

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

August 8, 2008

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, August 8, 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 (arrived after roll call)
Dene Bustichi
Donald Hagen
Michelle Hinkle
Kirby Nicol
Emily Reilly
Dale Skillicorn
Pat Spence
Mark Stone

DIRECTORS ABSENT

Mike Rotkin
Marcela Tavantzis
Ex-Officio Donna Blitzler

STAFF PRESENT

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

Shona Harper, Asst. Paratransit Superintendent
Debbie Kinslow, Asst. Finance Manager
Robyn Slater, Human Resources Manager
Tom Stickel, Maintenance Manger
April Warnock, Paratransit Superintendent

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

Carolyn Hamm, SEA
Ian McFadden, SEA
Sam Mendez, METRO Planning Intern

2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS

Written:

None.

Oral:

Margaret Gallagher announced that tickets are available for the SPIN Network's Lucky Spinner Awards on August 23, where METRO will receive an award for Outstanding Disability Service Provider in Santa Cruz County.

CHAIR BEAUTZ ARRIVED

3. LABOR ORGANIZATION COMMUNICATIONS

Ian McFadden announced that he had resigned as SEA president and has handed over responsibilities to the new president, Carolyn Hamm. Vice Chair Bustichi thanked Mr. McFadden and welcomed Ms. Hamm.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

None.

CONSENT AGENDA

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

No questions or comments.

**5-2. CONSIDERATION OF TORT CLAIMS:
DENY THE CLAIM OF ROBERT DAMINO, CLAIM #08-0023**

No questions or comments.

5-3. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA (None – No MAC Meeting in August) AND MINUTES OF JUNE 18, 2008

No questions or comments.

5-4. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF MAY 2008

No questions or comments.

5-5. ACCEPT AND FILE MAY 2008 RIDERSHIP REPORT

Director Nicol noted that ridership has increased since May of 2007 and asked why cash revenue had not also increased. Mark Dorfman said that although ridership had increased, many of the new riders might be using a pass or multi-ride ticket, which does not appear as cash revenue. Director Nicol asked if pass statistics were also tracked. Mr. Dorfman said that they are, and that the information in question is available in the budget report.

5-6. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR THE MONTH OF JUNE 2008

Director Hagen asked about route 27X, and said he was unable to find it in Headways. Mark Dorfman said that 27X is a supplemental route created from the existing UC supplemental service.

5-7. CONSIDERATION OF APPROVAL OF RESOLUTION AUTHORIZING THE ACCEPTANCE OF SERVICES AND TRI-PARTY TRANSPORTATION PASS-THRU AGREEMENT WITH WELLS FARGO BANK, FORMERLY COAST COMMERCIAL BANK

No questions or comments.

5-8. CONSIDERATION OF SUSPENDING ANNUAL COST OF LIVING INCREASES FOR METRO TENANTS FOR SIX MONTHS

No questions or comments.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS:

This presentation will take place at the August 22, 2008 Board Meeting.

7. CONSIDERATION OF APPROVAL OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF BONNIE J. WILSON AS ADMINISTRATIVE ASSISTANT/SUPERVISOR FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

This presentation will take place at the August 22, 2008 Board Meeting.

ITEM #9 WAS TAKEN OUT OF ORDER

9. RECEIVE DEMONSTRATION OF GOOGLE TRANSIT AND ONLINE COMMUTE CALCULATOR

This presentation will take place at the August 22, 2008 Board Meeting.

10. CONSIDER APPROVAL OF A RETROACTIVE SALARY ADJUSTMENT FOR THE ACCOUNTING SPECIALIST TO ACCOUNT FOR COMPRESSION ISSUES RELATED TO THE WAGE SCALE ADJUSTMENT OF THE SENIOR ACCOUNTING TECHNICIAN POSITION

Summary:

Robyn Slater said that there is a section governing wage surveys and in-class reclassifications in the SEIU MOU, and an individual within a class ladder -- the Finance area career ladder progresses from Accountant 1 through Payroll Specialist – and the contract allows that one

person within that progression can ask for salary survey, in which case their wages may be adjusted. Ms. Slater said that by adjusting the salary for the one position, it causes compression issues with everybody else. Ms. Slater said that after meeting with the union, it was discovered that there was an issue with the wage survey situation because of what happened in this case, and also with the report of reclassifications. Ms. Slater said that in both circumstances, if somebody is in the middle of a career ladder, it could create difficulties and compression with people or positions that are higher up on that career ladder. Ms. Slater said that a side agreement with the Union was signed to resolve the issues, and that it came about because a wage survey had been done for the Senior Accounting technician, which caused this problem. Ms. Slater asked the Board to correct the issue for the Senior Accounting technician, who is higher up on the career ladder, but makes almost the same wages as the person in the rung below them. Ms. Slater asked that the Board approve a retroactive adjustment of approximately \$3000.

