

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**BOARD OF DIRECTORS REGULAR MEETING AGENDA
JULY 24, 2009 (Fourth Friday of Each Month)
SCOTTS VALLEY CITY COUNCIL CHAMBERS
ONE CIVIC CENTER DRIVE
SCOTTS VALLEY, CALIFORNIA
9:00 a.m. – 12:00 p.m.**

**THE BOARD AGENDA PACKET CAN BE FOUND ONLINE AT WWW.SCMTD.COM OR
AT METRO'S ADMINISTRATIVE OFFICES LOCATED AT 370 ENCINAL STREET, SUITE
100, SANTA CRUZ, CA**

NOTE: THE BOARD CHAIR MAY TAKE ITEMS OUT OF ORDER

SECTION I: OPEN SESSION - 9:00 a.m.

1. ROLL CALL
2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS
 - a. None
3. LABOR ORGANIZATION COMMUNICATIONS
4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

CONSENT AGENDA

- 5-1. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR MAY 2009
- 5-2. CONSIDERATION OF TORT CLAIMS:
DENY THE CLAIM OF DVBE TRUCKING AND CONSTRUCTION, INC., CLAIM #09-0015
- 5-3. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JULY 15, 2009 AND MINUTES OF MAY 20, 2009
- 5-4. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF APRIL 2009
- 5-5. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR MAY 2009
- 5-6. ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR MAY 2009
- 5-7. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ MONTHLY SERVICE REPORT FOR THE MONTH OF MAY 2009

- 5-8. ACCEPT AND FILE METROBASE PROJECT STATUS REPORT
- 5-9. CONSIDERATION OF RENEWAL OF PROPERTY INSURANCE COVERAGE FOR FY10
- 5-10. CONSIDERATION OF RENEWAL OF LIABILITY AND VEHICLE PHYSICAL DAMAGE INSURANCE COVERAGE WITH CALTIP FOR FY10
- 5-11. CONSIDERATION OF AMENDING THE MEMORANDUM OF UNDERSTANDING FOR EXCESS WORKERS COMPENSATION INSURANCE COVERAGE THROUGH THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY JOINT POWERS AGREEMENT
- 5-12. CONSIDERATION OF SUBMITTING COMMENTS TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION ON THE REGIONAL TRANSPORTATION PLAN "ACTION ELEMENT" LIST OF PROJECTS
- 5-13. NOTICE OF ACTION TAKEN IN CLOSED SESSION: MARY & JOSEPH BELL V. SCMTD
- 5-14. CONSIDERATION OF ROUTE 54 SERVICE CHANGES FOR FALL 2009

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS
Presented by: Chair Bustichi
7. CONSIDERATION OF APPROVAL OF WAGE CHANGE FOR THE PERSONNEL TECHNICIAN CLASS SPECIFICATION
Presented by: Robyn Slater, Human Resources Manager
8. CONSIDERATION OF ADOPTION OF THE REVISED EQUAL EMPLOYMENT OPPORTUNITY PLAN, 2009-2011
Presented by: Robyn Slater, Human Resources Manager
9. ORAL ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR AUGUST 28, 2009 – WATSONVILLE CITY COUNCIL CHAMBERS, 275 MAIN STREET, WATSONVILLE
Presented by: Chair Bustichi
10. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION: District Counsel
11. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Government Code Section 54956.9(a))
 - a. Name of Case: Claim of Liberty Mutual (subro for Zonia Waldon)
 - b. Name of Case: Soretta Chatman vs. Santa Cruz Metropolitan Transit District
(Before the Workers' Compensation Appeals Board)

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS
(Pursuant to Government Code Section 54956.8)
 - a. Property: 425 Front Street, Santa Cruz, CA
Negotiating parties: Tony Condotti, Leslie R. White, and
Bonnie Lipscomb for SCMTD
Mark Fallis for Greyhound/Transportation Realty
Income Partners L.P., Owner of 425 Front Street
Under Negotiation: Price and Terms of Payment

SECTION III: RECONVENE TO OPEN SESSION

12. REPORT OF CLOSED SESSION

ADJOURN

NOTICE TO PUBLIC

Members of the public may address the Board of Directors on a topic not on the agenda but within the jurisdiction of the Board of Directors or on the consent agenda by approaching the Board during consideration of Agenda Item #2 "Oral and Written Communications", under Section I. Presentations will be limited in time in accordance with District Resolution 69-2-1.

When addressing the Board, the individual may, but is not required to, provide his/her name and address in an audible tone for the record.

Members of the public may address the Board of Directors on a topic on the agenda by approaching the Board immediately after presentation of the staff report but before the Board of Directors' deliberation on the topic to be addressed. Presentations will be limited in time in accordance with District Resolution 69-2-1.

The Santa Cruz Metropolitan Transit District does not discriminate on the basis of disability. The City Council Chambers is located in an accessible facility. Any person who requires an accommodation or an auxiliary aid or service to participate in the meeting, please contact Cindi Thomas at 831-426-6080 as soon as possible in advance of the Board of Directors meeting. Hearing impaired individuals should call 711 for assistance in contacting METRO regarding special requirements to participate in the Board meeting. A Spanish Language

Interpreter will be available during "Oral Communications" and for any other agenda item for which these services are needed. This meeting will be broadcast live on Comcast Channel 25.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009

TO: Board of Directors

FROM: Angela Aitken, Finance Manager 

SUBJECT: MONTHLY BUDGET STATUS REPORTS FOR MAY 2009.

I. RECOMMENDED ACTION

That the Board of Directors accept and file the budget status reports for the month of May 2009.

II. SUMMARY OF ISSUES

- **Operating Revenues** for the month of May 2009 were \$326K or 14% under the amount of revenue expected for May 2009.
- **Consolidated Operating Expenses** for the month of May 2009 were \$493K or 15% under budget.
- **Capital Budget** spending year to date through May 2009 was \$12,472K or 41% of the Capital budget.

III. DISCUSSION

An analysis of the District's budget status is prepared monthly in order to apprise the Board of Directors of the District's actual revenues, expenses and capital in relation to the adopted operating and capital budgets for the fiscal year. The attached monthly revenue, expense and capital reports represent the status of the District's FY09 operating and capital budgets versus actual expenditures for the month.

The fiscal year has elapsed 92%.

5-1.1

A. Operating Revenue

For the month of May 2009 revenue was \$326K or 14 % under the amount of revenue expected for the month. Revenue variances are explained in the notes at the end of the revenue report.

B. Operating Expense by Department

Total Operating Expenses by Department for the month of May 2009 were \$493K or 15 % under budget; 1 % under where we were in FY08. The majority of the variance is due to lower than anticipated Personnel expenses in Bus Operators, the Paratransit Program, and Fuel & Lube Rev Vehicles expense in Fleet.

C. Consolidated Operating Expenses

Consolidated Operating Expenses for the month of May 2009 were \$493K or 15 % under budget. Personnel Expenses, Prof & Tech Fees and Fuels & Lube Rev Veh all contributed to the variance. Further explanation of these accounts is contained in the notes following the report.

D. Capital Budget

Capital Budget spending year to date through May 2009 was \$12,472K or 41 % of the Capital budget. Of this, \$4,397K has been spent of the MetroBase Maintenance Facility project, \$3,567K has been spent on the Local Bus Replacement , \$1,383K has been spent on the CNG Bus Conversions, and \$2,359K has been spent on the H17 Bus Replacement project.

IV. FINANCIAL CONSIDERATIONS

At this time, our Operating and Capital Budget are within tolerable variances.

IV. ATTACHMENTS

Attachment A: FY09 Operating Revenue for the month ending – 05/31/09
FY09 Operating Expenses by Department for the month ending – 05/31/09
FY09 Consolidated Operating Expenses for the month ending – 05/31/09
FY09 Capital Budget Reports for the month ending – 05/31/09

Prepared by: Kristina Mihaylova

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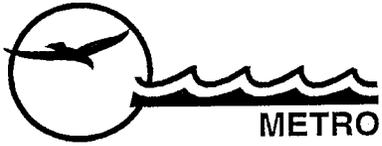
FY09
Operating Revenue
For the month ending - May 31, 2009

Percent of Year Elapsed - 92%

Revenue Source	Current Period					Year to Date				YTD Year Over Year Comparison			
	Actual	Budget	\$ Var	% Var	Notes	Actual	Budget	\$ Var	% Var	FY09 Actual	FY08	\$ Var	% Var
Passenger Fares	\$ 298,758	\$ 307,842	\$ (9,084)	-3%		\$ 3,082,857	\$ 3,253,287	\$ (170,430)	-5%	\$ 3,082,857	\$ 3,233,779	\$ (150,922)	-5%
Paratransit Fares	\$ 22,664	\$ 18,773	\$ 3,891	21%		\$ 301,457	\$ 283,187	\$ 18,270	15%	\$ 301,457	\$ 207,425	\$ 94,032	45%
Special Transit Fares	\$ 385,244	\$ 382,379	\$ 2,865	1%		\$ 3,408,444	\$ 3,182,231	\$ 226,213	7%	\$ 3,408,444	\$ 2,875,763	\$ 532,681	19%
Highway 17 Fares	\$ 81,974	\$ 80,720	\$ 1,254	2%		\$ 961,853	\$ 857,900	\$ 103,953	12%	\$ 961,853	\$ 803,503	\$ 158,350	20%
Highway 17 Payments	\$ 38,018	\$ 38,726	\$ (708)	-2%		\$ 392,846	\$ 468,444	\$ (75,598)	-16%	\$ 392,846	\$ 451,140	\$ (58,294)	-13%
Subtotal Passenger Revenue	\$ 826,658	\$ 828,440	\$ (1,782)	0%		\$ 8,147,457	\$ 8,025,049	\$ 122,408	2%	\$ 8,147,457	\$ 7,571,610	\$ 575,847	8%
Commissions	\$ -	\$ 413	\$ (413)	-100%		\$ 4,555	\$ 4,538	\$ 17	0%	\$ 4,555	\$ 3,560	\$ 995	28%
Advertising Income	\$ 17,612	\$ 7,105	\$ 10,507	148%	1	\$ 152,037	\$ 78,165	\$ 73,872	95%	\$ 152,037	\$ 235,301	\$ (83,264)	-35%
Rent Income - SC Pacific Station	\$ 7,598	\$ 7,512	\$ 86	1%		\$ 82,790	\$ 82,446	\$ 344	0%	\$ 82,790	\$ 74,424	\$ 8,366	11%
Rent Income - Watsonville, TC	\$ 2,855	\$ 2,821	\$ 34	1%		\$ 33,861	\$ 33,663	\$ 198	1%	\$ 33,861	\$ 41,593	\$ (7,732)	-19%
Rent Income - General	\$ -	\$ -	\$ -	0%		\$ 12,659	\$ -	\$ 12,659	100%	\$ 12,659	\$ 15,261	\$ (2,602)	-17%
Interest Income	\$ 21,766	\$ 21,532	\$ 234	1%		\$ 372,303	\$ 279,970	\$ 92,333	33%	\$ 372,303	\$ 894,758	\$ (522,455)	-58%
Other Non-Transp Revenue	\$ 369	\$ 416	\$ (47)	-11%		\$ 5,664	\$ 4,584	\$ 1,080	24%	\$ 5,664	\$ 128,765	\$ (123,101)	-96%
Sales Tax Revenue	\$ 1,041,500	\$ 1,380,842	\$ (339,342)	-25%	2	\$ 14,359,999	\$ 15,105,596	\$ (745,597)	-5%	\$ 14,359,999	\$ 15,538,333	\$ (1,178,334)	-8%
Transp Dev Act (TDA) - Op Asst	\$ -	\$ -	\$ -	0%		\$ 4,483,848	\$ 4,334,285	\$ 149,563	3%	\$ 4,483,848	\$ 4,771,527	\$ (287,679)	-6%
Subtotal Other Revenue	\$ 1,091,700	\$ 1,420,641	\$ (328,941)	-23%		\$ 19,507,716	\$ 19,923,237	\$ (415,521)	-2%	\$ 19,507,716	\$ 21,703,522	\$ (2,195,806)	-10%
FTA Sec 5307 - Op Asst	\$ -	\$ -	\$ -	0%		\$ 3,426,293	\$ 3,426,293	\$ -	0%	\$ 3,426,293	\$ 3,153,552	\$ 272,741	9%
Repay FTA Advance	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
FTA Sec 5311 - Rural Op Asst	\$ -	\$ -	\$ -	0%		\$ 161,615	\$ 161,615	\$ -	0%	\$ 161,615	\$ 149,335	\$ 12,280	8%
Sec 5303 - AMBAG Funding	\$ 4,635	\$ -	\$ 4,635	100%	3	\$ 17,894	\$ -	\$ 17,894	100%	\$ 17,894	\$ 46,020	\$ (28,126)	-61%
FTA Sec 5317 - Op Assistance	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ 17,785	\$ (17,785)	-100%
Subtotal Grant Revenue	\$ 4,635	\$ -	\$ 4,635	100%		\$ 3,605,802	\$ 3,587,908	\$ 17,894	0%	\$ 3,605,802	\$ 3,366,692	\$ 239,110	7%
Subtotal Operating Revenue	\$ 1,922,993	\$ 2,249,081	\$ (326,088)	-14%		\$ 31,280,975	\$ 31,536,194	\$ (275,219)	-1%	\$ 31,280,975	\$ 32,641,824	\$ (1,380,849)	-4%
Total Operating Expenses	\$ 2,775,866					\$ 31,487,648				\$ 31,487,648	\$ 31,733,958		
Variance	\$ (852,873)					\$ (226,673)				\$ (226,673)	\$ 907,866		
One-Time Revenue													
Transfer (to)/from Capital Reserves	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
Transfer (to)/from Cash Flow Res	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
Transfer (to)/from W/C Reserve	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
Transfer (to)/from Liab lns Res	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
Carryover from Previous Year	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
Subtotal One-Time Revenue	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
Total Revenue	\$ 1,922,993	\$ 2,249,081	\$ (326,088)	-14%		\$ 31,280,975	\$ 31,536,194	\$ (275,219)	-1%	\$ 31,280,975	\$ 32,641,824	\$ (1,380,849)	-4%
Total Operating Expenses	\$ 2,775,866					\$ 31,487,648				\$ 31,487,648	\$ 31,733,958		
Variance	\$ (852,873)					\$ (226,673)				\$ (226,673)	\$ 907,866		

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Attachment A



FY09
Operating Revenue
For the month ending - May 31, 2009

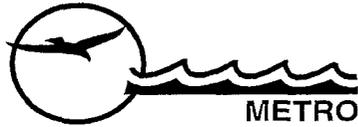
Percent of Year Elapsed - 92%

<u>Revenue Source</u>	<u>Actual</u>	<u>Current Period</u>				<u>Year to Date</u>				<u>YTD Year Over Year Comparison</u>			
		<u>Budget</u>	<u>\$ Var</u>	<u>% Var</u>	<u>Notes</u>	<u>Actual</u>	<u>Budget</u>	<u>\$ Var</u>	<u>% Var</u>	<u>FY09</u>	<u>FY08</u>	<u>\$ Var</u>	<u>% Var</u>

Current Period Notes:

- 1) Advertising Income is over budget due to more advertising than expected.
- 2) Sales Tax Revenue is under budget due to less consumer discretionary spending and current economic conditions.
- 3) AMBAG funding is received through the Rotational Interns and the SRTP Reimbursements grants.

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FY09
Operating Expenses by Department
For the month ending - May 31, 2009

	Current Period				Notes	Year to Date				YTD Year Over Year Comparison			
	Actual	Budget	\$ Var	% Var		Actual	Budget	\$ Var	% Var	FY09 Actual	FY08	\$ Var	% Var
Departmental Personnel Expenses													
700 - SCCIC	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
1100 - Administration	\$ 61,257	\$ 67,059	\$ (5,802)	-9%		\$ 790,014	\$ 802,855	\$ (12,851)	-2%	\$ 790,014	\$ 836,652	\$ (46,638)	-6%
1200 - Finance	\$ 84,558	\$ 94,150	\$ (9,592)	-10%		\$ 803,666	\$ 843,608	\$ (39,942)	-5%	\$ 803,666	\$ 487,900	\$ 315,766	65%
1300 - Customer Service	\$ 36,346	\$ 37,520	\$ (1,174)	-3%		\$ 399,813	\$ 413,020	\$ (13,207)	-3%	\$ 399,813	\$ 368,303	\$ 31,510	9%
1400 - Human Resources	\$ 46,622	\$ 48,084	\$ (1,462)	-3%		\$ 489,964	\$ 528,923	\$ (38,959)	-7%	\$ 489,964	\$ 476,577	\$ 13,387	3%
1500 - Information Technology	\$ 39,862	\$ 41,751	\$ (1,889)	-5%		\$ 451,388	\$ 459,269	\$ (7,881)	-2%	\$ 451,388	\$ 439,874	\$ 11,514	3%
1700 - District Counsel	\$ 35,056	\$ 37,703	\$ (2,647)	-7%		\$ 388,490	\$ 414,733	\$ (26,243)	-6%	\$ 388,490	\$ 366,161	\$ 22,329	6%
1800 - Risk Management	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
2200 - Facilities Maintenance	\$ 74,759	\$ 82,896	\$ (8,137)	-10%		\$ 864,757	\$ 911,857	\$ (47,100)	-5%	\$ 864,757	\$ 784,813	\$ 79,944	10%
3100 - Paratransit Program	\$ 237,904	\$ 293,714	\$ (55,810)	-19%		\$ 2,751,785	\$ 3,230,854	\$ (479,069)	-15%	\$ 2,751,785	\$ 2,531,500	\$ 220,285	9%
3200 - Operations	\$ 158,604	\$ 174,870	\$ (16,266)	-9%		\$ 1,768,584	\$ 1,989,229	\$ (220,645)	-11%	\$ 1,768,584	\$ 1,763,781	\$ 4,803	0%
3300 - Bus Operators	\$ 1,093,724	\$ 1,162,881	\$ (69,157)	-6%		\$ 12,060,722	\$ 12,791,692	\$ (730,970)	-6%	\$ 12,060,722	\$ 11,702,662	\$ 358,060	3%
4100 - Fleet Maintenance	\$ 293,866	\$ 320,343	\$ (26,477)	-8%		\$ 3,375,309	\$ 3,583,086	\$ (207,777)	-6%	\$ 3,375,309	\$ 3,502,514	\$ (127,205)	-4%
9001 - Cobra Benefits	\$ 1,378	\$ -	\$ 1,378	100%		\$ 3,888	\$ -	\$ 3,888	100%	\$ 3,888	\$ (6,902)	\$ 10,790	-156%
9005 - Retired Employee Benefits	\$ 142,701	\$ 143,457	\$ (756)	-1%		\$ 1,475,594	\$ 1,578,025	\$ (102,431)	-6%	\$ 1,475,594	\$ 1,366,103	\$ 109,491	8%
9014 - Operating Grants	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
110020 - Operating Grants	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
100 - New Flyer Parts Credit	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
Subtotal Personnel Expenses	\$ 2,306,637	\$ 2,504,428	\$ (197,791)	-8%		\$ 25,623,974	\$ 27,547,160	\$ (1,923,186)	-7%	\$ 25,623,974	\$ 24,619,938	\$ 1,004,036	4%
Departmental Non-Personnel Expenses													
700 - SCCIC	\$ -	\$ -	\$ -	0%		\$ 270	\$ 300	\$ (30)	-10%	\$ 270	\$ 260	\$ 10	4%
1100 - Administration	\$ 15,064	\$ 28,411	\$ (13,347)	-47%		\$ 210,207	\$ 329,414	\$ (119,207)	-36%	\$ 210,207	\$ 559,268	\$ (349,061)	-62%
1200 - Finance	\$ 47,269	\$ 55,575	\$ (8,306)	-15%		\$ 747,173	\$ 859,576	\$ (112,403)	-13%	\$ 747,173	\$ 645,822	\$ 101,351	16%
1300 - Customer Service	\$ 4,873	\$ 2,924	\$ 1,949	67%		\$ 72,432	\$ 91,290	\$ (18,858)	-21%	\$ 72,432	\$ 69,695	\$ 2,737	4%
1400 - Human Resources	\$ 3,222	\$ 11,115	\$ (7,893)	-71%		\$ 32,853	\$ 122,271	\$ (89,418)	-73%	\$ 32,853	\$ 41,788	\$ (8,935)	-21%
1500 - Information Technology	\$ 5,422	\$ 47,089	\$ (41,667)	-88%		\$ 85,732	\$ 148,972	\$ (63,240)	-42%	\$ 85,732	\$ 205,842	\$ (120,110)	-58%
1700 - District Counsel	\$ 1,596	\$ 1,692	\$ (96)	-6%		\$ 13,424	\$ 18,611	\$ (5,187)	-28%	\$ 13,424	\$ 21,296	\$ (7,872)	-37%
1800 - Risk Management	\$ 843	\$ 20,833	\$ (19,990)	-96%		\$ 39,985	\$ 229,163	\$ (189,178)	-83%	\$ 39,985	\$ 47,137	\$ (7,152)	-15%
2200 - Facilities Maintenance	\$ 135,622	\$ 115,201	\$ 20,421	18%		\$ 1,505,536	\$ 1,540,719	\$ (35,183)	-2%	\$ 1,505,536	\$ 472,286	\$ 1,033,250	219%
3100 - Paratransit Program	\$ 47,822	\$ 72,526	\$ (24,704)	-34%		\$ 564,442	\$ 797,786	\$ (233,344)	-29%	\$ 564,442	\$ 730,291	\$ (165,849)	-23%
3200 - Operations	\$ 44,120	\$ 41,039	\$ 3,081	8%		\$ 495,089	\$ 474,679	\$ 20,410	4%	\$ 495,089	\$ 513,243	\$ (18,154)	-4%
3300 - Bus Operators	\$ 1	\$ 334	\$ (333)	-100%		\$ 4,165	\$ 7,172	\$ (3,007)	-42%	\$ 4,165	\$ 5,006	\$ (841)	-17%
4100 - Fleet Maintenance	\$ 158,510	\$ 368,062	\$ (209,552)	-57%		\$ 2,072,229	\$ 4,029,043	\$ (1,956,814)	-49%	\$ 2,072,229	\$ 3,743,979	\$ (1,671,750)	-45%
9001 - Cobra Benefits	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ 1,094	\$ (1,094)	-100%
9005 - Retired Employee Benefits	\$ -	\$ -	\$ -	0%		\$ -	\$ 1	\$ (1)	-100%	\$ -	\$ (2)	\$ 2	-100%
9014 - Operating Grants	\$ 4,865	\$ -	\$ 4,865	100%		\$ 20,142	\$ -	\$ 20,142	100%	\$ 20,142	\$ 51,452	\$ (31,310)	-61%
110020 - Operating Grants	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ 6,334	\$ (6,334)	-100%
100 - New Flyer Parts Credit	\$ -	\$ -	\$ -	0%		\$ 0	\$ -	\$ 0	100%	\$ 0	\$ (575)	\$ 575	-100%
Subtotal Non-Personnel Expenses	\$ 469,229	\$ 764,801	\$ (295,572)	-39%		\$ 5,863,679	\$ 8,648,997	\$ (2,785,318)	-32%	\$ 5,863,679	\$ 7,114,216	\$ (1,250,537)	-18%

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FY09
Operating Expenses by Department
For the month ending - May 31, 2009

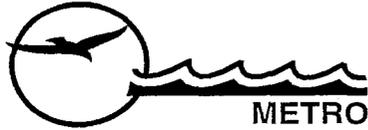
	Current Period				Notes	Year to Date				YTD Year Over Year Comparison			
	Actual	Budget	\$ Var	% Var		Actual	Budget	\$ Var	% Var	FY09 Actual	FY08	\$ Var	% Var
Total Departmental Expenses													
700 - SCCIC	\$ -	\$ -	\$ -	0%		\$ 270	\$ 300	\$ (30)	-10%	\$ 270	\$ 260	\$ 10	4%
1100 - Administration	\$ 76,321	\$ 95,470	\$ (19,149)	-20%		\$ 1,000,221	\$ 1,132,278	\$ (132,057)	-12%	\$ 1,000,221	\$ 1,395,920	\$ (395,699)	-28%
1200 - Finance	\$ 131,827	\$ 149,725	\$ (17,898)	-12%		\$ 1,550,839	\$ 1,703,184	\$ (152,345)	-9%	\$ 1,550,839	\$ 1,133,722	\$ 417,117	37%
1300 - Customer Service	\$ 41,219	\$ 40,444	\$ 775	2%		\$ 472,245	\$ 504,310	\$ (32,065)	-6%	\$ 472,245	\$ 437,998	\$ 34,247	8%
1400 - Human Resources	\$ 49,844	\$ 59,199	\$ (9,355)	-16%		\$ 522,817	\$ 651,194	\$ (128,377)	-20%	\$ 522,817	\$ 518,365	\$ 4,452	1%
1500 - Information Technology	\$ 45,284	\$ 88,840	\$ (43,556)	-49%		\$ 537,120	\$ 608,241	\$ (71,121)	-12%	\$ 537,120	\$ 645,716	\$ (108,596)	-17%
1700 - District Counsel	\$ 36,652	\$ 39,395	\$ (2,743)	-7%		\$ 401,914	\$ 433,344	\$ (31,430)	-7%	\$ 401,914	\$ 387,457	\$ 14,457	4%
1800 - Risk Management	\$ 843	\$ 20,833	\$ (19,990)	-96%	1	\$ 39,985	\$ 229,163	\$ (189,178)	-83%	\$ 39,985	\$ 47,137	\$ (7,152)	-15%
2200 - Facilities Maintenance	\$ 210,381	\$ 198,097	\$ 12,284	6%	2	\$ 2,370,293	\$ 2,452,576	\$ (82,283)	-3%	\$ 2,370,293	\$ 1,257,099	\$ 1,113,194	89%
3100 - Paratransit Program	\$ 285,726	\$ 366,240	\$ (80,514)	-22%	3	\$ 3,316,227	\$ 4,028,640	\$ (712,413)	-18%	\$ 3,316,227	\$ 3,261,791	\$ 54,436	2%
3200 - Operations	\$ 202,724	\$ 215,909	\$ (13,185)	-6%	4	\$ 2,263,673	\$ 2,463,908	\$ (200,235)	-8%	\$ 2,263,673	\$ 2,277,024	\$ (13,351)	-1%
3300 - Bus Operators	\$ 1,093,725	\$ 1,163,215	\$ (69,490)	-6%	5	\$ 12,064,887	\$ 12,798,864	\$ (733,977)	-6%	\$ 12,064,887	\$ 11,707,668	\$ 357,219	3%
4100 - Fleet Maintenance	\$ 452,376	\$ 688,405	\$ (236,029)	-34%	6	\$ 5,447,538	\$ 7,612,129	\$ (2,164,591)	-28%	\$ 5,447,538	\$ 7,246,493	\$ (1,798,955)	-25%
9001 - Cobra Benefits	\$ 1,378	\$ -	\$ 1,378	100%		\$ 3,888	\$ -	\$ 3,888	100%	\$ 3,888	\$ (5,808)	\$ 9,696	-167%
9005 - Retired Employee Benefits	\$ 142,701	\$ 143,457	\$ (756)	-1%		\$ 1,475,594	\$ 1,578,026	\$ (102,432)	-6%	\$ 1,475,594	\$ 1,366,101	\$ 109,493	8%
9014 - Operating Grants	\$ 4,865	\$ -	\$ 4,865	100%		\$ 20,142	\$ -	\$ 20,142	100%	\$ 20,142	\$ 51,452	\$ (31,310)	-61%
110020 - Operating Grants	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ 6,334	\$ (6,334)	-100%
100 - New Flyer Parts Credit	\$ -	\$ -	\$ -	0%		\$ 0	\$ -	\$ 0	100%	\$ 0	\$ (575)	\$ 575	-100%
Total Operating Expenses	\$ 2,775,866	\$ 3,269,229	\$ (493,363)	-15%		\$ 31,487,653	\$ 36,196,156	\$ (4,708,503)	-13%	\$ 31,487,653	\$ 31,733,958	\$ (246,305)	-1%

** does not include depreciation

Current Period Notes:

- 1) **Administration** is under budget due to cost cutting measures in place (for all non-personnel accounts).
- 2) **Finance** is under budget due to less than anticipated personnel expenses (retirement).
- 3) **IT** is under budget due to less than anticipated expenses for web site redesign.
- 4) **Risk Management** is under budget due to below budgeted settlement costs paid in May 2009.
- 5) **Facilities Maintenance** is over budget due to the extended occupancy of Encinal 370.
- 6) **Paratransit Program** is under budget due to not being at full complement and less than anticipated fuel costs.
- 7) **Operations** is under budget due to less than anticipated medical and work comp insurance.
- 8) **Bus Operators** is under budget due to not being at full complement.
- 9) **Fleet** is under budget due to not being at full complement and less than anticipated fuel costs.

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FY09
Consolidated Operating Expenses
For the month ending - May 31, 2009

	Current Period					Year to Date				YTD Year Over Year Comparison			
	Actual	Budget	\$ Var	% Var	Notes	Actual	Budget	\$ Var	% Var	FY09 Actual	FY08	\$ Var	% Var
LABOR													
501011 Bus Operator Pay	\$ 574,213	\$ 703,961	\$ (129,748)	-18%		\$ 6,967,649	\$ 7,743,570	\$ (775,921)	-10%	\$ 6,967,649	\$ 6,826,205	\$ 141,444	2%
501013 Bus Operator Overtime	\$ 176,597	\$ 131,653	\$ 44,944	34%		\$ 1,362,928	\$ 1,448,186	\$ (85,258)	-6%	\$ 1,362,928	\$ 1,337,062	\$ 25,866	2%
501021 Other Salaries	\$ 528,273	\$ 497,698	\$ 30,575	6%		\$ 5,711,532	\$ 5,520,867	\$ 190,665	3%	\$ 5,711,532	\$ 5,472,954	\$ 238,578	4%
501023 Other Overtime	\$ 29,017	\$ 27,472	\$ 1,545	6%		\$ 248,111	\$ 302,189	\$ (54,078)	-18%	\$ 248,111	\$ 289,651	\$ (41,540)	-14%
Total Labor -	\$ 1,308,100	\$ 1,360,784	\$ (52,684)	-4%		\$ 14,290,220	\$ 15,014,812	\$ (724,593)	-5%	\$ 14,290,220	\$ 13,925,872	\$ 364,348	3%
FRINGE BENEFITS													
502011 Medicare/Soc. Sec.	\$ 18,669	\$ 17,887	\$ 782	4%		\$ 201,067	\$ 196,755	\$ 4,313	2%	\$ 201,067	\$ 190,187	\$ 10,880	6%
502021 Retirement	\$ 177,970	\$ 199,817	\$ (21,847)	-11%		\$ 2,042,344	\$ 2,197,987	\$ (155,643)	-7%	\$ 2,042,344	\$ 1,843,756	\$ 198,588	11%
502031 Medical Insurance	\$ 448,601	\$ 461,945	\$ (13,344)	-3%		\$ 4,732,088	\$ 5,081,339	\$ (349,250)	-7%	\$ 4,732,088	\$ 4,293,207	\$ 438,881	10%
502041 Dental Insurance	\$ 41,351	\$ 41,935	\$ (584)	-1%		\$ 431,959	\$ 461,278	\$ (29,320)	-6%	\$ 431,959	\$ 431,293	\$ 666	0%
502045 Vision Insurance	\$ 11,382	\$ 11,619	\$ (237)	-2%		\$ 122,679	\$ 127,809	\$ (5,130)	-4%	\$ 122,679	\$ 119,452	\$ 3,227	3%
502051 Life Insurance	\$ 3,683	\$ 4,181	\$ (498)	-12%		\$ 39,774	\$ 45,991	\$ (6,217)	-14%	\$ 39,774	\$ 38,467	\$ 1,307	3%
502060 State Disability	\$ 16,994	\$ 23,174	\$ (6,180)	-27%		\$ 157,152	\$ 254,909	\$ (97,757)	-38%	\$ 157,152	\$ 117,719	\$ 39,433	33%
502061 Disability Insurance	\$ 17,808	\$ 19,189	\$ (1,381)	-7%		\$ 196,301	\$ 211,082	\$ (14,781)	-7%	\$ 196,301	\$ 188,859	\$ 7,442	4%
502071 State Unemp. Ins	\$ 91	\$ 4,461	\$ (4,370)	-98%		\$ 52,090	\$ 49,073	\$ 3,017	6%	\$ 52,090	\$ 54,123	\$ (2,033)	-4%
502081 Worker's Comp Ins	\$ 8,913	\$ 83,349	\$ (74,436)	-89%		\$ 643,101	\$ 915,753	\$ (272,652)	-30%	\$ 643,101	\$ 921,401	\$ (278,300)	-30%
502083 Worker's Comp IBNR	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
502101 Holiday Pay	\$ 25,977	\$ 32,676	\$ (6,699)	-21%		\$ 303,148	\$ 359,420	\$ (56,272)	-16%	\$ 303,148	\$ 285,375	\$ 17,773	6%
502103 Floating Holiday	\$ 531	\$ 5,817	\$ (5,286)	-91%		\$ 21,174	\$ 63,985	\$ (42,811)	-67%	\$ 21,174	\$ 19,631	\$ 1,543	8%
502109 Sick Leave	\$ 66,088	\$ 80,035	\$ (13,947)	-17%		\$ 606,972	\$ 826,161	\$ (219,189)	-27%	\$ 606,972	\$ 519,778	\$ 87,194	17%
502111 Annual Leave	\$ 142,971	\$ 135,141	\$ 7,830	6%		\$ 1,589,154	\$ 1,493,560	\$ 95,594	6%	\$ 1,589,154	\$ 1,446,452	\$ 142,702	10%
502121 Other Paid Absence	\$ 12,474	\$ 10,357	\$ 2,117	20%		\$ 122,817	\$ 113,918	\$ 8,899	8%	\$ 122,817	\$ 123,567	\$ (750)	-1%
502251 Physical Exams	\$ 225	\$ 1,107	\$ (882)	-80%		\$ 5,735	\$ 12,175	\$ (6,440)	-53%	\$ 5,735	\$ 7,514	\$ (1,779)	-24%
502283 Driver Lic Renewal	\$ 119	\$ 363	\$ (244)	-67%		\$ 1,140	\$ 3,990	\$ (2,850)	-71%	\$ 1,140	\$ 1,621	\$ (481)	-30%
502999 Other Fringe Benefits	\$ 4,690	\$ 10,591	\$ (5,901)	-56%		\$ 65,057	\$ 116,856	\$ (51,798)	-44%	\$ 65,057	\$ 91,662	\$ (26,605)	-29%
Total Fringe Benefits -	\$ 998,537	\$ 1,143,644	\$ (145,107)	-13%		\$ 11,333,754	\$ 12,532,042	\$ (1,198,289)	-10%	\$ 11,333,754	\$ 10,694,064	\$ 639,690	6%
Total Personnel Expenses -	\$ 2,306,637	\$ 2,504,428	\$ (197,791)	-8%	1	\$ 25,623,973	\$ 27,546,855	\$ (1,922,881)	-7%	\$ 25,623,973	\$ 24,619,936	\$ 1,004,037	4%

