



**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT (METRO)  
BOARD OF DIRECTORS AGENDA MEETING MINUTES  
JANUARY 27, 2017 – 8:30 AM  
METRO ADMIN OFFICES  
110 VERNON STREET  
SANTA CRUZ, CA 95060**

A regular meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District (METRO) was convened on Friday, January 27, 2017 at the METRO Admin Offices, 110 Vernon Street, Santa Cruz, CA.

The Board Meeting Agenda Packet can be found online at [www.SCMTD.com](http://www.SCMTD.com) and is available for inspection at Santa Cruz METRO's Administrative offices at 110 Vernon Street, Santa Cruz, California.

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**SECTION I: OPEN SESSION**

- 1 CALL TO ORDER at 8:41AM by Chair Rotkin.**
- 2 The following Directors were sworn in by the Honorable Denine Guy, Presiding Judge of Santa Cruz County:**
  - New Directors:
    - Donna Lind, representing City of Scotts Valley
    - Cynthia Mathews, representing City of Santa Cruz
    - Oscar Rios, representing City of Watsonville
  - New Ex-Officio Director Liber McKee, representing Cabrillo College
  - New term for Director Ed Bottorff, representing City of Capitola
  - New term for Ex-Officio Director Donna Blitzer, representing UCSC

Chair Rotkin thanked Judge Guy and welcomed the new Board Members.

- 3 ROLL CALL: The following Directors were present, representing quorum:**

<b>Director Ed Bottorff</b>	<b>City of Capitola</b>
<b>Director Donna Lind</b>	<b>City of Scotts Valley</b>
<b>Director Oscar Rios</b>	<b>City of Watsonville</b>
<b>Director Cynthia Chase</b>	<b>City of Santa Cruz</b>
<b>Director Jimmy Dutra, Vice Chair</b>	<b>City of Watsonville</b>
<b>Director Norm Hagen</b>	<b>County of Santa Cruz</b>
<b>Director Cynthia Mathews</b>	<b>City of Santa Cruz</b>
<b>Director John Leopold</b>	<b>County of Santa Cruz</b>
<b>Director Bruce McPherson</b>	<b>County of Santa Cruz</b>
<b>Director Mike Rotkin, Chair</b>	<b>County of Santa Cruz</b>
<b>Ex-Officio Director Donna Blitzer</b>	<b>UC Santa Cruz</b>
<b>Ex-Officio Director Liber McKee</b>	<b>Cabrillo College</b>

Director Friend was absent.

STAFF PRESENT:  
Alex Clifford  
Julie Sherman

METRO CEO/General Manager  
METRO General Counsel

METRO EMPLOYEES AND MEMBERS OF THE PUBLIC WHO VOLUNTARILY INDICATED THEY WERE PRESENT (IN ALPHABETICAL ORDER) WERE:

Angela Aitken, METRO  
Erron Alvey, METRO  
Andre Campbell, Hanson Bridgett  
Rhonda Carter, METRO  
Leslyn K. Syren, METRO

Antonio Castillo, VMU  
David Gehrig, Hanson Bridgett  
Delvis Seda, METRO  
Suzanne Silva, METRO

#### **4 ANNOUNCEMENTS**

Chair Rotkin introduced Carlos Landaverry and his Spanish Language Interpretation services and continued with the following announcements and this meeting is being televised by Community Television of Santa Cruz County with technician, Mr. Chris Ivens, on channel 26.

#### **5 BOARD OF DIRECTORS COMMENTS**

Director Leopold announced that as of yesterday's Santa Cruz Board of Supervisors meeting, Director Fiend will be stepping down from his post as METRO Board Director. Chair Rotkin added that the indications are his position will be replaced by a citizen representative of the County.

