

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

August 14, 2009

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, August 14, 2009 at the District's Administrative Office located at 370 Encinal Street in Santa Cruz, California.

Vice Chair Pirie called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Dene Bustichi
Ron Graves
Donald Hagen
Michelle Hinkle
Ellen Pirie
Lynn Robinson
Mike Rotkin
Mark Stone
Marcela Tavantzis

DIRECTORS ABSENT

Emilio Martinez
Pat Spence
Ex-Officio Donna Blitzer

STAFF PRESENT

Ciro Aguirre, Operations Manager
Angela Aitken, Finance Manager / Acting AGM
Frank Cheng, MetroBase Project Manager
Bob Cotter, Maintenance Manager
Margaret Gallagher, District Counsel

Shona Harper, Asst Paratransit Superintendent
Debbie Kinslow, Asst Finance Manager
Robyn Slater, Human Resources Manager
April Warnock, Paratransit Superintendent
Les White, General Manager

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

Bob Yount, MAC

2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS

Written:

None.

Oral:

None.

3. **LABOR ORGANIZATION COMMUNICATIONS**

None.

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

None.

CONSENT AGENDA

5-1. **CONSIDERATION OF TORT CLAIMS:
DENY THE CLAIM OF STATE FARM INSURANCE, CLAIM #09-0017
DENY THE CLAIM OF MARK WATSON, CLAIM #09-0018**

Vice Chair Pirie requested more information on Claim #09-0017 which Margaret Gallagher said would be included in the August 28th Board packet.

5-2. **ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR
AUGUST 19, 2009 AND MINUTES OF JUNE 17, 2009**

No questions or comments.

5-3. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH
OF MAY 2009**

No questions or comments.

5-4. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JUNE 2009**

No questions or comments.

5-5. **ACCEPT AND FILE RIDERSHIP REPORT FOR JUNE 2009**

5-6. **ACCEPT AND FILE PASSENGER LIFT REPORT FOR MAY 2009**

No questions or comments.

5-7. **ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ MONTHLY SERVICE
REPORT FOR JUNE 2009**

No questions or comments.

5-8. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SPRING QUARTER 2009 SERVICE UPDATE

No questions or comments.

5-9. ACCEPT AND FILE METROBASE PROJECT 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 JUNE 2009 MEETING(S)

No questions or comments.

5-11. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH PAT PIRAS CONSULTING TO EXTEND THE CONTRACT THROUGH JUNE 30, 2010 FOR REVIEW OF THE ADA PARATRANSIT ELIGIBILITY PROCESS

No questions or comments.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS:

This presentation will take place at the August 28, 2009 Board meeting.

7. PUBLIC HEARING: CONSIDERATION OF ADOPTING THE FINAL SHORT RANGE TRANSIT PLAN

Public Hearing will take place at the August 28, 2009 Board meeting.

No questions or comments.

8. CONSIDERATION OF AN AMENDMENT TO THE CONTRACT WITH WEST BAY BUILDERS, INC. EXTENDING THE CONTRACT EXPIRATION DATE FOR THE METROBASE MAINTENANCE BUILDING TO JULY 28, 2010, WHILE MAINTAINING THE CONSTRUCTION COMPLETION DATE OF AUGUST 28, 2009

Summary:

Frank Cheng reported that this contract needs to be extended six months to July 29, 2010 so METRO can continue to resolve and close out any outstanding cost issues and pay invoices that are submitted after the construction completion date of August 28, 2009, which will not change.

9. **CONSIDERATION OF AN AMENDMENT TO THE CONTRACT WITH DMC CONSTRUCTION, INC. EXTENDING THE CONTRACT EXPIRATION DATE FOR THE METROBASE VERNON ADMINISTRATION BUILDING TO MARCH 11, 2010, WHILE MAINTAINING THE CONSTRUCTION COMPLETION DATE OF SEPTEMBER 11, 2009**

Summary:

Frank Cheng reported that this contract needs to be extended six months to March 11, 2010 so METRO can continue to resolve and close out any outstanding cost issues and pay invoices that are submitted after the construction completion date of September 11, 2009, which will not change.

10. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH PRIORITY ROOFING SOLUTIONS, INC. FOR ROOF REPLACEMENT AT THE WATSONVILLE TRANSIT CENTER**

Discussion:

Vice Chair Pirie asked why this roof was being replaced rather than repaired. Bob Cotter replied that repairs have been made for several years and now the roof is in poor condition and beyond its useful life. Mr. Cotter explained that the extent of the dry-rot damage will not be known until the old roofing material is removed. Extra funds have been set aside to cover these costs once they are determined.

11. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH TRAPEZE SOFTWARE GROUP, INC. FOR THE PURCHASE, INSTALLATION AND TRAINING OF THE TRAPEZE PASS-IVR ENHANCEMENT MODULE**

Summary:

Angela Aitken reported that the Interactive Voice Response (IVR) module is a voice-based interactive telephone response systems that will be used for paratransit scheduling. Clients will be able to schedule, confirm, and cancel trips over the phone without speaking to a person and then receive an automatic reminder call of upcoming trips which is currently being done each evening by ParaCruz Reservationists.