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FY09
Consolidated Operating Expenses
For the month ending - May 31, 2009

	Current Period					Year to Date				YTD Year Over Year Comparison			
	Actual	Budget	\$ Var	% Var	Notes	Actual	Budget	\$ Var	% Var	FY09 Actual	FY08	\$ Var	% Var
SERVICES													
503011 Acctg & Audit Fees	\$ -	\$ -	\$ -	0%		\$ 78,215	\$ 90,250	\$ (12,035)	-13%	\$ 78,215	\$ 41,749	\$ 36,466	87%
503012 Admin. & Bank Fees	\$ 1,208	\$ 1,350	\$ (142)	-11%		\$ 149,175	\$ 158,900	\$ (9,725)	-6%	\$ 149,175	\$ 132,801	\$ 16,374	12%
503031 Prof & Tech Fees	\$ 8,336	\$ 56,536	\$ (48,200)	-85%	2	\$ 101,485	\$ 288,144	\$ (186,659)	-65%	\$ 101,485	\$ 124,266	\$ (22,781)	-18%
503032 Legislative Services	\$ 7,500	\$ 8,367	\$ (867)	-10%		\$ 82,500	\$ 92,035	\$ (9,535)	-10%	\$ 82,500	\$ 82,970	\$ (470)	-1%
503033 Legal Services	\$ -	\$ 4,583	\$ (4,583)	-100%		\$ -	\$ 50,415	\$ (50,415)	-100%	\$ -	\$ 1,259	\$ (1,259)	-100%
503034 Pre-Employ. Exams.	\$ 528	\$ 1,288	\$ (760)	-59%		\$ 10,251	\$ 14,170	\$ (3,919)	-28%	\$ 10,251	\$ 12,195	\$ (1,944)	-16%
503041 Temp Help	\$ 5,168	\$ -	\$ 5,168	100%		\$ 99,210	\$ -	\$ 99,210	100%	\$ 99,210	\$ 92,996	\$ 6,214	7%
503161 Custodial Services	\$ 6,557	\$ 4,900	\$ 1,657	34%		\$ 62,693	\$ 53,900	\$ 8,793	16%	\$ 62,693	\$ 62,436	\$ 257	0%
503162 Uniform & Laundry	\$ 1,996	\$ 3,546	\$ (1,550)	-44%		\$ 28,701	\$ 39,005	\$ (10,304)	-26%	\$ 28,701	\$ 36,082	\$ (7,381)	-20%
503171 Security Services	\$ 29,687	\$ 33,375	\$ (3,688)	-11%		\$ 326,757	\$ 367,125	\$ (40,368)	-11%	\$ 326,757	\$ 311,232	\$ 15,525	5%
503221 Classified/Legal Ads	\$ -	\$ 2,763	\$ (2,763)	-100%		\$ 12,278	\$ 26,941	\$ (14,662)	-54%	\$ 12,278	\$ 13,346	\$ (1,068)	-8%
503222 Legal Advertising	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
503225 Graphic Services	\$ -	\$ 416	\$ (416)	-100%		\$ -	\$ 4,581	\$ (4,581)	-100%	\$ -	\$ -	\$ -	0%
503351 Repair - Bldg & Impr.	\$ 2,324	\$ 7,500	\$ (5,176)	-69%		\$ 69,279	\$ 82,500	\$ (13,221)	-16%	\$ 69,279	\$ 86,636	\$ (17,357)	-20%
503352 Repair - Equipment	\$ 28,688	\$ 34,985	\$ (6,297)	-18%		\$ 307,908	\$ 386,835	\$ (78,927)	-20%	\$ 307,908	\$ 152,896	\$ 155,012	101%
503353 Repair - Rev Vehicle	\$ 10,511	\$ 32,449	\$ (21,938)	-68%	3	\$ 362,066	\$ 356,939	\$ 5,127	1%	\$ 362,066	\$ 293,731	\$ 68,335	23%
503354 Repair - Non Rev Vehicle	\$ -	\$ 2,500	\$ (2,500)	-100%		\$ 13,889	\$ 27,500	\$ (13,611)	-49%	\$ 13,889	\$ 27,447	\$ (13,558)	-49%
503363 Haz Mat Disposal	\$ 1,978	\$ 3,722	\$ (1,744)	-47%		\$ 45,934	\$ 75,944	\$ (30,010)	-40%	\$ 45,934	\$ 30,481	\$ 15,453	51%
Total Services -	\$ 104,481	\$ 198,280	\$ (93,799)	-47%		\$ 1,750,342	\$ 2,115,184	\$ (364,842)	-17%	\$ 1,750,342	\$ 1,502,323	\$ 248,019	17%
MOBILE MATERIALS AND SUPPLIES													
504011 Fuels & Lube Non Rev Veh	\$ 15,925	\$ 16,775	\$ (850)	-5%		\$ 130,091	\$ 184,525	\$ (54,434)	-29%	\$ 130,091	\$ 144,262	\$ (14,171)	-10%
504012 Fuels & Lube Rev Veh	\$ 122,973	\$ 269,860	\$ (146,887)	-54%	4	\$ 1,315,120	\$ 2,933,460	\$ (1,618,340)	-55%	\$ 1,315,120	\$ 2,271,245	\$ (956,125)	-42%
504021 Tires & Tubes	\$ 5,980	\$ 17,083	\$ (11,103)	-65%	5	\$ 172,023	\$ 187,913	\$ (15,890)	-8%	\$ 172,023	\$ 167,694	\$ 4,329	3%
504161 Other Mobile Supplies	\$ -	\$ 833	\$ (833)	-100%		\$ 6,578	\$ 9,163	\$ (2,585)	-28%	\$ 6,578	\$ 6,411	\$ 167	3%
504191 Rev Vehicle Parts	\$ 23,121	\$ 51,275	\$ (28,154)	-55%	6	\$ 294,694	\$ 564,025	\$ (269,331)	-48%	\$ 294,694	\$ 692,266	\$ (397,572)	-57%
Total Mobile Materials & Supplies -	\$ 167,999	\$ 355,826	\$ (187,827)	-53%		\$ 1,918,507	\$ 3,879,087	\$ (1,960,580)	-51%	\$ 1,918,507	\$ 3,281,878	\$ (1,363,371)	-42%

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FY09
Consolidated Operating Expenses
For the month ending - May 31, 2009

	Current Period					Year to Date				YTD Year Over Year Comparison			
	Actual	Budget	\$ Var	% Var	Notes	Actual	Budget	\$ Var	% Var	FY09 Actual	FY08	\$ Var	% Var
OTHER MATERIALS & SUPPLIES													
504205 Freight Out	\$ 105	\$ 292	\$ (187)	-64%		\$ 1,824	\$ 3,211	\$ (1,387)	-43%	\$ 1,824	\$ 3,930	\$ (2,106)	-54%
504211 Postage & Mailing	\$ 121	\$ 1,886	\$ (1,765)	-94%		\$ 8,914	\$ 27,754	\$ (18,840)	-68%	\$ 8,914	\$ 20,166	\$ (11,252)	-56%
504214 Promotional Items	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
504215 Printing	\$ 5,603	\$ 3,233	\$ 2,370	73%		\$ 68,219	\$ 83,065	\$ (14,845)	-18%	\$ 68,219	\$ 61,046	\$ 7,173	12%
504217 Photo Supply/Processing	\$ 81	\$ 808	\$ (727)	-90%		\$ 4,684	\$ 8,890	\$ (4,205)	-47%	\$ 4,684	\$ 3,528	\$ 1,156	33%
504311 Office Supplies	\$ 1,276	\$ 7,297	\$ (6,021)	-83%		\$ 51,630	\$ 79,165	\$ (27,535)	-35%	\$ 51,630	\$ 80,316	\$ (28,686)	-36%
504315 Safety Supplies	\$ 383	\$ 2,275	\$ (1,892)	-83%		\$ 11,557	\$ 25,025	\$ (13,468)	-54%	\$ 11,557	\$ 23,669	\$ (12,112)	-51%
504317 Cleaning Supplies	\$ 2,488	\$ 4,417	\$ (1,929)	-44%		\$ 26,435	\$ 48,585	\$ (22,150)	-46%	\$ 26,435	\$ 46,364	\$ (19,929)	-43%
504409 Repair/Maint Supplies	\$ 1,457	\$ 4,583	\$ (3,126)	-68%		\$ 43,262	\$ 50,415	\$ (7,154)	-14%	\$ 43,262	\$ 75,104	\$ (31,842)	-42%
504421 Non-Inventory Parts	\$ 8	\$ 6,417	\$ (6,409)	-100%		\$ 45,896	\$ 48,085	\$ (2,189)	-5%	\$ 45,896	\$ 47,402	\$ (1,506)	-3%
504511 Small Tools	\$ -	\$ 833	\$ (833)	-100%		\$ 3,363	\$ 9,165	\$ (5,802)	-63%	\$ 3,363	\$ 8,628	\$ (5,265)	-61%
504515 Employee Tool Rpicmt	\$ -	\$ 217	\$ (217)	-100%		\$ 1,269	\$ 2,382	\$ (1,113)	-47%	\$ 1,269	\$ 1,207	\$ 62	5%
Total Other Materials & Supplies -	\$ 11,522	\$ 32,258	\$ (20,736)	-64%		\$ 267,053	\$ 385,741	\$ (118,687)	-31%	\$ 267,053	\$ 371,360	\$ (104,307)	-28%
UTILITIES													
505011 Gas & Electric	\$ 17,230	\$ 18,417	\$ (1,187)	-6%		\$ 169,861	\$ 202,595	\$ (32,734)	-16%	\$ 169,861	\$ 191,349	\$ (21,488)	-11%
505021 Water & Garbage	\$ 10,567	\$ 10,313	\$ 254	2%		\$ 120,666	\$ 113,443	\$ 7,223	6%	\$ 120,666	\$ 107,192	\$ 13,474	13%
505031 Telecommunications	\$ 10,959	\$ 10,026	\$ 933	9%		\$ 96,668	\$ 125,639	\$ (28,971)	-23%	\$ 96,668	\$ 92,923	\$ 3,745	4%
Total Utilities -	\$ 38,756	\$ 38,756	\$ -	0%		\$ 387,195	\$ 441,677	\$ (54,482)	-12%	\$ 387,195	\$ 391,464	\$ (4,269)	-1%
CASUALTY & LIABILITY													
506011 Insurance - Property	\$ 7,516	\$ 9,862	\$ (2,346)	-24%		\$ 64,108	\$ 108,482	\$ (44,374)	-41%	\$ 64,108	\$ 47,277	\$ 16,831	36%
506015 Insurance - PL & PD	\$ 38,101	\$ 42,500	\$ (4,399)	-10%		\$ 443,361	\$ 467,500	\$ (24,139)	-5%	\$ 443,361	\$ 379,091	\$ 64,270	17%
506021 Insurance - Other	\$ -	\$ -	\$ -	0%		\$ 711	\$ 801	\$ (90)	-11%	\$ 711	\$ 1,007	\$ (296)	-29%
506123 Settlement Costs	\$ 300	\$ 12,500	\$ (12,200)	-98%	7	\$ 35,554	\$ 137,500	\$ (101,946)	-74%	\$ 35,554	\$ 46,110	\$ (10,556)	-23%
506127 Repairs - Dist Prop	\$ (199)	\$ -	\$ (199)	100%		\$ (30,743)	\$ -	\$ (30,743)	100%	\$ (30,743)	\$ (12,596)	\$ (18,147)	144%
Total Casualty & Liability -	\$ 45,718	\$ 64,862	\$ (19,144)	-30%		\$ 512,991	\$ 714,283	\$ (201,292)	-28%	\$ 512,991	\$ 460,889	\$ 52,102	11%
TAXES													
507051 Fuel Tax	\$ 783	\$ 1,025	\$ (242)	-24%		\$ 8,867	\$ 11,275	\$ (2,408)	-21%	\$ 8,867	\$ 5,880	\$ 2,987	51%
507201 Licenses & permits	\$ 2,573	\$ 1,113	\$ 1,460	131%		\$ 16,737	\$ 14,041	\$ 2,696	19%	\$ 16,737	\$ 13,871	\$ 2,866	21%
507999 Other Taxes	\$ -	\$ 2,183	\$ (2,183)	-100%		\$ 21,013	\$ 24,013	\$ (3,001)	-12%	\$ 21,013	\$ 14,165	\$ 6,848	48%
Total Utilities -	\$ 3,356	\$ 4,321	\$ (965)	-22%		\$ 46,617	\$ 49,329	\$ (2,712)	-5%	\$ 46,617	\$ 33,916	\$ 12,701	37%

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FY09
Consolidated Operating Expenses
For the month ending - May 31, 2009

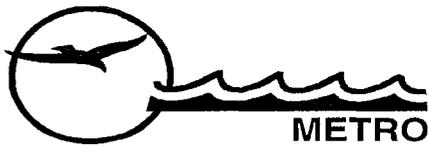
	Current Period					Year to Date				YTD Year Over Year Comparison			
	Actual	Budget	\$ Var	% Var	Notes	Actual	Budget	\$ Var	% Var	FY09 Actual	FY08	\$ Var	% Var
<u>PURCHASED TRANSPORTATION</u>													
503406 Contr/Paratrans	\$ 17,492	\$ 20,833	\$ (3,341)	-16%		\$ 163,151	\$ 229,163	\$ (66,012)	-29%	\$ 163,151	\$ 241,261	\$ (78,110)	-32%
Total Purchased Transportation -	\$ 17,492	\$ 20,833	\$ (3,341)	-16%		\$ 163,151	\$ 229,163	\$ (66,012)	-29%	\$ 163,151	\$ 241,261	\$ (78,110)	-32%
<u>MISC</u>													
509011 Dues & Subscriptions	\$ 6,075	\$ 5,409	\$ 666	12%		\$ 56,209	\$ 59,499	\$ (3,290)	-6%	\$ 56,209	\$ 19,928	\$ 36,281	182%
509085 Advertising - Rev Product	\$ -	\$ -	\$ -	0%		\$ -	\$ -	\$ -	0%	\$ -	\$ -	\$ -	0%
509101 Emp Incentive Prog	\$ -	\$ 1,109	\$ (1,109)	-100%		\$ 7,981	\$ 32,590	\$ (24,609)	-76%	\$ 7,981	\$ 14,159	\$ (6,178)	-44%
509121 Employee Training	\$ 2,093	\$ 3,111	\$ (1,018)	-33%		\$ 22,882	\$ 40,221	\$ (17,339)	-43%	\$ 22,882	\$ 86,886	\$ (64,004)	-74%
509123 Travel	\$ 1,425	\$ 6,011	\$ (4,586)	-76%		\$ 33,758	\$ 66,121	\$ (32,363)	-49%	\$ 33,758	\$ 33,549	\$ 209	1%
509125 Local Meeting Exp	\$ 94	\$ 390	\$ (296)	-76%		\$ 4,006	\$ 4,290	\$ (284)	-7%	\$ 4,006	\$ 4,103	\$ (97)	-2%
509127 Board Director Fees	\$ 850	\$ 1,100	\$ (250)	-23%		\$ 9,550	\$ 12,100	\$ (2,550)	-21%	\$ 9,550	\$ 11,850	\$ (2,300)	-19%
509150 Contributions	\$ -	\$ 54	\$ (54)	-100%		\$ -	\$ 594	\$ (594)	-100%	\$ -	\$ 248	\$ (248)	-100%
509197 Sales Tax Expense	\$ -	\$ -	\$ -	0%		\$ (22)	\$ -	\$ (22)	100%	\$ (22)	\$ 332	\$ (354)	-107%
509198 Cash Over/Short	\$ 17	\$ 41	\$ (24)	-59%		\$ (182)	\$ 461	\$ (642)	-139%	\$ (182)	\$ 1,217	\$ (1,399)	-115%
Total Misc -	\$ 10,554	\$ 17,225	\$ (6,671)	-39%		\$ 134,182	\$ 215,876	\$ (81,693)	-38%	\$ 134,182	\$ 172,272	\$ (38,089)	-22%
<u>LEASES & RENTALS</u>													
512011 Facility Rentals	\$ 68,850	\$ 30,138	\$ 38,712	128%	8	\$ 668,011	\$ 592,518	\$ 75,493	13%	\$ 668,011	\$ 639,643	\$ 28,368	4%
512061 Equipment Rentals	\$ 501	\$ 2,301	\$ (1,800)	-78%		\$ 15,624	\$ 26,436	\$ (10,812)	-41%	\$ 15,624	\$ 19,016	\$ (3,392)	-18%
Total Leases & Rentals -	\$ 69,351	\$ 32,439	\$ 36,912	114%		\$ 683,635	\$ 618,954	\$ 64,681	10%	\$ 683,635	\$ 658,659	\$ 24,976	4%
Total Non-Personnel Expenses -	\$ 469,229	\$ 764,800	\$ (295,571)	-39%		\$ 5,863,673	\$ 8,649,293	\$ (2,785,620)	-32%	\$ 5,863,673	\$ 7,114,022	\$ (1,250,349)	-18%
TOTAL OPERATING EXPENSE -	\$ 2,775,866	\$ 3,269,229	\$ (493,363)	-15%		\$ 31,487,646	\$ 36,196,147	\$ (4,708,501)	-13%	\$ 31,487,646	\$ 31,733,958	\$ (246,312)	-1%

** does not include depreciation

Current Period Notes:

- 1) **Total Personnel Expenses** are below budget due to not being at full complement.
- 2) **Prof & Tech Fees** are below budget due to less than anticipated expenses for the web site redesign in IT.
- 3) **Repair - Rev Vehicle** is under budget due to cost cutting measures in place.
- 4) **Fuels & Lube Rev Veh** is under budget due to the CNG conversion and the resulting economies in fuel consumption, in addition to fuel tax rebates received quarterly.
- 5) **Tires & Tubes** is over budget due to the cyclical nature of tire and tube replacements.
- 6) **Rev Veh Parts** is under budget due to cost cutting measures in place.
- 7) **Settlement costs** are under budget due to less than anticipated settlement costs for the month.
- 8) **Facilities Rental** is over budget due to the extended occupancy of Encinal 370.

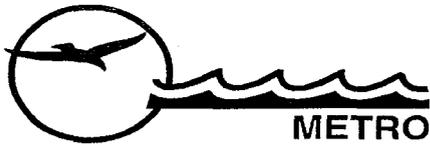
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FY2009
CAPITAL BUDGET
For the month ending - May 31, 2009

	<u>YTD Actual</u>	<u>FY09 Budget</u>	<u>Remaining Budget</u>	<u>% Spent YTD</u>
<u>Grant-Funded Projects</u>				
MetroBase Maintenance Facility •	\$ 3,839,525	\$ 3,605,404	\$ (234,121)	106%
MetroBase Operations Facility	\$ 559,907	\$ 9,404,019	\$ 8,844,112	6%
Local Bus Replacement	\$ 3,566,857	\$ 3,572,932	\$ 6,075	100%
CNG Bus Conversions	\$ 1,382,989	\$ 3,410,000	\$ 2,027,011	41%
Pacific Station Project	\$ 155,410	\$ 3,176,077	\$ 3,020,667	5%
H17 Bus Replacement	\$ 2,358,396	\$ 2,359,050	\$ 654	100%
Facility Camera Security System	\$ -	\$ 220,000	\$ 220,000	0%
Bus Camera Project	\$ -	\$ 205,000	\$ 205,000	0%
Trapeze Pass Interactive Voice Response System	\$ -	\$ 91,141	\$ 91,141	0%
Replace Dispatch Console	\$ 18,048	\$ 25,000	\$ 6,952	72%
Subtotal Grant Funded Projects	\$ 11,881,132	\$ 26,068,623	\$ 14,187,491	46%
<u>District Funded Projects</u>				
<u>IT Projects</u>				
Replace Fleet & Facilities Maintenance Software	\$ -	\$ 470,000	\$ 470,000	0%
Upgrade District Phone System	\$ 51,876	\$ 100,000	\$ 48,124	52%
GFI Data Warehouse Project: Phase I	\$ -	\$ 65,000	\$ 65,000	0%
Replace 4 Windows and 1 Sun Server	\$ 49,496	\$ 50,000	\$ 504	99%
Trapeze Pass Customer Certification Software	\$ -	\$ 46,000	\$ 46,000	0%
ATP - Hastus Run Time Analysis Program - IT/OPS	\$ 18,695	\$ 19,264	\$ 569	97%
Upgrade GFI software to System 7 Version 2	\$ 17,426	\$ 17,000	\$ (426)	103%
(2) Laptops (1) IT (1) Financial Analyst	\$ 3,551	\$ 4,500	\$ 949	79%
FMLA Tracking Software	\$ -	\$ 4,000	\$ 4,000	0%
Portable Projector w/case	\$ 1,955	\$ 2,000	\$ 45	98%
<u>Facilities Repair & Improvements</u>				
Bus Stop Improvements	\$ 11,670	\$ 100,000	\$ 88,330	12%
Replace Roof - Watsonville Transit Center Main Building	\$ -	\$ 50,000	\$ 50,000	0%
Patch, Reseal, and Restripe - Greyhound Lot	\$ -	\$ 21,390	\$ 21,390	0%
Digital ID Card Processing Equipment	\$ -	\$ 17,000	\$ 17,000	0%
HVAC - WTC	\$ 13,200	\$ 1	\$ (13,200)	100%
Patch, Reseal, Restripe - Cavallaro Transit Center (SVT)	\$ -	\$ 7,550	\$ 7,550	0%
Patch, Reseal, Restripe - Soquel Park & Ride Lot	\$ -	\$ 5,650	\$ 5,650	0%
Reseal Operations Facility Roof-FY08 - Retention Invoice	\$ 2,663	\$ 2,663	\$ 1	100%
Add Alarm Audio/Visual - OPS Bldg	\$ 1,744	\$ -	\$ (1,744)	100%

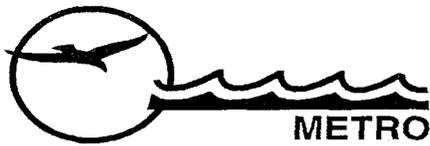
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FY2009
CAPITAL BUDGET
For the month ending - May 31, 2009

	<u>YTD Actual</u>		<u>FY09 Budget</u>		<u>Remaining Budget</u>		<u>% Spent YTD</u>
<u>Revenue Vehicle Replacement</u>							
Rebuild Bus Engines - 1998 Fleet	\$ 136,650	\$	129,302	\$	(7,348)		106%
Trilogy Bike Racks (7) w/assembly kits	\$ 13,380	\$	15,000	\$	1,620		89%
<u>Non-Revenue Vehicle Replacement</u>							
DGS Fees - Last FY Purchase	\$ 1,651	\$	-	\$	(1,651)		100%
<u>Maint Equipment</u>							
Replace Repeater for Davenport	\$ -	\$	15,000	\$	15,000		0%
Portable Steam Cleaner - Transit Center cleaning	\$ 10,081	\$	11,207	\$	1,126		90%
Battery Powered Walk Behind Sweeper - Pacific Station	\$ 5,285	\$	5,500	\$	215		96%
Wet/Dry Vac - Pacific Station, & other Metro facilities	\$ 3,928	\$	4,200	\$	272		94%
Decelerometer w/Printer	\$ 1,242	\$	1,323	\$	81		94%
2000 Watt Generator	\$ 1,095	\$	1,200	\$	105		91%
<u>Office Equipment</u>							
NONE	\$ -	\$	-	\$	-		0%
<u>Admin</u>							
Purchase & Renovation of Vernon Bldg	\$ 245,480	\$	3,138,418	\$	2,892,938		8%
<hr/>							
Subtotal District Funded Projects	\$ 591,068	\$	4,303,168	\$	3,712,099		14%
<hr/>							
TOTAL CAPITAL PROJECTS	\$ 12,472,200	\$	30,371,790	\$	17,899,590		41%

5-1.2.10



FY2009
CAPITAL BUDGET
For the month ending - May 31, 2009

	<u>YTD Actual</u>	<u>FY09 Budget</u>	<u>Remaining Budget</u>	<u>% Spent YTD</u>
<u>CAPITAL FUNDING</u>				
Federal Capital Grants	\$ 765,019	\$ 3,158,343	\$ 2,393,323	24%
State/Other Capital Grants (STIP)	\$ 6,582,989	\$ 8,610,000	\$ 2,027,011	76%
State/Other Capital Grants (1B PTMISEA)	\$ -	\$ 4,404,019	\$ 4,404,019	0%
State/Other Capital Grants (TCRP)	\$ 155,409	\$ 832,410	\$ 677,001	19%
State Security Bond Funds (1B)	\$ 18,048	\$ 440,505	\$ 422,457	4%
STA Funding (Current Year)	\$ -	\$ 705,112	\$ 705,112	0%
STA Funding (Prior Year)	\$ 841,387	\$ 2,066,267	\$ 1,224,880	41%
Alternative Fuel Conversion Fund	\$ 462,000	\$ 462,000	\$ -	100%
District Reserves (Lawsuit & Sakata Proceeds)	\$ 3,647,348	\$ 6,440,577	\$ 2,793,230	57%
Capital Reserves	\$ -	\$ 3,252,557	\$ 3,252,557	0%
TOTAL CAPITAL FUNDING	\$ 12,472,200	\$ 30,371,790	\$ 17,899,590	41%

* Metrobase project appears overspent this fiscal year due to carry-over spending from last fiscal year.

5-1. a11

GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

TO: Board of Directors
FROM: District Counsel
RE: Claim of: DVBE Trucking and Construction, Inc. Received: 06/29/09
Claim #: 09-0015
Date of Incident: 03/05/09 Occurrence Report No.: PC 03-09-02

In regard to the above-referenced Claim, this is to recommend that the Board of Directors take the following action:

- 1. Reject the claim entirely.
- 2. Deny the application to file a late claim.
- 3. Grant the application to file a late claim.
- 4. Reject the claim as untimely filed.
- 5. Reject the claim as insufficient.
- 6. Allow the claim in full.
- 7. Allow the claim in part, in the amount of \$_____ and reject the balance.

By Margaret Gallagher Date: 7/16/09
Margaret Gallagher
DISTRICT COUNSEL

I, Cindi Thomas, do hereby attest that the above Claim was duly presented to and the recommendations were approved by the Santa Cruz Metropolitan Transit District's Board of Directors at the meeting of July 24, 2009.

By _____ Date: _____
Cindi Thomas
RECORDING SECRETARY

MG/lg
Attachment(s)

CLAIM AGAINST THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

(Pursuant to Section 910 et Seq., Government Code)

Claim # 09-0015

TO: BOARD OF DIRECTORS, Santa Cruz Metropolitan Transit District

ATTN: Secretary to the Board of Directors
370 Encinal Street, Suite 100
Santa Cruz, CA 95060

1. Claimant's Name: DVBE Trucking and construction Inc.

Claimant's Address/Post Office Box: [REDACTED]

Claimant's Phone Number: [REDACTED]

2. Address to which notices are to be sent: [REDACTED]

3. Occurrence: Chevy truck making left turn hit side of parked truck.

Date: 3-5-09 Time: 10:24 am Place: 750 Bay Avenue

Circumstances of occurrence or transaction giving rise to claim: See attached police report # 09C-00441

4. General description of indebtedness, obligation, injury, damage, or loss incurred so far as is known: Front bumper, right front hood step, right fender molding damaged

5. Name or names of public employees or employees causing injury, damage, or loss, if known: [REDACTED]

6. Amount claimed now \$ 2642.68

Estimated amount of future loss, if known \$ —

TOTAL \$ 2642.68

7. Basis of above computations: Estimate of repairs

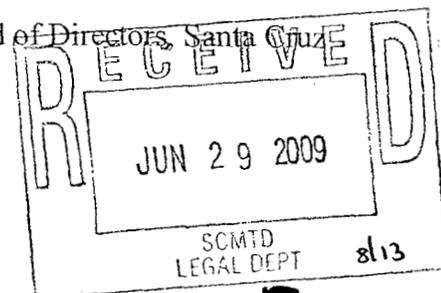
[Signature]

CLAIMANT'S SIGNATURE (or Company Representative or Parent of Minor Claimant)

6-24-09

DATE

Note: Claim must be presented to the Secretary to the Board of Directors, Santa Cruz Metropolitan Transit District



5-2.2



AGENDA

JULY 15, 2009 - 6:00 PM

**PACIFIC STATION CONFERENCE ROOM
920 PACIFIC AVENUE, SANTA CRUZ, CALIFORNIA**

- 1. ROLL CALL**
- 2. AGENDA ADDITIONS/DELETIONS**
- 3. ORAL/WRITTEN COMMUNICATION**
- 4. CONSIDERATION OF APPROVAL OF MINUTES OF JUNE 17, 2009**
- 5. ACCEPT AND FILE RIDERSHIP REPORT FOR APRIL 2009**
- 6. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR MARCH 2009**
- 7. REPORT BY MAC REPRESENTATIVE TO OTHER TRANSIT RELATED MEETINGS**
- 8. DISCUSSION OF BUS OPERATOR CUSTOMER SERVICE**
- 9. DISCUSSION OF THE WEBSITE REDESIGN PROJECT**
- 10. CONSIDERATION OF SIGNAGE FOR PARACRUZ PICK UP AND DROP OFF AREA AT THE WATSONVILLE TRANSIT CENTER**
- 11. DISTRIBUTION OF MAC VOUCHERS**
- 12. COMMUNICATIONS TO METRO GENERAL MANAGER**
- 13. COMMUNICATIONS TO METRO BOARD OF DIRECTORS**
- 14. ITEMS FOR NEXT MEETING AGENDA**
- 15. ADJOURNMENT**

*NEXT MEETING: WEDNESDAY, AUGUST 19, 2009, AT 6:00 PM
PACIFIC STATION CONFERENCE ROOM*

5-3.1

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes - METRO Advisory Committee (MAC)

May 20, 2009

The METRO Advisory Committee (MAC) met on Wednesday, May 20, 2009 in the Pacific Station Conference Room located at 920 Pacific Avenue in Santa Cruz, California.

Chair Naomi Gunther called the meeting to order at 6:05 p.m.

1. ROLL CALL:

MEMBERS PRESENT

Naomi Gunther, Chair
Mara Murphy (Arrived after roll call)
Dennis "Pop" Papadopulo
Stuart Rosenstein
Dave Williams (Arrived after roll call)
Robert Yount, Vice Chair

MEMBERS ABSENT

None

VISITORS PRESENT

Charlotte Walker, Transit User

STAFF PRESENT

Ciro Aguirre, Operations Manager
April Warnock, Paratransit Superint.

2. AGENDA ADDITIONS/DELETIONS

None.

MARA MURPHY ARRIVED

3. ORAL/WRITTEN COMMUNICATION

DAVE WILLIAMS ARRIVED

Written:

- a. Santa Cruz Metropolitan Transit District Re: Discount Fare Policy
- b. E & D TAC Re: Federal Funding

Oral:

None.

4. CONSIDERATION OF APPROVAL OF MINUTES OF APRIL 15, 2009

ACTION: MOTION: ROBERT YOUNT SECOND: DAVE WILLIAMS

ACCEPT AND FILE MINUTES OF THE APRIL 15, 2009 MEETING AS PRESENTED

Motion passed unanimously.

5-3.2

Regarding item 7 of the April 15, 2009, minutes Vice Chair Robert Yount pointed out that it was *Ciro Aguirre* who was successful in banning smoking at the bus stop area at the Capitola Mall.

5. ACCEPT AND FILE RIDERSHIP REPORT FOR FEBRUARY 2009

There was discussion of the increase in ridership on Route 10, that there were fewer bikes on the Highway 17 Express and that the Revenue Box information was missing from the February 2009 Ridership Report.

6. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR JANUARY 2009

There was discussion regarding the increase in ParaCruz's cost per ride due to fuel and vehicle repair, life expectancy of vehicle transmissions, operator's awareness of their driving skills affecting the maintenance of the vehicle and the difficulty finding USA made mini vans from manufacturers that have provided them in the past that have now consolidated their factories in Canada.

7. REPORT BY MAC REPRESENTATIVE TO OTHER TRANSIT RELATED MEETINGS

Vice Chair Robert Yount reported BSAC has not received any new projects from the city of Santa Cruz for bus stops so BSAC's primary concern is the maintenance of existing bus stops. Felton Faire received a new solar powered bus stop.

8. DISCUSSION OF "GOT HEADWAYS" AS AN ADVERTISING ITEM

Stuart Rosenstein mentioned that the sign "*Got Headways*" caught his eye and he inquired about using it along with the rack that holds the "*Headways*" as an advertisement instrument for METRO.

Ciro Aguirre reported that "*Got Headways*" was intended to catch the attention of bus operators so they would keep an adequate inventory of *Headways* on the bus since that is the most effective means of distributing the *Headways*. *Ciro Aguirre* has made inquires about the sign and rack at the Pacific Station. If there are more racks there is a possibility of distributing them to the Transit Centers.

Ciro Aguirre suggested placing the "*Got Headways*" in the advertising glass enclosures at the Pacific Station and revising it to add; *Headways* are located at the Customer Service kiosk, Watsonville Transit Center store and on the bus.

Discussion ensued regarding *Headways* informational value, cost, the in house staff contributions towards monitoring the distribution handling, preparation work, pictures, portrayals of passengers, ideas for the cover and the next cover theme.

Stuart Rosenstein suggested making color posters from the cover photo to place in businesses in the down town area, Capitola Village and city government buildings as a means to increase local and tourist ridership. Chair Naomi Gunther likes the poster idea and also the idea of reusing an image as a branding or marketing tool for visibility and continuity on the poster and *Headways*.

Vice Chair Robert Yount volunteered to print 8x11 colored posters if METRO lays the *Headways* cover photo out in color. Dennis Papadopulo volunteered to approach vendors to request authorization to display the posters in their storefront windows.

There was discussion regarding using the Tail, Queen or King sections of the bus for METRO'S own advertising. Ciro Aguirre pointed out to do so would not be cost effective and there is less exposure than the posters due to the limited number of buses METRO would have available for the advertising.

9. DISCUSSION OF CUSTOMER SERVICE REPRESENTATIVES AND BUS OPERATORS

Stuart Rosenstein expressed his opinion regarding bus operator knowledge of their routes in order to provide assistance to passengers (in particular first time users) inquiring about directions and bus stop information on their route. Mr. Rosenstein brought this issue up several years ago and said he was told operators could not talk to customers, because it was a safety issue.

Ciro Aguirre stated there is no preclusion for a person to walk up to an operator and ask for help with directions. There is a general fundamental understanding of what and where the routes go, but details may be a little difficult.

A discussion followed regarding bus operator knowledge of routes, operator's routes that change daily or bi-daily, training new and existing operators with *Headways* and routes, other resources to use such as fellow riders, cell phones and the web, METRO'S proactive approach trying to provide information and customer service through different mediums; website, car alert notices, *Headways*, revising map diagrams of routes at the bus stops and the extended Customer Service kiosk hours and the responsibility of the rider to learn where they want to go and how much responsibility is it of METRO to provide the information.

10. DISTRIBUTION OF MAC VOUCHERS

Ciro Aguirre distributed METRO MAC vouchers to the MAC members at this time.

11. COMMUNICATIONS TO METRO GENERAL MANAGER

No comments.

12. COMMUNICATIONS TO METRO BOARD OF DIRECTORS

Vice Chair Robert Yount suggested that MAC send a letter to the Board of Directors and ask them to fill the vacant positions on MAC.

Stuart Rosenstein would like to add a friendly request that they specifically outreach to under represented members in the community like students or someone from Watsonville. Vice Chair Robert Yount agrees the consideration to include students or other under represented groups or areas like San Lorenzo Valley for instance, but for now MAC just wants the members.

ACTION: MOTION: ROBERT YOUNT SECOND: DENNIS PAPADOPULO

MAC RECOMMENDS THAT THE BOARD OF DIRECTORS FILL THE VACANT POSITIONS ON THE METRO ADVISORY COMMITTEE

Motion passed unanimously.

13. ITEMS FOR NEXT MEETING AGENDA

- Bus Operator Customer Service
- Marked Pick-up and Drop Off Space at Watsonville Transit Center

ADJOURN

There being no further business, Chair Naomi Gunther thanked everyone for participating and adjourned the meeting at 7:50 p.m.

Respectfully submitted,



KAREN BLIGHT
Administrative Assistant

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24th, 2009
TO: Board of Directors
FROM: April Warnock, Paratransit Superintendent
SUBJECT: METRO PARACRUZ OPERATIONS STATUS REPORT

I. RECOMMENDED ACTION

This report is for information only - no action requested

II. SUMMARY OF ISSUES

- METRO ParaCruz is the federally mandated ADA complementary paratransit program of the Transit District, providing shared ride, door-to-door demand-response transportation to customers certified as having disabilities that prevent them from independently using the fixed route bus.
- METRO assumed direct operation of paratransit services November 1, 2004.
- Operating Statistics and customer feedback information reported are for the month of April 2009.
- ParaCruz Performance Goals are reflected in the Comparative Statistics Table in order to better compare actual performance.
- A breakdown of pick-up times beyond the ready window is included.
- At the January 23rd, 2008 METRO Board of Directors meeting, Staff was requested to provide additional information on the number of ParaCruz in-person eligibility assessments in comparison to past years, since implementation.

III. DISCUSSION

METRO ParaCruz is the federally mandated ADA complementary paratransit program of the Transit District, providing shared ride, door-to-door demand-response transportation to customers certified as having disabilities that prevent them from independently using the fixed route bus.

METRO began direct operation of ADA paratransit service (METRO ParaCruz) beginning November 1, 2004. This service had been delivered under contract since 1992.

At the January 23rd, 2008 METRO Board of Directors meeting Staff was requested to provide additional information on the number of ParaCruz eligibility assessments conducted each year since in-person eligibility assessments started August 2002. In person Eligibility assessments

5-4.1

were initiated while METRO's ADA Paratransit was a service contracted with Community Bridges. METRO ParaCruz has been administered in-house since October 2004. Attachment G illustrates the differences of the number of assessments conducted each year, separated into each category of Eligibility determinations.

There has been discussion regarding ParaCruz on-time performance. It was noted that most statistical data continues to show improvement, the reported percentage of pick ups performed within the "ready window" has remained relatively consistent, hovering at roughly 90%. Staff was requested to provide a break down reflecting pick-ups beyond the "ready window".

The table below displays the percentage of pick-ups within the "ready window" and a breakdown in 5-minute increments for pick-ups beyond the "ready window".

	April 2008	April 2009
Total pick ups	7695	7966
Percent in "ready window"	94.74%	93.37%
1 to 5 minutes late	.66%	2.37%
6 to 10 minutes late	.43%	1.47%
11 to 15 minutes late	.23%	.80%
16 to 20 minutes late	.14%	.43%
21 to 25 minutes late	.06%	.25%
26 to 30 minutes late	.03%	.13%
31 to 35 minutes late	.00%	.08%
36 to 40 minutes late	.00%	.03%
41 or more minutes late (excessively late/missed trips)	.03%	.08%
Total beyond "ready window"	5.26%	6.63%

During the month of April 2009, ParaCruz received three (3) compliments, and five (5) Customer Service complaints. One (1) of the complaints were valid, and four (4) were not valid.

As a way to monitor performance for selected items, two new columns have been added to the Comparative Operating Statistics Table. They are titled, respectively, 'Performance ' and 'Performance Goals'. These new columns identify what the average is for the unpredictable factors, and performance goals that we have established for reported items where performance is a critical indicator to ParaCruz' efficiency.

IV. FINANCIAL CONSIDERATIONS

NONE

5-4.2

V. ATTACHMENTS

- Attachment A:** Comparative Operating Statistics Table for February 2009.
- Attachment B:** Number of Rides Comparison Chart
- Attachment C:** Shared vs. Total Rides Chart
- Attachment D:** Mileage Comparison Chart
- Attachment E:** Year To Date Mileage Chart
- Attachment F:** Daily Drivers vs. Subcontractor Chart
- Attachment G:** Eligibility Charts

Attachment A

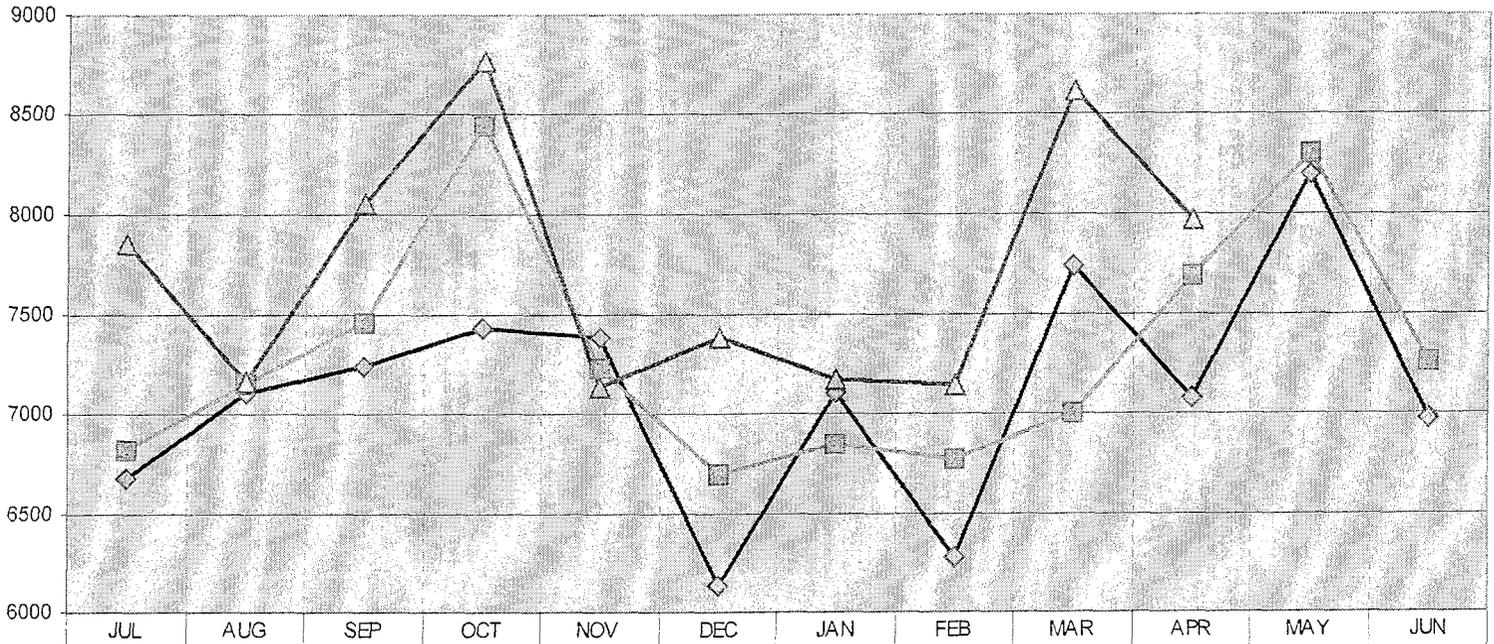
Board of Directors
Board Meeting July 24th, 2009

Comparative Operating Statistics This Fiscal Year, Last Fiscal Year through April 2009.

	Apr 08	Apr 09	Fiscal 07-08	Fiscal 08-09	Performance Averages	Performance Goals
Requested	8409	8695	678,102	83,117	8334	
Performed	7695	7966	72,152	77,150	7726	
Cancels	18.11%	18.54%	167.10%	17.95%	17.78%	
No Shows	1.96%	2.09%	2.33%	2.66%	2.81%	Less than 3%
Total miles	48,975	55,290	478,831	529,283	52,127	
Av trip miles	4.89	4.97	5.08	4.91	5.08	
Within ready window	94.74%	93.37%	93.93%	94.0%	94.22%	92.00% or better
Excessively late/missed trips	2	5	27	32	3.17	Zero (0)
Call center volume	6422	6370	60,781	60,177	6394	
Call average seconds to answer	28	31	29	32	30.58 seconds	Less than 2 minutes
Hold times less than 2 minutes	97%	96%	97%	96%	96%	Greater than 90%
Distinct riders	791	805	1,675	1,671	802	
Most frequent rider	48 rides	56 rides	410 rides	305 rides	57 rides	
Shared rides	69.3%	59.8%	66.0%	63.2%	65.52%	Greater than 60%
Passengers per rev hour	2.10	1.93	2.37	1.99	2.12	Greater than 1.6 passengers/hour
Rides by supplemental providers	15.8%	5.86%	14.79%	8.21%	9.03%	No more than 25%
Vendor cost per ride	\$21.16	\$23.85	\$22.44	\$22.82	\$23.06	
ParaCruz driver cost per ride (estimated)	\$24.72	\$23.29	\$24.04	\$24.34	\$25.30	
Rides < 10 miles	71.62%	69.03%	71.77%	70.61%	70.68%	
Rides > 10	28.38%	30.97%	28.23%	29.54%	29.32%	

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NUMBER OF RIDES COMPARISON CHART

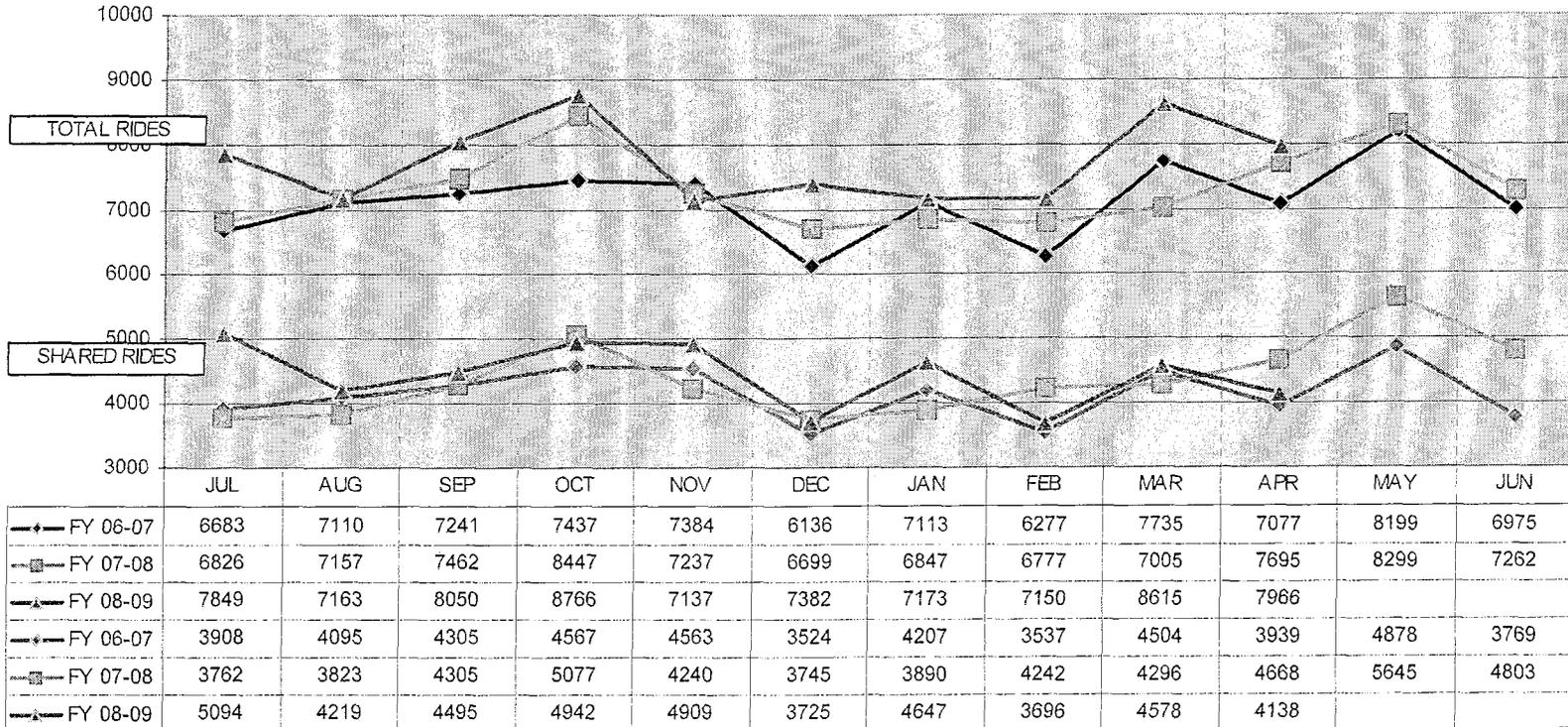


	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
◆ FY 06-07	6683	7110	7241	7437	7384	6136	7113	6277	7735	7077	8199	6975
■ FY 07-08	6826	7157	7462	8447	7237	6699	6847	6777	7005	7695	8299	7262
▲ FY 08-09	7849	7163	8050	8766	7137	7382	7173	7150	8615	7966		

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Attachment B

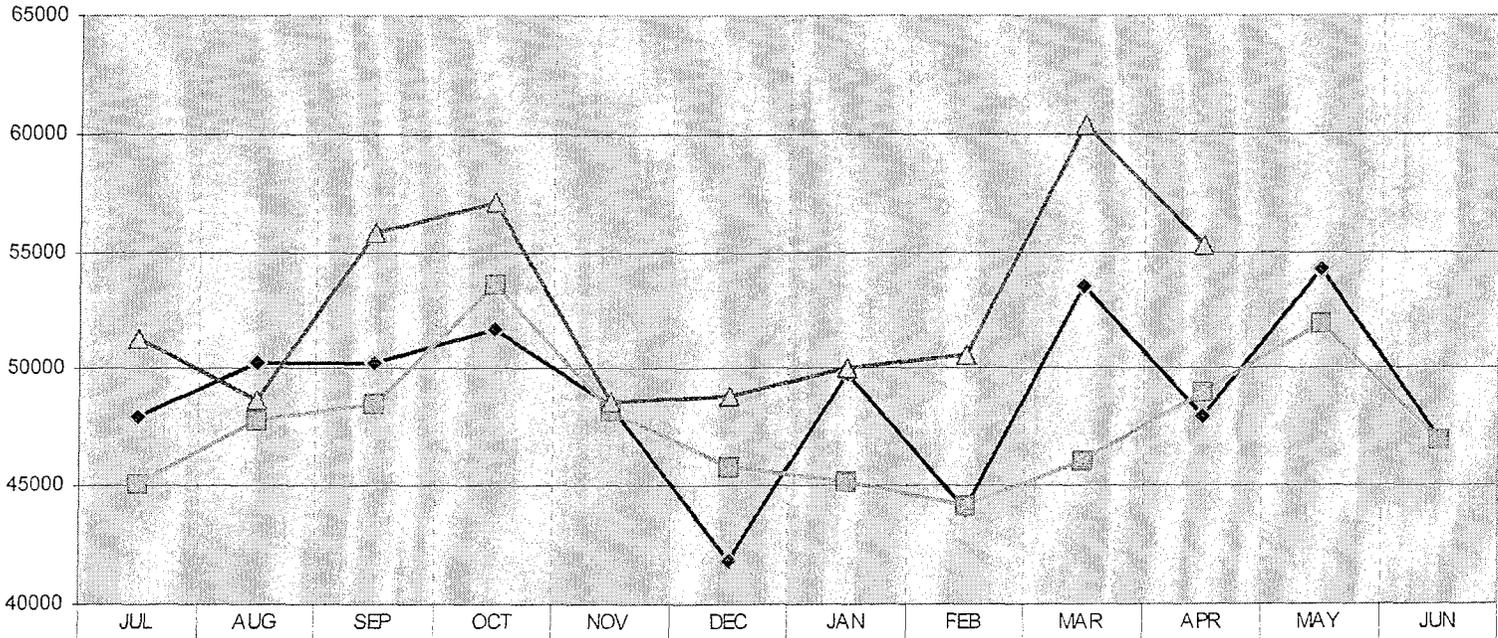
TOTAL vs. SHARED RIDES



5-4:01

Attachment C

MILEAGE COMPARISON

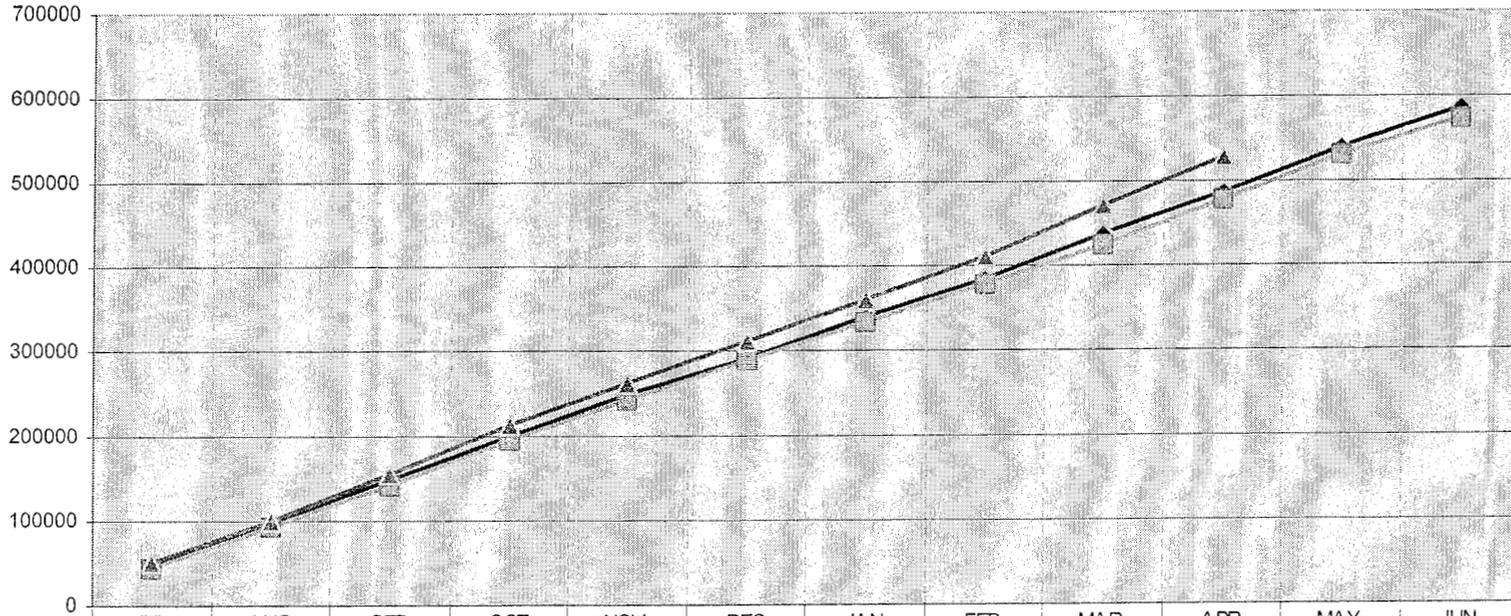


◆ FY 06-07	47981	50232	50255	51677	48456	41828	49776	43976	53534	47989	54255	46976
■ FY 07-08	45123	47780	48487	53636	48186	45805	45200	44106	46046	48975	51961	46958
▲ FY 08-09	51320	48692	55823	57099	48596	48812	50001	50584	60393	55290		

5-4.01

Attachment D

YEAR TO DATE MILEAGE COMPARISON



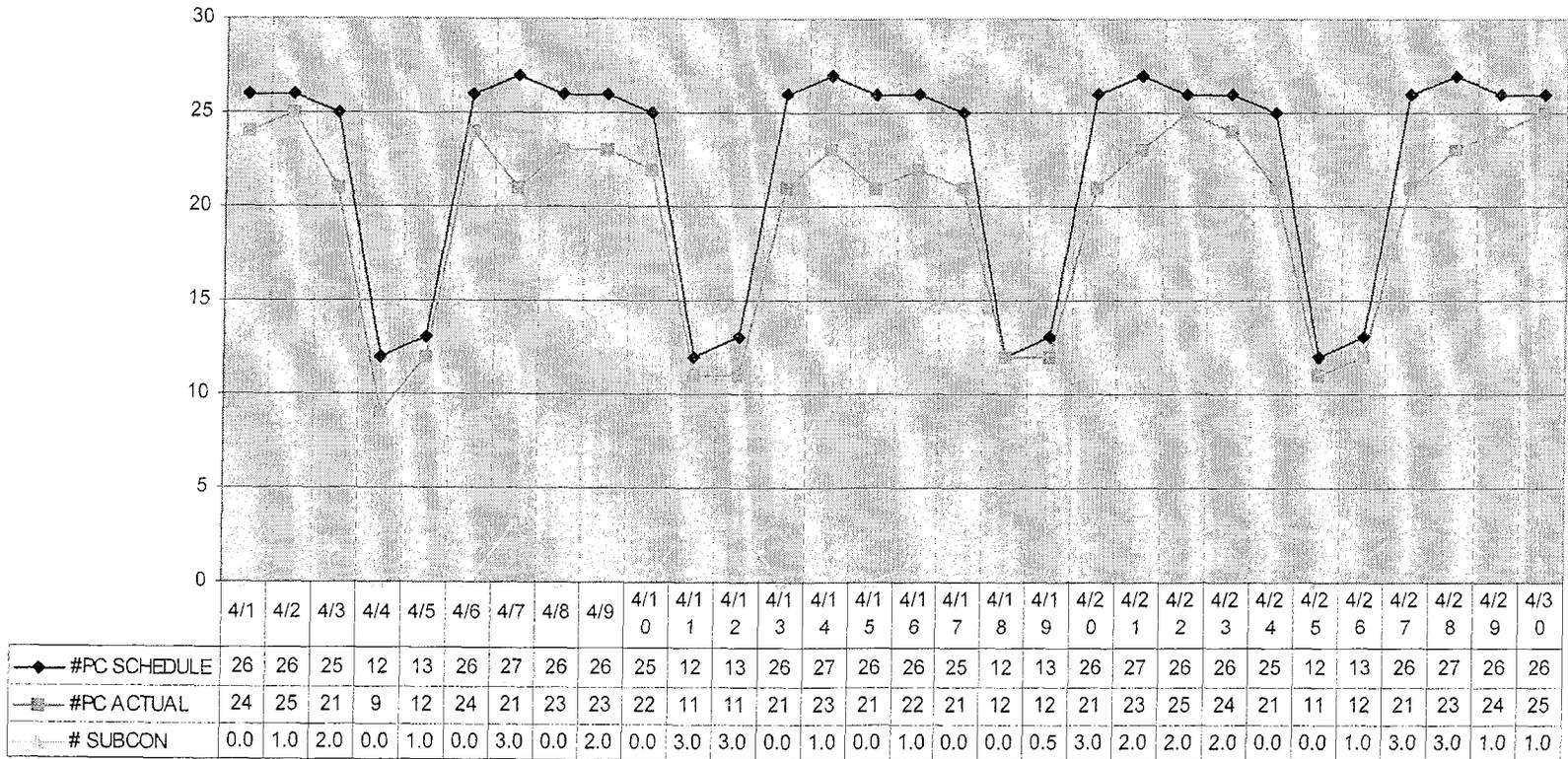
	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN
FY 06-07	47981	98213	148468	200145	248601	290429	340205	384181	437715	485704	539959	586935
FY 07-08	45123	92903	141390	195026	243212	289017	334217	378323	424761	478831	530792	572750
FY 08-09	51320	100012	155835	212931	261528	310340	360287	410771	471186	529283		

5-4.e1

Attachment E

5-4.F1

DAILY DRIVERS vs. SUBCONTRACTORS



OUT OF DATABASE	UNRESTRICTED	RESTRICTED CONDITIONAL	RESTRICTED TRIP BY TRIP	TEMPORARY	VISITOR	DCSD	TOTAL
1/1/2005 to 12/31/2005	189	30	12	33	6	283	553
1/1/2006 to 12/31/2006	466	39	24	47	17	384	977
1/1/2007 to 12/31/2007	264	26	19	53	22	173	557
1/1/2008 to 12/31/2008	308	17	19	57	18	58	477

INTO DATABASE	UNRESTRICTED	RESTRICTED CONDITIONAL	RESTRICTED TRIP BY TRIP	TEMPORARY	VISITOR	TOTAL	DENIED
1/1/2005 to 12/31/2005	428	16	34	48	6	532	28
1/1/2006 to 12/31/2006	356	13	47	49	17	482	4
1/1/2007 to 12/31/2007	442	29	93	46	22	632	6
1/1/2008 to 12/31/2008	400	59	57	23	18	557	12

MONTHLY ASSESSMENTS - 2009						
	UNRESTRICTED	RESTRICTED CONDITIONAL	RESTRICTED TRIP BY TRIP	TEMPORARY	DENIED	TOTAL
JANUARY	30	5	0	9	2	46
FEBRUARY	28	2	0	5	1	36
MARCH	40	3	3	4	0	50
APRIL	21	2	2	2	0	27

NUMBER OF ELIGIBLE RIDERS	
YEAR	ACTIVE
2005	5336
2006	5315
2007	4820
2008	4895

5-4.91

HIGHWAY 17 EXPRESS OPERATING STATISTICS SUMMARY

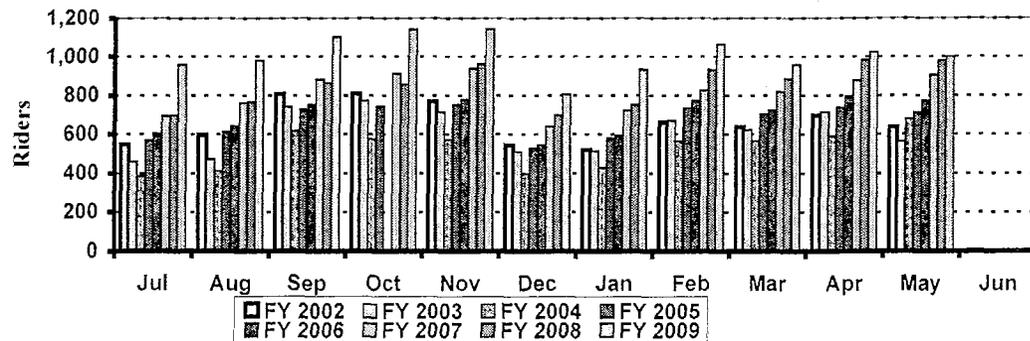
FISCAL YEAR 2009

MONTHLY	Jul-2008	Aug-2008	Sep-2008	Oct-2008	Nov-2008	Dec-2008	Jan-2009	Feb-2009	Mar-2009	Apr-2009	May-2009	Jun-2009
Total Ridership	25,909	26,183	27,827	31,546	28,009	21,008	24,835	25,969	26,615	27,596	26,738	
Avg. Weekday Ridership	959	977	1,101	1,142	1,142	805	933	1,066	955	1,023	998	
Avg. Saturday Ridership	540	566	550	625	567	422	559	580	590	613	604	
Avg. Sunday Ridership	531	565	500	697	660	324	488	584	649	660	626	
Total Service Days	31	31	30	31	30	31	31	28	31	30	31	
Number of Weekdays	22	21	21	23	18	22	21	20	22	22	20	
Number of Saturdays	4	5	4	4	5	4	5	4	4	4	5	
Numbers of Sundays	5	5	5	4	7	5	5	4	5	4	6	
Revenue Hours	1,485	1,451	1,468	1,633	1,456	1,592	1,562	1,453	1,609	1,565	1,531	

QUARTERLY	Q1			Q2			Q3			Q4		
Total Ridership	79,919			80,563			77,419					
Avg. Weekday Ridership	1,012			1,024			983					
Avg. Saturday Ridership	553			540			575					
Avg. Sunday Ridership	532			564			573					
Revenue Hours	4,403			4,681			4,623					

FYTD	Jul-2008	Aug-2008	Sep-2008	Oct-2008	Nov-2008	Dec-2008	Jan-2009	Feb-2009	Mar-2009	Apr-2009	May-2009	Jun-2009
Total Ridership	25,909	52,092	79,919	111,465	139,474	160,482	185,317	211,286	237,901	265,497	292,235	
Avg. Weekday Ridership	959	968	1,012	1,046	1,063	1,018	1,006	1,013	1,006	1,008	1,007	
Avg. Saturday Ridership	540	554	553	570	569	547	549	552	556	561	566	
Avg. Sunday Ridership	531	548	532	567	592	549	540	545	556	565	571	
Revenue Hours	1,485	2,936	4,403	6,037	7,492	9,084	10,646	12,098	13,707	15,272	16,803	

HIGHWAY 17 EXPRESS
Average Weekday Ridership History



FYTD COMPARISON
2009 vs. 2008

	FY 2009	FY 2008	Percent Change
# of Weekdays	232	233	-0.4%
Total Ridership	292,235	244,229	19.7%
Avg. Wkday Ridership	1,007	851	18.4%
Avg Sat Ridership	566	443	27.8%
Avg Sun Ridership	571	450	26.8%
Revenue Hours	16,803	15,845	6.0%
Riders Per Rev. Hour	17.14	15.52	10.4%

5-5.1

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009

TO: Board of Directors

FROM: Angela Aitken, Finance Manager *AA*

SUBJECT: SANTA CRUZ METRO SYSTEM RIDERSHIP AND PERFORMANCE REPORT FOR MAY 2009

I. RECOMMENDED ACTION

This report is for informational purposes only. No action is required

II. SUMMARY OF ISSUES

- Total ridership for the month of May 2009 was 572,309. Which is a decrease of 10,639 riders or -1.8% from May 2008.
- Ridership FYTD is 5,631,694 through May 2009. This is a 4.8% increase from FYTD ridership in May 2008.
- The top three routes in terms of percent increase (with at least 700 riders) are: Route 20D Supplemental, Route 54, and Route 72.
- The top three routes in terms of percent decrease (with at least 700 riders) are: Route 7, Route 31, and Route 53.
- There were 19.33 hours of dropped service amounting to 284.60 miles of dropped service in May 2009.

III. DISCUSSION

In the twenty (20) weekdays, ten (10) weekend days, and one (1) holiday of May 2009, METRO's total ridership was 572,309 riders. This was a loss from the previous year, decreasing by 10,639 riders or simply -1.8%. FYTD ridership however, had increase 4.8% through May 2009.

Route 20D, a supplemental route for UCSC, has had a staggering increase from the previous May, gaining almost 4,000 riders from May 2008. The Route 54 from the Capitola Mall to La Selva Beach has also gained some popularity, particularly on weekends. The increased ridership on Route 72 maybe somewhat of an anomaly, further observation is needed to determine the credibility of this statistic. Routes 7, 31, and 53 have seen major recessions in already poor ridership; a combining loss of 874 riders or -21.08% to these routes.

There were 19.57 dropped hours amounting to 310.04 miles of dropped service mostly due to no operators.

5-6.1

IV. FINANCIAL CONSIDERATIONS.

Revenue derived from passenger fares and passes are reflected in the FY09 Revenue.

V. ATTACHMENTS

- Attachment A: May 2009 Ridership Report**
- Attachment B: May 2008 Ridership Report**
- Attachment C: Route by Route Ridership**
- Attachment D: FYTD % Change in Ridership**
- Attachment E: Dropped Service for FY09**

Prepared by: Erich R. Friedrich

5-6.2

**Santa Cruz METRO
May 2009 Ridership Report**

ROUTE	Hours	Miles	UC Student	UC Faculty	Cabrillo	Full Fare	Tickets	Cash S/D Riders	Day Pass	S/D Day Pass	Passes/ Free Rides	P. Shores/ Other Fares	Total Ridership	Passengers Per Hour	Passengers Per Mile	Wheelchair	Bike
10	565.83	5,202.60	31,434	1,462	198	780	33	52	11	7	866	1	34,844	61.58	6.70	27	1,087
13	231.66	2,198.40	11,240	505	78	272	6	16	4	5	311	1	12,438	53.69	5.66	0	388
15	750.54	7,565.17	43,299	1,719	370	1,074	84	60	11	6	1,226	6	47,855	63.76	6.33	13	1,614
16	1,637.85	16,369.08	92,449	2,998	726	3,660	95	182	29	17	2,983	8	103,147	62.98	6.30	25	3,378
19	570.51	6,165.58	26,229	1,048	244	1,003	33	89	10	13	1,081	4	29,754	52.15	4.83	11	1,055
3	235.32	2,272.40	572	54	312	583	106	119	26	28	1,369	56	3,225	13.70	1.42	10	111
4	200.00	1,415.10	188	45	191	395	173	246	10	21	3,198	2	4,469	22.35	3.16	70	72
7	100.68	1,042.00	46	12	73	79	57	75	1	14	571	3	931	9.25	0.89	5	10
9	24.00	433.64	25	16	11	158	4	7	2	0	209	0	432	18.00	1.00	2	10
12A	23.34	263.28	909	183	6	34	1	1	0	0	34	0	1,168	50.04	4.44	0	50
20	562.50	6,117.15	20,071	650	450	1,158	72	117	14	12	1,563	93	24,200	43.02	3.96	8	841
27x	154.66	1,405.60	3,794	203	11	64	4	2	0	0	126	2	4,206	27.20	2.99	1	296
31	132.66	2,131.64	44	45	182	522	35	21	10	3	754	0	1,616	12.18	0.76	8	112
32	45.00	714.84	14	6	24	178	8	9	0	0	311	0	550	12.22	0.77	0	20
33	23.34	498.60	0	6	7	91	1	4	0	0	272	0	381	16.32	0.76	0	0
34	17.66	279.20	1	0	0	125	3	2	3	0	173	0	307	17.38	1.10	0	1
35	2,133.49	38,468.43	1,376	477	2,664	13,400	764	1,467	305	168	23,036	13	43,670	20.47	1.14	82	2,155
40	117.82	2,434.00	45	15	24	742	22	52	24	19	910	1	1,854	15.74	0.76	2	145
41	155.00	2,971.35	306	68	140	567	20	12	13	6	701	0	1,833	11.83	0.62	1	161
42	145.01	3,388.70	245	31	95	434	17	58	2	6	349	1	1,238	8.54	0.37	1	168
53	111.66	1,113.60	16	13	45	188	10	49	1	2	401	0	725	6.49	0.65	28	21
54	153.32	2,186.70	14	9	171	269	19	61	6	5	493	0	1,047	6.83	0.48	11	37
55	221.68	2,697.20	46	49	1,751	524	45	112	13	21	1,805	0	4,366	19.70	1.62	105	149
56	101.66	2,105.80	8	6	366	249	17	59	7	4	526	0	1,242	12.22	0.59	25	34
66	710.84	6,529.96	1,849	229	990	4,958	390	701	73	80	7,849	3	17,122	24.09	2.62	139	604
68	523.84	5,001.40	1,603	258	713	2,533	240	408	64	48	5,146	1	11,014	21.03	2.20	62	366
68N	153.33	1,846.50	501	36	161	859	35	68	0	0	1,042	0	2,702	17.62	1.46	21	128
69	389.82	3,346.70	1,229	232	592	2,534	213	367	55	21	4,268	6	9,517	24.41	2.84	86	353
69A	908.17	14,532.19	1,427	388	957	8,664	736	1,283	105	83	9,288	5	22,936	25.26	1.58	266	842
69N	155.00	1,659.90	507	82	388	712	30	70	2	0	1,033	0	2,824	18.22	1.70	19	153
69W	922.17	14,100.52	1,768	395	4,640	8,563	631	916	97	64	9,961	17	27,052	29.34	1.92	174	1,016
70	256.66	2,878.10	330	87	3,447	1,266	130	220	31	16	2,608	21	8,156	31.78	2.83	65	276
71	3,301.00	48,586.77	3,301	1,048	12,889	26,435	2,271	3,298	324	254	29,348	58	79,226	24.00	1.63	492	3,713
72	331.34	5,260.08	6	11	246	2,008	84	372	23	35	1,417	0	4,202	12.68	0.80	22	91
74	247.68	3,216.98	12	29	104	1,496	125	308	13	10	1,023	0	3,120	12.60	0.97	21	18
75	451.49	6,598.80	44	37	319	4,788	217	722	66	80	2,300	0	8,573	18.99	1.30	87	141
76	123.33	2,102.48	9	9	28	367	21	113	7	3	425	0	982	7.96	0.47	8	14
79	148.00	1,569.26	12	1	171	636	115	236	13	46	904	0	2,134	14.42	1.36	97	12
88																	
91x	305.01	5,600.48	164	123	1,229	1,313	310	98	72	18	1,530	19	4,876	15.99	0.87	10	347
UC Supp.	145.08	1,891.02	7,756	379	9	56	1	3	0	0	56	9	8,269	57.00	4.37	1	230
Night Owl			6,745	58	34	391	3	6	0	0	122	0	7,359	#DIV/0!	#DIV/0!	1	198
TOTAL	17,487.95	234,161.21	259,634	13,022	35,056	94,128	7,181	12,061	1,447	1,115	121,588	330	545,562	31.20	2.33	2,006	20,415
ROUTE	VT/SC		ECO	Full	S/D		17	Passes/	RIDERSHIP		Passengers	Passengers	Wheelchair	Bike			
17	1,654.65	47,823.82	8	89	175	13,130	1,295	1,583	106	10,361	26,747	16.16	0.56	62	1,687		

May Ridership 572,309

5-6-a1

ATSC 17A

**Santa Cruz METRO
May 2008 Ridership Report**

ROUTE	Miles	Hours	UC Student	UC Staff Faculty	Cabrillo	Full Fare	Tickets	Cash S/D Riders	S/D Day Pass	Passes/ Free Rides	Pacific Shores	Total Ridership	Passengers Per Mile	Passengers Per Hour	W/C	Bike	
10	5,323.93	446.25	28,547	1,871	166	966	49	69	6	7	1,101	3	32,785	6.16	73.47	18	1,080
13	2,308.32	197.40	13,438	751	84	274	25	15	5	4	513	1	15,110	6.55	76.55	0	490
15	7,977.43	670.47	42,516	2,088	350	1,163	57	30	10	4	1,514	5	47,737	5.98	71.20	9	1,635
16	15,286.63	1,259.02	93,399	4,128	804	3,744	117	188	35	22	2,986	7	105,430	6.90	83.74	25	3,389
19	5,703.48	423.56	24,931	1,309	238	975	57	76	13	19	1,438	3	29,059	5.09	68.61	16	1,049
3	2,386.02	172.89	260	132	341	725	43	152	17	28	1,421	91	3,208	1.34	18.56	13	55
4	1,485.86	153.99	432	88	154	503	254	312	13	30	3,450	4	5,240	3.53	34.03	32	97
7	1,094.10	98.01	84	20	90	124	52	47	15	23	776	0	1,231	1.13	12.56	13	14
9	455.32	24.15	18	19	6	92	4	10	3	0	334	0	486	1.07	20.12	2	20
12A	276.44	19.95	774	189	14	27	12	4	4	1	48	0	1,073	3.88	53.78	0	54
20	6,154.67	410.16	21,787	1,067	530	1,252	77	147	16	13	1,581	160	26,630	4.33	64.93	9	837
27	1,475.88	126.00	4,337	321	22	111	10	5	0	0	73	1	4,880	3.31	38.73	0	256
31	2,238.22	115.14	51	120	121	642	37	28	7	3	1,024	0	2,033	0.91	17.66	7	103
32	750.58	44.46	17	16	27	288	7	10	0	0	174	0	539	0.72	12.12	5	11
33	523.53	24.15	1	0	2	80	26	0	0	0	202	0	311	0.59	12.88	0	3
34	293.16	18.54	3	0	1	101	1	1	1	0	147	0	255	0.87	13.75	0	1
35	38,749.81	1,940.92	1,852	602	1,954	15,031	772	1,386	323	175	23,978	21	46,094	1.19	23.75	98	2,186
40	2,453.94	99.69	37	9	39	894	25	56	24	11	862	1	1,958	0.80	19.64	3	62
41	3,070.31	127.50	343	107	113	808	15	30	6	1	705	27	2,155	0.70	16.90	0	198
42	3,389.16	125.76	200	11	110	513	18	51	1	1	461	11	1,377	0.41	10.95	1	178
53	1,169.28	82.59	4	5	48	239	14	73	5	9	485	0	882	0.75	10.68	24	24
54	2,059.83	119.49	18	8	179	230	13	42	4	6	422	0	922	0.45	7.72	8	16
55	2,832.06	192.51	12	19	1,437	640	50	141	16	28	2,000	0	4,343	1.53	22.56	93	84
56	2,211.09	97.65	2	8	436	215	10	17	24	3	544	0	1,259	0.57	12.89	7	31
66	6,533.46	563.11	1,462	433	824	5,554	365	676	153	98	7,893	15	17,473	2.67	31.03	111	431
68	5,029.56	411.26	1,318	301	588	3,046	189	384	96	71	5,334	22	11,329	2.25	27.55	98	301
68N	1,852.50	132.99	415	55	147	961	34	47	0	0	1,023	0	2,682	1.45	20.17	18	101
69	3,494.25	315.80	1,090	412	491	2,804	208	352	40	18	4,307	18	9,740	2.79	30.84	68	345
69A	14,571.99	783.69	1,279	669	893	9,683	911	1,221	151	151	10,164	16	25,138	1.73	32.08	276	851
69N	1,735.74	139.41	405	97	373	873	26	67	1	0	914	2	2,758	1.59	19.78	24	166
69W	14,177.46	790.50	1,441	603	3,953	9,699	620	1,036	150	85	11,086	34	28,707	2.02	36.31	209	968
70	3,022.01	248.49	283	133	3,094	1,503	158	190	24	21	2,891	19	8,316	2.75	33.47	41	253
71	49,001.12	2,802.85	2,728	1,738	11,270	28,856	2,351	3,594	356	263	28,683	62	79,901	1.63	28.51	421	3,694
72	5,523.08	267.06	6	24	141	1,862	92	327	23	23	1,333	0	3,831	0.69	14.35	26	64
74	3,402.08	197.76	16	28	133	1,863	120	286	16	18	984	0	3,464	1.02	17.52	22	35
75	6,586.20	397.50	101	65	241	4,321	203	697	71	44	2,520	0	8,263	1.25	20.79	52	119
76	1,892.23	99.75	0	10	1	479	16	80	7	7	385	0	985	0.52	9.87	5	13
79	1,647.72	96.24	1	29	124	714	57	188	26	41	884	0	2,064	1.25	21.45	57	22
91	5,640.42	233.70	177	197	1,045	1,582	240	138	52	16	2,162	7	5,616	1.00	24.03	18	282
UC Supp.	1,682.63	105.35	4,020	199	19	43	9	0	0	1	40	2	4,333	2.58	41.13	1	119
Night Owl	1,796.58	144.54	6,470	100	58	430	15	7	0	0	100	0	7,180	4.00	49.67	0	241
TOTAL	237,258.09	14,720.25	254,275	17,981	30,641	103,910	7,359	12,180	1,714	1,243	126,942	532	556,777	2.35	37.82	2,914	19,889
ROUTE	VTA/SC		ECO	Full	S/D	17	Passes/	RIDERSHIP		Passengers	Passengers	W/C	Bike				
17	44,837.37	1,451.41	53	64	261	11,689	1,302	1,535	137	11,130	26,171	0.58	18.03	73	1,570		

May Ridership 582,948

5-6.61

Attachment B

Route by Route Ridership

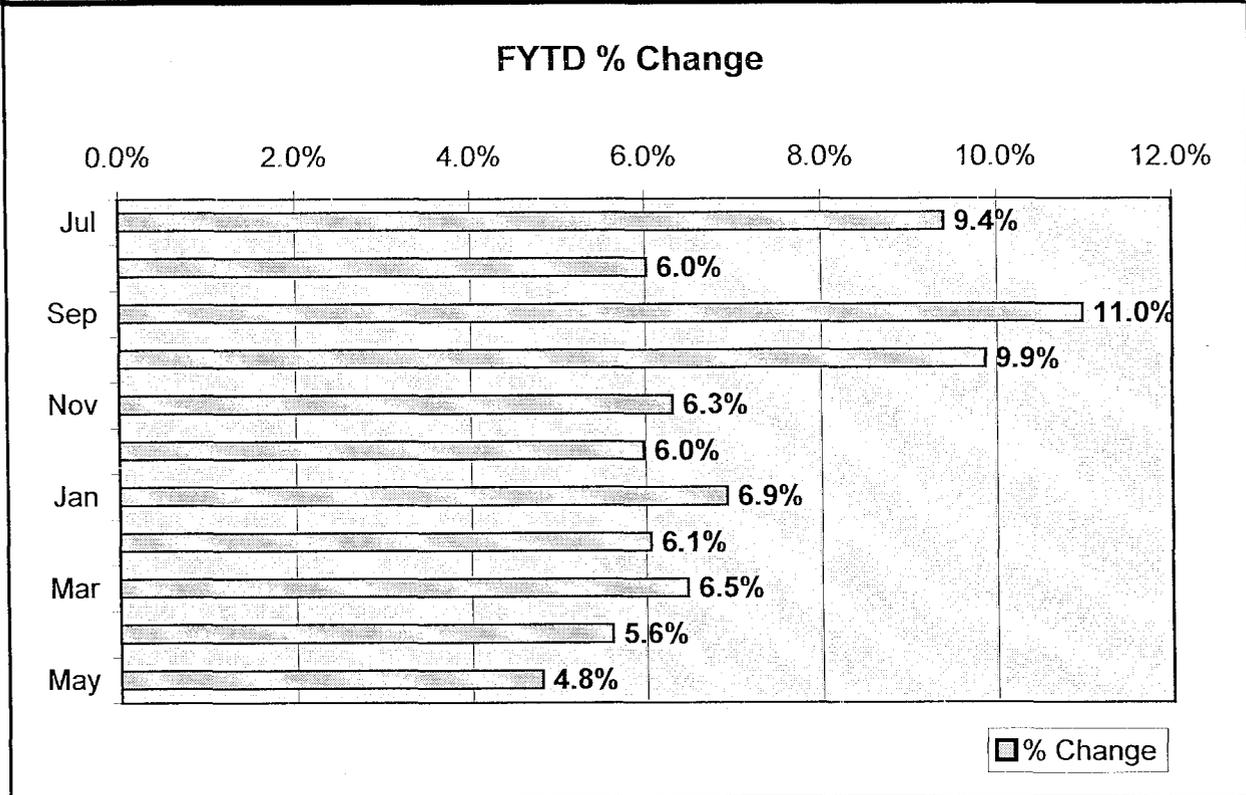
May 2009

	Route	Destination	FY09 Riders	FY08 Riders	+/- from last year	%
1	Sup	Route 20 Supplemental	8,269	4,333	3,936	90.8%
2	33	Lompico	381	311	70	22.5%
3	34	South Felton	307	255	52	20.4%
4	54	Capitola/Aptos/La Selva	1,047	922	125	13.6%
5	72	Corralitos	4,202	3,831	371	9.7%
6	12	University/Eastside Direct	1,168	1,073	95	8.9%
7	10	University via High St.	34,844	32,785	2,059	6.3%
8	75	Green Valley	8,573	8,263	310	3.8%
9	79	East Lake	2,134	2,064	70	3.4%
10	N/O	Night Owl	7,359	7,180	179	2.5%
11	69N	Santa Cruz/Capitola Cabrillo Night	2,824	2,758	66	2.4%
12	19	University via Lower Bay	29,754	29,059	695	2.4%
13	17	Santa Cruz/San Jose	26,747	26,171	576	2.2%
14	32	Santa Cruz/Scotts Valley	550	539	11	2.0%
15	68N	Beach/Broadway/Portola Night	2,702	2,682	20	0.7%
16	3	Natural Bridges	3,225	3,208	17	0.5%
17	55	Capitola/Rio Del Mar	4,366	4,343	23	0.5%
18	15	University via Laurel West	47,855	47,737	118	0.2%
19	76	Corralitos/Buena Vista	982	985	-3	-0.3%
20	71	Watsonville/Santa Cruz	79,226	79,901	-675	-0.8%
21	56	Capitola/La Selva	1,242	1,259	-17	-1.4%
22	70	Santa Cruz/Cabrillo	8,156	8,316	-160	-1.9%
23	66	Live Oak via 17th Avenue	17,122	17,473	-351	-2.0%
24	16	University via Laurel East	103,147	105,430	-2,283	-2.2%
25	69	Santa Cruz/Capitola	9,517	9,740	-223	-2.3%
26	68	Live Oak via Broadway/Portola	11,014	11,329	-315	-2.8%
27	35	San Lorenzo Valley	43,670	46,094	-2,424	-5.3%
28	40	Davenport	1,854	1,958	-104	-5.3%
29	69W	Santa Cruz/Capitola/Cabrillo Watsonville	27,052	28,707	-1,655	-5.8%
30	69A	Santa Cruz/Capitola/ Watsonville	22,936	25,138	-2,202	-8.8%
31	20	University via Westside	24,200	26,630	-2,430	-9.1%
32	74	Ohlone Parkway/Rolling Hills	3,120	3,464	-344	-9.9%
33	42	Davenport/Bonny Doon	1,238	1,377	-139	-10.1%
34	9	Prospect Heights	432	486	-54	-11.1%
36	91	Santa Cruz-Watsonville Express	4,876	5,616	-740	-13.2%
37	27x	University Express	4,206	4,880	-674	-13.8%
38	4	Harvey West/Emeline	4,469	5,240	-771	-14.7%
39	41	Bonny Doon	1,833	2,155	-322	-14.9%
40	13	University via Walnut	12,438	15,110	-2,672	-17.7%
41	53	Capitola/Dominican	725	882	-157	-17.8%
42	31	Santa Cruz/Scotts Valley	1,616	2,033	-417	-20.5%
43	7	Beach St	931	1,231	-300	-24.4%
TOTALS			572,309	582,948	-10,639	-1.8%