Director Nicol asked if this measure would cause more compression. Robyn Slater said that this measure would solve the issue at hand, and there are not any other positions that will be affected. Chair Beautz asked if the Board reviewed these side agreements. Mark Dorfman said that they have traditionally been administratively approved. Chair Beautz stated that the Board should see these side agreements.

Margaret Gallagher said that there might be a problem with the retroactive adjustments due to a constitutional prohibition against retroactive pay adjustments by public agencies. Vice Chair Bustichi suggested adoption subject to legal review. Ms. Gallagher said any adjustment could not go into effect until she has written an opinion, and the issue is resolved.

ACTION: MOTION: DIRECTOR STONE SECOND: DIRECTOR HAGEN

Approve a conditional retroactive salary adjustment for the Accounting Specialist subject to the determination of the District Counsel of the legality of retroactive adjustments by local agencies.

Motion passed unanimously with Directors Rotkin and Tavantzis being absent.

11. CONSIDERATION OF APPROVAL OF RESOLUTION FOR DESIGNATION OF SANTA CRUZ METROPOLITAN TRANSIT DISTRICT'S AGENT FOR OBTAINING FEDERAL AND STATE FINANCIAL ASSISTANCE FOR SERVICES RENDERED DURING THE SUMMIT AND TRABING FIRES

Summary:

Margaret Gallagher said that in order to request reimbursement for METRO services rendered during the Summit and Trabing fires, a designated agent must be chosen, and she asked that the Board designate Tom Stickel as the District's agent.

ACTION: MOTION: DIRECTOR STONE SECOND: DIRECTOR HAGEN

Designate Tom Stickel as Santa Cruz Metropolitan Transit District's agent for obtaining federal and state assistance for services rendered during Summit and Trabing fires.

Motion passed unanimously with Directors Rotkin and Tavantzis being absent.

ITEM #8 WAS TAKEN OUT OF ORDER

8. CONSIDERATION OF REPORT ON CELL PHONE USAGE ON HIGHWAY 17 EXPRESS BUSES

Summary:

Mark Dorfman reported that METRO Planning Intern Sam Mendez would be presenting the results of a cellular phone survey conducted aboard the Highway 17 Express. Mr. Mendez said that the issue came to the attention of METRO after a passenger reported that she had been verbally assaulted while using her cell phone in March 2008. Mr. Mendez said that it was decided to survey passengers in order to gauge general feelings about cell phone usage on the Highway 17 Express. Mr. Mendez summarized the results of the voluntary survey, reporting that ten percent of respondents are in favor of an outright ban on cell phone usage, and a majority of respondents wanting a suggestive or a restrictive policy – which is what staff is recommending – a curfew-based policy that would entail placing signage on buses to promote sensible cell phone use during permissible time-periods.

Vice Chair Bustichi asked if part of the plan is to put up signage on the buses. Mark Dorfman said it was envisioned that signs would be placed on the bus, as well as utilizing the Talking Bus feature to remind passengers to silence cell phones and to be courteous to other drivers. Mr. Dorfman said that the results of the survey reinforce previously held ideas, and he said that there is no reason that the same signs could not go on to Fixed-route coaches once Wi-Fi is expanded to the rest of the fleet. Sam Mendez added that there was an overlap where 2/3 of respondents said that they were negatively affected by another person's phone call, and 1/2 of those also said they were positively impacted by a phone call.

12. ORAL ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR AUGUST 22, 2008 – NEW WATSONVILLE CITY COUNCIL CHAMBERS, 275 MAIN STREET, WATSONVILLE

Vice Chair Bustichi announced that the August 22, 2008 Board meeting will be held at the new Watsonville City Council Chambers at 275 Main Street.

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

Margaret Gallagher reported that the Board would have a conference with its Legal Counsel regarding the Existing Litigation claim of Yamindira Kanagasundaram, have a conference with its Legal Counsel regarding whether to initiate litigation against a tenant, and conduct a Public Employee Performance Evaluation of the District Counsel.

14. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None.

SECTION II: CLOSED SESSION

Vice Chair Bustichi adjourned to Closed Session at 9:27 a.m. and reconvened to Open Session at 10:15 a.m.

SECTION III: RECONVENE TO OPEN SESSION

15. REPORT OF CLOSED SESSION

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

ADJOURN

There being no further business, Vice Chair Bustichi adjourned the meeting at 10:15 a.m.

Respectfully submitted,

ANTHONY TAPIZ
Administrative Assistant