Director McPherson inquired as to the impact of the recent storms to METRO operations. CEO Clifford said the storms created a lot of challenges for METRO and our customers. Our teams across the agency did a fabulous job of preparing for the first wave of storms. Many sandbags were put into place at the CNG River Street facility and other locations. Members of the Facilities team took their vehicles home overnight to be on call 24 hours. In some cases, they patrolled Watsonville and the Judy K. Souza Operations facility every 2 hours to ensure functionality. The river did rise, but did not breach. On several occasions, the water rose over the outflow pipe. We had anticipated this so that buses were parked out of the danger area and on side streets. This will continue to be a concern as the Judy K. Souza Operations facility is built on a flood plain. Our Bus Operators did a phenomenal job dealing with the numerous street conditions, which caused re-routing. At one time, 100 people were stranded at Diridon. Our Bus Operators spent 3 hours taking alternate routes to transport everyone; we left no one stranded. We are proud that the Agency rose to the challenge and got the job done! COO Aguirre provided additional information and commended the Operators.

Chair Rotkin asked if alternatives to the outflow pipe have been considered. CEO Clifford stated these types of storm conditions were taken into consideration when the facility was designed.

Hearing no further comments, Chair Rotkin moved to the next agenda item.

#### **6 COMMUNICATIONS TO THE BOARD OF DIRECTORS**

Suzanne Silva, Assistant HR Manager, informed the assembly that she would be resigning from METRO and thanked everyone for the opportunities afforded her during her tenure.

Hearing no further comments, Chair Rotkin moved to the next agenda item.

**7 COMMUNICATIONS FROM MAC**

Having none, Chair Rotkin moved to the next item.

**8 LABOR ORGANIZATION COMMUNICATIONS**

Eduardo Montesino, representing the Bus Operators and Paratransit staff, welcomed the new Board Members. He also complimented METRO's staff for their energy and contributions, which enabled us to get our customers to their destinations during the recent storms.

**9 ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS**

Chair Rotkin announced the following items were distributed to Board Members and are available at the back of the room for public viewing:

- Item 10-04A: The second paragraph of Item 12 on Page 4 of the 12/9/16 METRO Board Meeting Minutes has been **corrected** to read, "The 2017 MAC Chair will be Michael Pisano, Vice Chair will be Joseph Martinez both for a **one two** year term, **with the option to run for a second term.**"
- News clips of interest

**CONSENT AGENDA**

10-01 APPROVE: RECOMMENDED ACTION ON TORT CLAIMS

10-02 ACCEPT AND FILE: PRELIMINARY APPROVED CHECK JOURNAL DETAIL FOR THE MONTH OF DECEMBER 2016

10-03 ACCEPT AND FILE: YEAR TO DATE MONTHLY FINANCIAL REPORT AS OF OCTOBER 31, 2016

10-04 ACCEPT AND FILE: MINUTES OF THE SANTA CRUZ METRO BOARD OF DIRECTORS MEETING OF DECEMBER 9, 2016

10-05 ACCEPT AND FILE: CONSIDERATION OF ISSUING A FORMAL REQUEST FOR PROPOSALS FOR EXCESS WORKERS COMPENSATION INSURANCE AND BROKER SERVICES

10-06 ACCEPT AND FILE: CONSIDERATION OF ISSUING A FORMAL REQUEST FOR PROPOSALS FOR EMPLOYEE VISION CARE SERVICES

**ACTION: MOTION TO ACCEPT THE CONSENT AGENDA AS PRESENTED WITH NEW BOARD MEMBERS ABSTAINING FROM ITEM 10-04.**

**MOTION: DIRECTOR DUTRA**

**SECOND: DIRECTOR LEOPOLD**

**MOTION PASSED WITH 7 AYES (Directors Bottorff, Chase, Dutra, Hagen, Leopold, McPherson and Rotkin). Directors Lind, Mathews and Rios abstained. Director Friend was absent.**

## REGULAR AGENDA

**11 PRESENTATION OF EMPLOYEE LONGEVITY AWARDS FOR ANGELA AITKEN, MARIO ARELLANO, JON BARTHOLOMEW, RHONDA CARTER, MICHAEL COTRONEO, HARLAN GLATT, BRIAN McHALE, JUSTINA O'HAGIN AND DELVIS SEDA,**

Chair Rotkin thanked all of the following METRO employees for their contributions and presented those present with Certificates.

- Angela Aitken, Finance Manager & Interim HR Manager, 10 years of service with METRO. Ms. Aitken thanked the assembly, saying it's been a great ride.
- Jon Bartholomew, Bus Operator, 15 years of service with METRO thanked everyone for the opportunities.
- Delvis Seda, Bus Operator, 15 years of service with METRO thanked the Board and said it all began as a "day job".

The following employees were not present:

- Mario Arellano, Bus Operator, 15 years of service with METRO
- Rhonda Carter, Bus Operator, 15 years of service with METRO
- Michael Cotroneo, Operator, 15 years of service with METRO
- Harlan Glatt, Sr. Database Administrator, 10 years of service with METRO
- Brian McHale, Bus Operator, 15 years of service with METRO
- Justina O'Hagin, Bus Operator, 15 years of service with METRO

**12 RESOLUTION OF APPRECIATION, RETIREES: FRANK JACINTO, ROBYN D. SLATER, LESLYN SYREN**

Chair Mike Rotkin spoke of his working relationship with District Counsel Syren and her history with METRO overseeing various departments in addition to the Legal Department. He thanked her for her hard work.

Ms. Syren said it had been her pleasure to serve as District Counsel since 2012. She expressed her pride in the development of many METRO staff members who have gone on to become exceptional employees throughout the industry. She also thanked her partner, Dawn, and Ms. Slater, the first METRO employee she had the pleasure of working with.

Chair Rotkin thanked Robyn Slater for her contributions to METRO. Ms. Slater said she had enjoyed her time with METRO and spoke of beginning as a contractor in the Assistant HR Manager function. When the HR Manager left one week later, she rebuilt the HR department. She thanked her co-workers in the HR and other departments.

Vice Chair Dutra thanked all the retirees for their commitment to METRO.

Chair Rotkin thanked Mr. Jacinto for his 30 years of service.

**ACTION: MOTION TO APPROVE THE RESOLUTIONS OF APPRECIATION FOR FRANK JACINTO, ROBYN SLATER AND LESLYN SYREN AS PRESENTED.**

**MOTION: DIRECTOR LEOPOLD**

**SECOND: DIRECTOR CHASE**

**MOTION PASSED WITH 10 AYES (Directors Bottorff, Chase, Dutra, Hagen, Leopold, Lind, Mathews, McPherson, Rios and Rotkin). Director Friend was absent.**

**13 APPROVE: RESOLUTIONS OF APPRECIATION FOR FORMER BOARD MEMBERS, DENE BUSTICHI, KARINA CERVANTEZ AND DON LANE**

In their absence, Chair Rotkin thanked former Board Directors, Dene Bustichi and Karina Cervantez, for their contributions to METRO over the years. He then presented former Director Don Lane with a recognition resolution and thanked him for his years of service to the City of Santa Cruz and METRO.

**ACTION: MOTION TO APPROVE THE RESOLUTIONS OF APPRECIATION FOR FORMER BOARD MEMBERS, DENE BUSTICHI, KARINA CERVANTEZ AND DON LANE AS PRESENTED.**

**MOTION: DIRECTOR LEOPOLD**

**SECOND: DIRECTOR ROTKIN**

**MOTION PASSED WITH 10 AYES (Directors Bottorff, Chase, Dutra, Hagen, Leopold, Lind, Mathews, McPherson, Rios and Rotkin). Director Friend was absent.**

Public comment:

Ms. Liseth Guizar, welcomed new board members and congratulated friends who are retiring, in particular Leslyn Syren.

Mr. Erich Friedrich spoke of his experience working with Ms. Syren and thanked her.

Ms. Carolyn Derwing said she had been privileged to work with Ms. Syren during her 19 year tenure with METRO.

Mr. Eduardo Montesino thanked everyone for their contributions during their respective tenures.

Director Hagen thanked the retirees and METRO for making his way of life a positive experience.

**14 ACCEPT FINANCIAL STATEMENTS WITH INDEPENDENT AUDITOR'S REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2016**

Angela Aitken, Finance Manager, spoke of the recent audit and the fact that no findings have been discovered in the 10 years she's been with METRO. She expressed her appreciation for the contributions of the finance team. Chair Rotkin agreed it was an impressive audit and to have no findings is amazing! Director McPherson thanked Ms. Aitken and Ms. Debbie Kinslow, adding he appreciated their professionalism.

**ACTION: MOTION TO ACCEPT THE FINANCIAL STATEMENTS WITH INDEPENDENT AUDITOR'S REPORT FOR THE FISCAL YEAR ENDED JUNE 30, 2016 AS PRESENTED.**

**MOTION: DIRECTOR McPHERSON**

**SECOND: DIRECTOR LEOPOLD**

**MOTION PASSED WITH 10 AYES (Directors Bottorff, Chase, Dutra, Hagen, Leopold, Lind, Mathews, McPherson, Rios and Rotkin). Director Friend was absent.**

**15 APPROVE: CONSIDERATION OF AUTHORIZING THE CEO/GENERAL MANAGER, OR HIS DESIGNEE, AND GENERAL COUNSEL TO ALLOW, COMPROMISE, AND/OR SETTLE ANY WORKERS' COMPENSATION CLAIM OR CASE FILED AGAINST SANTA CRUZ METRO**

Angela Aitken, Finance Manager and Interim HR Manager, provided background to the staff request to allow the CEO/General Manager and General Counsel to have a \$50,000 limit to approve claims. She added that the claims have reduced dramatically over the past 10 years; i.e., the number of claims has decreased, but the amounts have increased. She reiterated that any amount over \$50K would be presented to the Board for disposition.

Director Leopold noted that the Board of Supervisors had recently increased their limits and, with the good management in claim handling, it seems appropriate to do so here.

Director Rios asked if this is a tactic to delay resolution of a claim. Ms. Aitken responded not at all; it is helpful in being able to resolve claims quickly.

Chair Rotkin added this request is needed due to the board meeting timing in that it allows time to resolve the claim rather than waiting until the next board meeting. Ms. Aitken concurred and referenced the financial section of the staff report for specifics.

**ACTION: MOTION TO APPROVE CONSIDERATION OF AUTHORIZING THE CEO/GENERAL MANAGER, OR HIS DESIGNEE, AND GENERAL COUNSEL TO ALLOW, COMPROMISE, AND/OR SETTLE ANY WORKERS' COMPENSATION CLAIM OR CASE FILED AGAINST SANTA CRUZ METRO AS PRESENTED.**

**MOTION: DIRECTOR LEOPOLD**

**SECOND: DIRECTOR MATHEWS**

**MOTION PASSED WITH 10 AYES (Directors Bottorff, Chase, Dutra, Hagen, Leopold, Lind, Mathews, McPherson, Rios and Rotkin). Director Friend was absent.**

**16 Chair Rotkin announced that Item 16 was removed from the agenda as it was addressed previously. APPROVE: CONSIDERATION OF INCREASING THE TORT LIABILITY SETTLEMENT AUTHORITY OF THE CEO/GENERAL MANAGER OR HIS DESIGNEE AND GENERAL COUNSEL TO \$50,000**

**AT CEO CLIFFORD'S REQUEST AND CHAIR ROTKIN'S CONCURRENCE, ITEMS 17 AND 18 WERE COMBINED TO BE DISCUSSED AND APPROVED AS ONE.**

**17 APPROVE: CONSIDERATION OF AUTHORIZING THE CEO TO EXECUTE A 2<sup>ND</sup> AMENDMENT WITH HANSON BRIDGETT LLP TO INCREASE THE CONTRACT TOTAL BY \$96,300 FOR AS-NEEDED LEGAL SERVICES**

**18 APPROVE: REVISED METROBASE PHASE II (OPERATIONS BUILDING) LIFE OF PROJECT BUDGET AND CAPITAL RESOURCE ALLOCATION PLAN**

Alex Clifford, CEO/General Manager, spoke of the staff report. Director Leopold agreed this was necessary to address the work to be done to close out the project.

**ACTION: MOTION TO APPROVE ITEMS 17 AND 18 AS ONE: 17) AUTHORIZING THE CEO TO EXECUTE A 2<sup>ND</sup> AMENDMENT WITH HANSON BRIDGETT LLP TO**

**INCREASE THE CONTRACT TOTAL BY \$96,300 FOR AS-NEEDED LEGAL SERVICES; AND, 18) REVISED METROBASE PHASE II (OPERATIONS BUILDING) LIFE OF PROJECT BUDGET AND CAPITAL RESOURCE ALLOCATION PLAN AS PRESENTED**

**MOTION: DIRECTOR McPHERSON**

**SECOND: DIRECTOR LEOPOLD**

**MOTION PASSED WITH 10 AYES (Directors Bottorff, Chase, Dutra, Hagen, Leopold, Lind, Mathews, McPherson, Rios and Rotkin). Director Friend was absent.**

**19 APPROVE: CONSIDERATION OF NOMINATING DIRECTORS TO SERVE AS BOARD OFFICERS, NOMINATING DIRECTORS TO FILL VACANT POSITIONS ON VARIOUS BAORD STANDING COMMITTEES, NOMINATE DIRECTORS TO FILL VACANT POSITIONS ON THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION (SCCIC), & NOMINATING REPRESENTATIVES AND ALTERNATES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION (SCCRTC)**

Chair Mike Rotkin explained the process, noting that alternate slates can be presented up to the time of the vote. The new citizen member from the County Board of Supervisors may be added to any Committee after their appointment.

See the attached slates for presented nominations.

The elections will be held at the next Board meeting, which is scheduled for Friday, February 24, 2017 at the Santa Cruz City chambers, 809 Center Street, Santa Cruz.

**20 ACCEPT: CEO ORAL REPORT**

Alex Clifford, CEO/General Manager, provided an update on the Frazier/Beall transportation bills. In terms of the Federal opportunities, everyone seems to be waiting to see what will happen with the new administration. President Trump has discussed airport, highway and train infrastructure, but omitted any mention of transit to date. We are trying to encourage transit to become a part of this conversation. CEO Clifford asked for Board support of transit in any discussions/meetings they may have with our legislators.

Director Leopold suggested METRO take an official position on AB1 and SB1 at next month's board meeting. Chair Rotkin asked that staff prepare materials to present to their legislators. CEO Clifford said materials would be provided at the February board meeting.

Director McPherson said everyone should be proud of the long list of accomplishments and emphasized his appreciation to the drivers and employees for their contributions to the success of Measure D, the Cabrillo measure, etc. This would not have been successful without everyone's assistance. He also thanked Director McKee for his efforts with passing Cabrillo's student fee. These are valuable contributions to maintain services. However, challenges remain, particularly in capital improvements.

There were no public comments.

**21 REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

General Counsel Sherman announced the closed sessions as listed below in Items 22 and 23. She did not anticipate a need to report out after the closed session.

**22 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to Government Code Section 54956.9 (b) – one case

**23 CONFERENCE WITH LABOR NEGOTIATORS (GOVERNMENT CODE SECTION 54957.6)**

Agency Negotiators: Alex Clifford, CEO/General Manager

Julie Sherman, General Counsel

Employee Organization: SEIU, Local 521

There were no public comments.

**24 ANNOUNCEMENT OF NEXT MEETING: FRIDAY, FEBRUARY 24, 2017 AT 8:30AM, SANTA CRUZ CITY CHAMBERS, 809 CENTER STREET, SANTA CRUZ, CA**

Chair Mike Rotkin announced the next meeting as above.

**25 ADJOURNMENT**

Chair Mike Rotkin adjourned the meeting at 9:51AM

Respectfully submitted,

Gina Pye  
Executive Assistant



# BOARD OFFICERS AND APPOINTMENTS



## Board Nominated Slate(s) – January 27, 2017

### Elect Board Chair (2016: Mike Rotkin)

Nominee:

1. Jimmy Dutra

Nominated by:

Mike Rotkin

*SLATE 1*

# BOARD OFFICERS AND APPOINTMENTS



## Elect Board Vice Chair (2016: Jimmy Dutra)

Nominee:

1. Bruce McPherson

Nominated by:

Mike Rotkin

*SLATE 1*

# BOARD OFFICERS AND APPOINTMENTS



## Replace 1: Current Capital Projects Standing Committee Member (Dene Bustichi)

3 Total Members

Remaining Members: Cynthia Chase & Bruce McPherson

### Nominee:

1. Donna Lind
2. Cynthia Chase
3. Bruce McPherson

### Nominated by:

- Mike Rotkin  
Currently in place  
Currently in place

*SLATE 1*

### Nominee:

1. Ed Bottorff
2. Cynthia Chase
3. Bruce McPherson

### Nominated by:

- Cynthia Chase  
Currently in place  
Currently in place

*SLATE 2*

# BOARD OFFICERS AND APPOINTMENTS



## Replace 3: Finance, Budget and Audit Standing Committee Members (Karina Cervantez, Zach Friend & Don Lane)

4 Total Members

Remaining Member: Ed Bottorff

Nominee:

1. Ed Bottorff
2. John Leopold
3. Oscar Rios
4. Cynthia Mathews

Nominated by:

Currently in place  
Mike Rotkin  
Mike Rotkin  
Mike Rotkin

*SLATE 1*

# BOARD OFFICERS AND APPOINTMENTS



**Replace 3: Personnel/Human Resources Standing Committee Members  
(Current (2016) Board Chair, Mike Rotkin; Current (2016) Board Vice Chair,  
Jimmy Dutra; and, Immediate Past (2015) Board Chair, Dene Bustichi,)**

**5 Total Members**

**Committee Requires Current Board Chair, Current Board Vice Chair and Immediate Past Board  
Chair as members**

**Remaining Members: Norm Hagen, John Leopold**

*SLATE 1*

Nominee:

1. Nominee Current Board Chair, Jimmy Dutra (2017)
2. Nominee Current Board Vice Chair, Bruce McPherson (2017)
3. Mike Rotkin, Immediate Past Chair (2016)
4. Norm Hagen
5. John Leopold

Nominated by:

Mike Rotkin  
Mike Rotkin  
Automatic  
Currently in place  
Currently in place

# BOARD OFFICERS AND APPOINTMENTS



**Replace 4: SCCIC Representatives**  
**(Terms end Feb 2017) President, Zach Friend; Vice President,**  
**Don Lane; Secretary, Mike Rotkin; and, Treasurer, Ed Bottorff**  
**5 Total Members**  
**Remaining Director: Norm Hagen (term ends Feb 2018)**

Nominee:

1. Bruce McPherson
2. Norm Hagen
3. Cynthia Chase
4. John Leopold
5. Oscar Rios

Nominated by:

- Mike Rotkin
- Currently in place
- Mike Rotkin
- Mike Rotkin
- Mike Rotkin

*SLATE 1*

# BOARD OFFICERS AND APPOINTMENTS



## Replace 3: SCCRTC Representatives (2016 Reps: Karina Cervantez, Cynthia Chase & Ed Bottorff) 3 Total Representatives

Nominee:

1. Cynthia Chase
2. Ed Bottorff
3. Norm Hagen

Nominated by:

- Mike Rotkin  
Mike Rotkin  
Mike Rotkin

*SLATE 1*

Nominee:

1. Cynthia Chase
2. Ed Bottorff
3. Oscar Rios

Nominated by:

- John Leopold  
John Leopold  
John Leopold

*SLATE 2*

# BOARD OFFICERS AND APPOINTMENTS



**Replace 3: SCCRTC Alternates (in order)**  
**(2016 Alternates: Dene Bustichi, Mike Rotkin, Norm Hagen)**  
**3 Total Representatives**

Nominee:

1. Mike Rotkin
2. Oscar Rios
3. Donna Lind

Nominated by:

- Mike Rotkin  
Mike Rotkin  
Mike Rotkin

*SLATE 1*

Nominee:

1. Mike Rotkin
2. Norm Hagen
3. Donna Lind

Nominated by:

- John Leopold  
John Leopold  
John Leopold

*SLATE 2*