12. **CONSIDERATION OF VACANCIES ON THE METRO ADVISORY COMMITTEE**

Summary:

Les White reported that MAC was formed by the Board in 2003 and held its first meeting in April 2004. There are currently five vacant positions which have been vacant for some time with very few applicants, despite METRO's efforts to solicit new members including MAC information and an online application on METRO's website, and placing signs, brochures and other information in the buses, at transit centers and at the Administration Office. Mr. White stated that staff

recommends that the Board determine whether the continuation of MAC is of value and then take the appropriate action.

Discussion:

Bob Yount, MAC Chair, and several Directors spoke in favor of continuing MAC and suggested different recruitment options.

13. CONSIDERATION OF THE BOARD OF DIRECTORS AGENDA FORMAT, MEETING SCHEDULE, AND STAFF REPORT FORMAT

Summary:

Les White described the current two meetings per month structure which allows the Board to review items at the first meeting, which is primarily a work session, and gives staff time to provide any additional information that the Board may request prior to taking action at the more formal, televised second monthly meeting. In 1999, this structure replaced the prior Board Committee structure because concerns were raised that the Board members that were not on the committees were voting on issues they had not received a thorough briefing on. At that time, the Board did away with the committees, except ad hoc, and began meeting twice per month as they do now.

Mr. White said that the Staff Report format has evolved over time according to previous Board Members' desires and the current Agenda format was implemented by the Board in 2007 and agreed upon as being the most clear for the Members of the Board and the public to understand.

Recently, current Board Members have expressed concerns regarding the necessity of meeting twice per month, that the Agenda format is confusing, and that Staff Reports are redundant.

Mr. White explained that the Board Meetings, Agendas, and Staff Reports are to get information to the Board and the public and requested that the Board provide guidance to staff regarding any changes the Board would like to see.

Discussion:

There was a discussion about the current Agenda format being confusing and too much work for Staff because the Agenda for the first meeting contains items that will not be acted upon until the second meeting, but Staff is presenting it twice. Several Directors agreed that the first meeting is not necessary and should be scheduled as "tentative" and held on an as-needed basis when there is something time-sensitive that the Board needs to take action on or an important, complex, or controversial issue that requires additional discussion or input.

It was noted that if Board Members have questions about an item on the Agenda they can call Staff for information.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR GRAVES

Direct Staff to schedule two Board Meetings per month with the first meeting scheduled as “tentative” and being held only if necessary for items that are time-sensitive and require that the Board take action prior to the second meeting, or for important, complex, or controversial issues that require additional discussion or input from the Board.

Direct Staff to be liberal in determining whether the first meeting will be held or cancelled and in interpreting which items should be listed on the first meeting Agenda.

Discussion:

Bob Yount stated that holding two meetings provides the public two opportunities to address the Board.

Motion passed unanimously with Directors Martinez and Spence being absent.

Discussion:

Director Tavantzis requested that the Author and Preparation Date be included on Staff Reports and asked if mailing the Agenda Packets would be less expense than having them delivered. Director Graves and Vice Chair Pirie stated that they would like to receive their packets earlier. Several Directors commented on the redundancy of the Staff Report format and requested that the Summary be much shorter.

14. CONSIDERATION OF THE PROCESS AND SCHEDULE FOR THE RECRUITMENT AND SELECTION OF A GENERAL MANAGER TO REPLACE THE CURRENT GENERAL MANAGER

Summary:

Les White reported that his Employment Agreement expires on December 31, 2010 at which time he plans to retire, but has some flexibility. Mr. White explained that the Board has initial decisions to make regarding the recruitment process for a new General Manager such as whether or not to use a professional recruiting firm, form a sub-committee, the level of involvement of the HR Department and current General Manager, and the length of the overlap of service when the new General Manager is hired.

Discussion:

The Board discussed the last recruitment process when Les White was hired in 1997utilizing a professional recruiting firm and a sub committee.

Chair Bustichi requested a future Agenda item to form a Recruitment Committee and suggested that the overlap of the current and new General Managers include the month of March so they can attend the APTA Legislative Meeting together so the new GM can be introduced and associated with Les White who is highly respected in the legislative arena.

Director Tavantzis suggested obtaining the RFP's for Recruiting Firms from the Air District and the SCCRTC to use as templates for METRO's RFP.

15. **ORAL ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR AUGUST 28, 2009 – WATSONVILLE CITY COUNCIL CHAMBERS, 275 MAIN STREET, WATSONVILLE**

Vice Chair Pirie announced that the August 28, 2009 Board meeting would be held at the Watsonville City Council Chambers.

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

Margaret Gallagher reported that the Board would have a conference with its Labor Negotiators regarding UTU, Local 23, ParaCruz Division; a conference with its Real Property Negotiators regarding property located at 425 Front Street; and the Board would have a conference with its Legal Counsel regarding the Existing Litigation Workers Compensation case of Rita Gentry and one case of Anticipated Litigation.

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

None.

SECTION II: CLOSED SESSION

Vice Chair Pirie adjourned to Closed Session at 10:40 a.m. and reconvened to Open Session at 11:06 a.m.

SECTION III: RECONVENE TO OPEN SESSION

18. **REPORT OF CLOSED SESSION**

Vice Chair Pirie reported that the Board took no reportable action in Closed Session.

ADJOURN

There being no further business, Vice Chair Pirie adjourned the meeting at 11:06 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator