and a clear explanation now appears in the Headways. Director Spence asked if the item would come back before the Board in August in order to implement the change in September. Mr. White said that since the MAC recommended full prohibition of full-sized bicycles in the Highway 17 Express, the item will come back before the Board.

**5-5. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF MARCH 2008**

Director Tavantzis commented that the status report for Paracruz was great, having improved over the previous year.

**5-6. ACCEPT AND FILE METROBASE PROJECT STATUS REPORT**

No questions or comments.

**5-7. CONSIDERATION OF ADOPTING THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT'S AMENDED RECORDS RETENTION SCHEDULE**

Director Spence asked where all the personnel files were kept, and asked if ParaCruz kept its own files onsite. Director Spence said it was difficult to locate the files on the records list, and she asked if the personnel files could be labeled to read the same. Robyn Slater said that all personnel files are kept at the Encinal office, and that ParaCruz noted their files under their area, but all official files are kept with Human Resources. Director Spence said that she could not tell whether files were paper or electronic and said that a three-year retention period for paratransit re-certifications seems inadequate. Director Spence suggested that a file be added for new applications. Director Spence asked what an alpha list was. Wally Brondstatter said that it was a master roster of all daily ParaCruz transactions.

**REGULAR AGENDA**

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

This presentation will take place at the June 27, 2008 Board Meeting.

**7. CONSIDERATION OF RESOLUTION APPROVING FY 09 & FY 10 FINAL BUDGET**

**Summary:**

Angela Aitken went over the changes to the FY09-FY10 METRO budget since May and asked for questions. Director Rotkin asked if funds had been shifted out of reserves. Ms. Aitken said that \$2.593 million in funds were shifted from reserves to cover additional costs. Les White said that it will be known by March 2009 what the 2010 numbers will look like, and the numbers will be reconciled at that time. Director Rotkin requested information on inflation and the history of METRO fare hikes. Mr. White said that one of the questions the Board has struggled with is whether a CPI mechanism should be put into the fare structure, as is done with UCSC and Cabrillo College contracts and the JPA agreement. Mr. White said that the only thing missing in the arrangement is that the fare ordinance has no CPI component, and that it would have to be decided whether to increase fares dramatically when the need arises, or slowly and incrementally over a period of time in pace with inflation.

Director Tavantzis said that the current financial situation emphasizes that an effort must be made to encourage local shopping, and she suggested that a "Shop Local" campaign would be

beneficial to every jurisdiction in the County, especially if there are empty ad spots on buses. Director Tavantzis said that perhaps the Board could discuss the matter. Chair Beautz asked if there was anything in the Legislature about Internet taxes. Mr. White briefly described what the Legislature is trying to do in the scope of taxing services, Internet sales, attorney services and accounting services. Mr. White said that the Governor's office has not been helpful because of their focus on the Lottery as a primary source of funding. Director Stone pointed out that the California economy used to be 80% goods transactions and 20% service transactions and now it is about 50-50, so the State and local governments lose money from lost sales taxes.

Les White stated that none of the legislators within METRO's jurisdiction have signed the no-tax pledge, and he said that there are a lot of revenue ideas out there, and that people on both sides of the aisle want to find a long-term fix that includes tax measures and some spending structure measures, including no more re-appropriations from other funds to balance the budget. Vice Chair Bustichi asked Ms. Aitken to clarify that the figure on page 7.3 was .3 percent. Ms. Aitken affirmed that it was supposed to be .3 percent.

8. **CONSIDERATION OF METRO'S STAFF RESPONSE TO FINAL REPORT OF ADA/504 REVIEW OF METRO'S PROGRAMS, ACTIVITIES AND SERVICES TO DETERMINE WHETHER THEY ARE ACCESSIBLE TO INDIVIDUALS WITH DISABILITIES**

**Summary:**

Les White reminded the Board that Pat Piras was contracted to conduct an assessment of the accessibility of METRO facilities, programs, activities and services. Mr. White said that the report came to the Board in February of 2008, and staff needed to begin to put together a program of how METRO responds to the different recommendations that are in the report. Mr. White said that there are some things that need to be re-examined, and that the report is basically an item-by-item action plan, and that another evaluation of services will be in four years.

Director Spence asked if Watsonville Transit Center (WTC) was the only facility with issues. Les White said that WTC was not the only one, and there were some issues at METRO Center, including the floor mats, and visibility at Metro Market. Director Spence clarified that she was speaking of tables and shrubs and planters that were in the way. Mr. White affirmed that WTC was the only facility with those issues, and that there are plans to inspect the area—the vendors were setting out tables, making it difficult for wheelchair-bound riders to traverse the area, and some guidelines are to be developed for the vendors to alleviate the problem.

Director Tavantzis asked if removing the floor mats had created a new hazard. Tom Stickel said that new recessed mats are to be installed. Bonnie Morr said that the removal of the mats has created a hazard at the OPS building. Mr. White said that the floor mats at OPS would be replaced. Chair Beautz said that it should be corrected wherever it is an issue. Directors Tavantzis recommended rubber strips, which Vice Chair Bustichi said are available in three-foot sections.

9. **CONSIDERATION OF APPROVAL OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF WALLY BRONDSTATTER AS ACTING PARATRANSIT ADMINISTRATOR FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

This presentation will take place at the June 27, 2008 Board Meeting.

10. **CONSIDERATION OF APPROVAL OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF ALBERTO C. BARRAGAN AS BUS OPERATOR FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

This presentation will take place at the June 27, 2008 Board Meeting.

11. **CONSIDERATION OF AN INCREASE IN RATES FOR ADVERTISING ON METRO BUSES**

**Summary:**

Mark Dorfman said that there had not been an increase in advertising rates since 2006, and Monterey Salinas Transit (MST) recently increased their ad rates without any slowdown. Mr. Dorfman proposed that METRO match the MST rates, because METRO only sells King ads to national advertisers and as the economy started to slow down, virtually all national advertisers backed out. Mr. Dorfman said the idea is to increase the rates now, with no expectation of much revenue until the economy improves, and leave METRO positioned for increased revenue when the economy does improve. Mr. Dorfman said that all Tail ads are full, and that there is a waiting list for them, while Queen ads did better than in the previous year. Mr. Dorfman said the budget number has been trimmed back due the anticipated loss in outside business, and that the recommended increases are more for future revenue. Mr. Dorfman said that in order to place Shop Local ads, he would ask District Counsel to research METRO policy, and that it might require a policy change. Chair Beautz asked who would handle ads once Mr. Dorfman is retired. Les White said that is currently under discussion.

12. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE THE GOOGLE TRANSIT AGREEMENT WITH GOOGLE IN ORDER FOR SANTA CRUZ METRO TO PARTICIPATE IN THE GOOGLE TRIP PLANNING PROGRAM**

**Summary:**

Mark Dorfman requested authorization to sign the electronic agreement with Google in order to participate in Google trip planning. Mr. Dorfman said that METRO had been participating in a beta version online for the past four months, with a lot of feedback from the public requesting this service. Mr. Dorfman acknowledged that there are some problems, but he said that once the agreement is entered, the service would go live with a disclaimer that it is a beta project and requests feedback. Mr. Dorfman offered to demonstrate how the system works after it is active, and described what the program will do. Director Spence asked if Google Transit would replace 511.org. Mr. Dorfman said that it is different from 511.org. Vice Chair Bustichi said any opportunity to get the word out about transit is good. Bonnie Morr described how she used transit to get to a baseball game.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR TAVANTZIS**

**Authorize the General Manager to execute the Google Transit Agreement with Google in order for Santa Cruz Metro to participate in the Google Trip Planning Program.**

**Motion passed unanimously, with Directors Reilly and Stone being absent.**

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

Les White reported that the Board would have a conference with its Labor Negotiators regarding UTU, Local 23, Fixed Route and conduct a Public Employee Performance Evaluation of the General Manager.

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

Bonnie Morr said other dynamics come into play, and that she is trying to keep everybody in line. Ms. Morr said there were a lot of antsy people and that they were not playing games. Ms. Morr said that the Board needed to protect the bus operators.

**SECTION II: CLOSED SESSION**

Vice Chair Bustichi adjourned to Closed Session at 10:01 a.m. and reconvened to Open Session at 12:10 p.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**15. REPORT OF CLOSED SESSION**

Les White reported that the Board took no reportable action in Closed Session.

**ADJOURN**

There being no further business, Vice Chair Bustichi adjourned the meeting at 12:11 p.m.

Respectfully submitted,

ANTHONY TAPIZ  
Administrative Assistant