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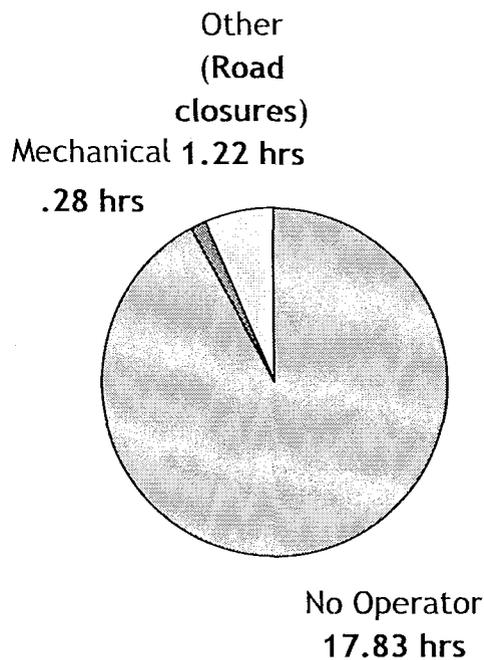
FYTD % Change in Ridership
Through May 2009

	FY09 YTD Ridership	FY08 YTD Ridership	% Change
Jul	353,009	322,665	9.4%
Aug	695,099	655,645	6.0%
Sep	1,167,955	1,052,295	11.0%
Oct	1,890,113	1,720,398	9.9%
Nov	2,408,509	2,265,585	6.3%
Dec	2,796,142	2,638,454	6.0%
Jan	3,353,465	3,136,331	6.9%
Feb	3,902,693	3,680,029	6.1%
Mar	4,452,941	4,182,201	6.5%
Apr	5,059,385	4,790,653	5.6%
May	5,631,694	5,373,601	4.8%
Jun	N/A	5,793,083	N/A



	FY07		FY08		FY09	
	Dropped Hours	Dropped Miles	Dropped Hours	Dropped Miles	Dropped Hours	Dropped Miles
July	5.02	96.88	5.53	90.97	81.53	1482.81
August	15.02	276.46	4.93	110.45	1.13	23.95
September	11.30	160.72	9.00	191.05	11.50	194.51
October	37.52	540.19	9.52	122.24	29.75	555.98
November	37.55	477.48	3.32	45.89	11.60	59.92
December	6.08	143.84	18.97	241.87	1.58	26.64
January	12.24	188.23	49.20	453.86	0.97	10.95
February	13.07	188.23	53.53	717.31	25.18	488.75
March	7.13	133.30	22.50	315.63	18.73	452.08
April	4.85	43.67	40.75	586.55	19.57	310.04
May	16.00	241.42	16.40	246.82	19.33	284.60
June	62.19	802.29	52.05	882.35		
TOTAL	227.96	3,292.71	285.70	4,004.99	220.89	3,890.21

Dropped Service Breakdown for May 2009



SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009

TO: Board of Directors

FROM: Angela Aitken, Finance Manager 

**SUBJECT: UNIVERSITY OF CALIFORNIA – SANTA CRUZ
MONTHLY SERVICE REPORT FOR THE MONTH OF MAY 2009**

I. RECOMMENDED ACTION

This report is for information purposes only. No action is required

II. SUMMARY OF ISSUES

- There were twenty (20) school-term days in May 2009 and twenty-one (21) school-term days May 2008.
 - Revenue received from UCSC was \$336,405.92 versus \$323,061.52; an increase of 4.1%
 - System-wide UCSC ridership increased by 8.5% FYTD.
 - Total student ridership increased by 10.4% FYTD.
 - Total Faculty/Staff ridership decreased by 12.7% FYTD.
 - Average Student ridership per school-term day increased by 7.5%
 - Average Faculty/Staff ridership per weekday decreased by 24.1%

III. DISCUSSION

For the month of May 2009, there were twenty (20) school-term days with one holiday weekend.

UCSC Revenue in May 2009 increased a total of \$13,344.40 or 4.1% over May 2008. UCSC ridership for all METRO service in May 2009 was positive compared to May 2008, with an increase of 8.5% FYTD. Monthly comparisons included an 7.5% increase in Average Student ridership per school-term day and a 24.1% decrease in Average Faculty/ Staff ridership per weekday in May 2009 from May 2008.

Please see attached graphs that will depict average UCSC Student and Faculty/Staff ridership increasing by 7.5% and decreasing by 24.1% respectively.

IV. FINANCIAL CONSIDERATIONS.

Overall UCSC revenue is over budget by 7.2% as of May 2009. Total revenue received as of May 2009 is positive 14.8% FYTD.

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V. ATTACHMENTS

- Attachment A: Total UCSC Monthly Revenue**
- Attachment B: Total UCSC Ridership**
- Attachment C: Monthly UCSC Ridership**
- Attachment D: Total UCSC Student Ridership**
- Attachment E: Total UCSC Faculty/Staff Ridership**

Prepared by: Erich Friedrich

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Total UCSC Monthly Revenue

FY 08 UCSC Revenue									
Date	Regular Student Bill	Regular Staff Bill	Night Owl Bill	Supplemental Bill	27x	TOTAL	Last Year	% Change	\$ Change
Jul-07	\$ 33,024.00	\$ 15,920.00				\$ 48,944.00	\$ 46,696.41	4.8%	\$ 2,247.59
Aug-07	\$ 38,130.53	\$ 17,149.80				\$ 55,280.33	\$ 54,014.10	2.3%	\$ 1,266.23
Sep-07	\$ 101,639.55	\$ 16,690.11	\$ 2,433.63	\$ 4,176.42	\$ 1,501.57	\$ 126,441.28	\$ 170,754.64	-26.0%	\$ (44,313.36)
Oct-07	\$ 331,758.64	\$ 20,061.49	\$ 7,658.98	\$ 8,740.07	\$ 5,020.67	\$ 373,239.85	\$ 314,022.57	18.9%	\$ 59,217.28
Nov-07	\$ 247,552.14	\$ 16,527.66	\$ 6,321.47	\$ 3,205.48	\$ 5,018.58	\$ 278,625.33	\$ 253,496.74	9.9%	\$ 25,128.59
Dec-07	\$ 119,753.81	\$ 12,320.21	\$ 4,731.24	\$ 4,824.85	\$ 2,820.60	\$ 144,450.71	\$ 76,128.86	89.7%	\$ 68,321.85
Jan-08	\$ 256,740.31	\$ 17,162.30	\$ 10,939.02	\$ 2,683.50	\$ 3,671.21	\$ 291,196.34	\$ 277,066.89	5.1%	\$ 14,129.45
Feb-08	\$ 276,028.54	\$ 18,729.40	\$ 13,041.41	\$ 4,439.97	\$ 4,601.84	\$ 316,841.16	\$ 256,817.50	23.4%	\$ 60,023.66
Mar-08	\$ 209,758.69	\$ 17,772.03	\$ 8,550.08	\$ 7,601.47	\$ 4,626.41	\$ 248,308.68	\$ 210,515.59	18.0%	\$ 37,793.09
Apr-08	\$ 297,663.63	\$ 20,042.00	\$ 13,705.06	\$ 7,208.57	\$ 5,651.21	\$ 344,270.47	\$ 272,972.83	26.1%	\$ 71,297.64
May-08	\$ 275,379.83	\$ 19,473.42	\$ 12,965.34	\$ 9,079.77	\$ 6,163.16	\$ 323,061.52	\$ 294,166.80	9.8%	\$ 28,894.72
Jun-08	\$ 127,125.79	\$ 16,138.87	\$ 4,122.59	\$ 4,842.39	\$ 3,027.40	\$ 155,257.04	\$ 148,913.76	4.3%	\$ 6,343.28
FY 2008 Totals	\$ 2,314,555.46	\$ 207,987.30	\$ 84,468.82	\$ 56,802.49	\$ 42,102.65	\$ 2,705,916.71	\$ 2,375,566.69	13.9%	\$330,350.02
FY 09 UCSC Revenue									
Date	Regular Student Bill	Regular Staff Bill	Night Owl Bill	Supplemental Bill	27x	TOTAL	Last Year	% Change	\$ Change
Jul-08	\$ 40,787.95	\$ 14,367.08	-	\$ 9,719.80	-	\$ 64,874.83	\$ 48,944.00	32.5%	\$ 15,930.83
Aug-08	\$ 43,773.78	\$ 16,273.16	-	\$ 10,973.81	-	\$ 71,020.75	\$ 55,280.33	28.5%	\$ 15,740.42
Sep-08	\$ 151,871.29	\$ 18,162.59	\$ 3,763.96	\$ 2,563.82	\$ 2,007.46	\$ 178,369.12	\$ 126,441.28	41.1%	\$ 51,927.84
Oct-08	\$ 408,791.24	\$ 21,030.79	\$ 13,538.41	\$ 1,999.52	\$ 5,435.42	\$ 450,795.38	\$ 373,239.85	20.8%	\$ 77,555.53
Nov-08	\$ 274,825.68	\$ 15,381.16	\$ 10,512.74	\$ 5,500.47	\$ 3,989.36	\$ 310,209.41	\$ 278,625.33	11.3%	\$ 31,584.08
Dec-08	\$ 129,527.31	\$ 11,581.57	\$ 4,892.43	\$ 3,560.21	\$ 2,118.85	\$ 151,680.37	\$ 144,450.71	5.0%	\$ 7,229.66
Jan-09	\$ 324,761.80	\$ 15,605.62	\$ 11,679.83	\$ 297.04	\$ 3,803.13	\$ 356,147.42	\$ 291,196.34	22.3%	\$ 64,951.08
Feb-09	\$ 313,712.45	\$ 16,053.38	\$ 12,788.37	\$ 893.73	\$ 4,582.22	\$ 348,030.15	\$ 316,841.16	9.8%	\$ 31,188.99
Mar-09	\$ 256,439.79	\$ 16,335.68	\$ 7,795.60	\$ 1,419.89	\$ 4,529.94	\$ 286,520.90	\$ 248,308.68	15.4%	\$ 38,212.22
Apr-09	\$ 337,553.59	\$ 16,412.05	\$ 13,858.64	\$ 657.89	\$ 6,013.28	\$ 374,495.45	\$ 344,270.47	8.8%	\$ 30,224.98
May-09	\$ 300,396.54	\$ 15,066.45	\$ 12,869.92	\$ 1,647.19	\$ 6,425.82	\$ 336,405.92	\$ 323,061.52	4.1%	\$ 13,344.40
Jun-09						\$ -			\$ -
	\$ 2,582,441.42	\$ 176,269.53	\$ 91,699.90	\$ 39,233.37	\$ 38,905.48	\$ 2,928,549.70	\$ 2,550,659.67	14.8%	\$377,890.03

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Attachment A

Total UCSC Ridership

FY 08 UCSC Ridership														
Year	July	August	September	October	November	December	January	February	March	April	May	June	Total	
Student	32,666	37,753	93,856	326,808	244,940	110,576	237,057	254,874	193,683	274,851	254,275	117,383	2,178,722	
Staff	15,702	16,980	15,412	19,072	15,761	11,376	15,846	17,292	16,410	18,506	17,981	14,902	195,240	
Total	48,368	54,733	109,268	345,880	260,701	121,952	252,903	272,166	210,093	293,357	272,256	132,285	2,373,962	
Percentage Difference Between This Year and Last Year														
Student	3.2%	4.8%	-40.3%	11.2%	5.4%	80.8%	-5.9%	10.3%	4.1%	9.8%	3.9%	-0.3%	4.0%	
Staff	-12.1%	-20.1%	-15.9%	-1.1%	-5.2%	-2.9%	-7.9%	2.0%	-1.4%	7.9%	-3.6%	-0.8%	-5.5%	
Total	-2.3%	-4.4%	-37.7%	10.4%	4.7%	67.4%	-6.0%	9.8%	3.7%	9.7%	3.4%	-0.3%	3.2%	
FY 09 UCSC Ridership														
Year	July	August	September	October	November	December	January	February	March	April	May	June	Total	
Student	37,662	40,419	131,263	353,320	273,202	114,975	280,693	271,143	221,642	291,749	259,634		2,275,702	
Staff	13,266	15,026	15,698	18,177	15,302	11,263	13,488	13,875	14,119	14,185	13,022		157,421	
Total	50,928	55,445	146,961	371,497	288,504	126,238	294,181	285,018	235,761	305,934	272,656	0	2,433,123	
Percentage Difference Between This Year and Last Year														
Student	15.3%	7.1%	39.9%	8.1%	11.5%	4.0%	18.4%	6.4%	14.4%	6.1%	2.1%			
Staff	-15.5%	-11.5%	1.9%	-4.7%	-2.9%	-1.0%	-14.9%	-19.8%	-14.0%	-23.3%	-27.6%			
Total	5.3%	1.3%	34.5%	7.4%	10.7%	3.5%	16.3%	4.7%	12.2%	4.3%	0.1%			
						All UC Trips	FY 08	FY 09						
						Student	2,061,339	2,275,702	10.4%					
						Staff	180,338	157,421	-12.7%					
						TOTAL	2,241,677	2,433,123	8.5%					

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Attachment B

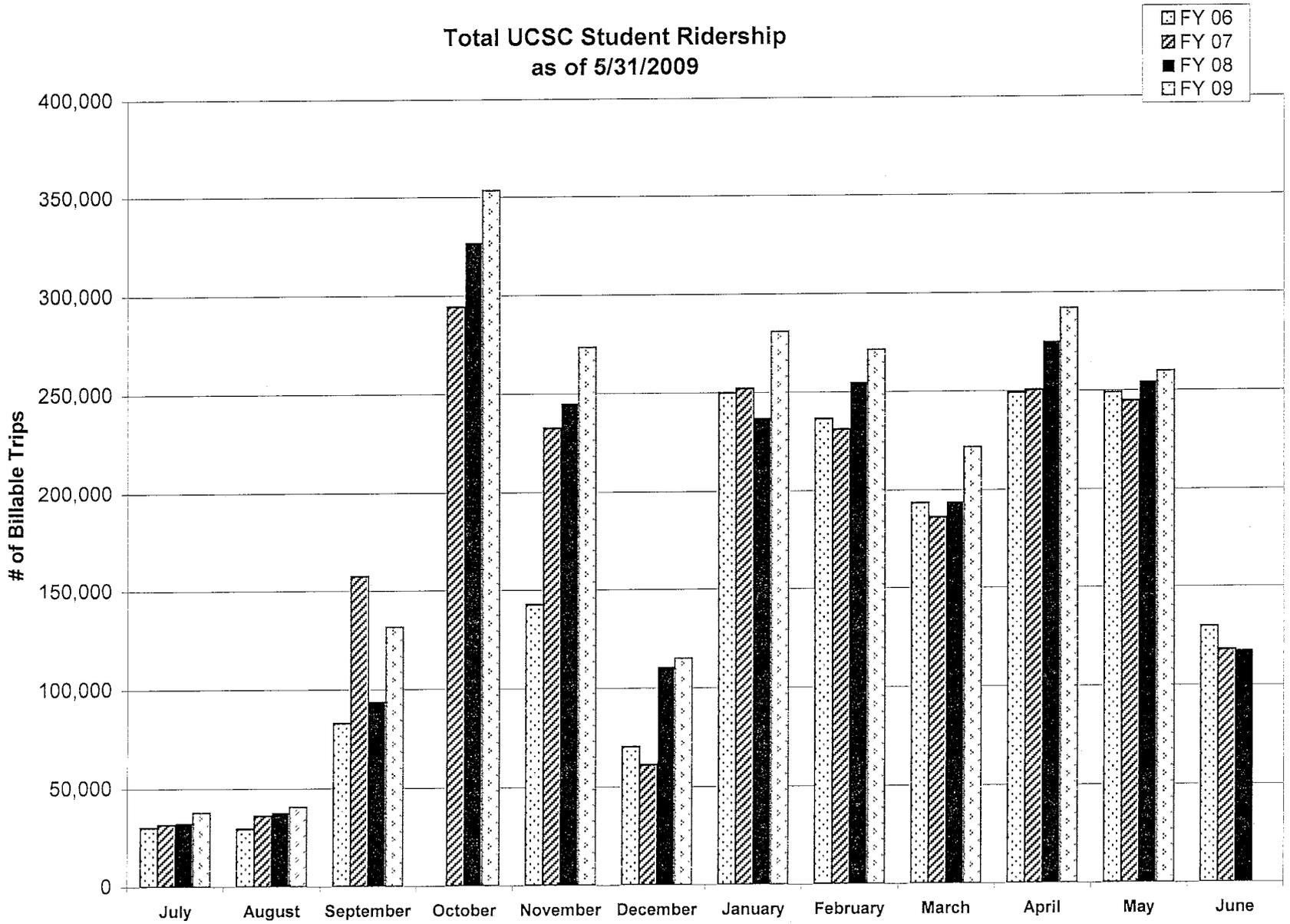
Monthly UCSC Ridership

May 2009	Student Ridership			Faculty/ Staff Ridership			Average Student Ridership Per School Term Day			Average Faculty/Staff Ridership <i>Per Weekday</i>		
	FY 09	FY 08	%	FY 09	FY 08	%	FY 09	FY 08	%	FY 09	FY 08	%
Regular Service	242,002	239,448	1.1%	12,392	17,361	-28.6%	12,100.1	11,402.3	6.1%	590.1	789.1	-25.2%
Supplemental	7,756	4,020	92.9%	379	199	90.5%	387.8	191.4	102.6%	18.0	9.0	99.5%
Night Owl	6,745	6,470	4.3%	58	100	-42.0%	337.3	308.1	9.5%	2.8	4.5	-39.2%
27x	3,794	4,337	-12.5%	203	321	-36.8%	189.7	206.5	-8.1%	9.7	14.6	-33.7%
TOTAL	260,297	254,275	2.4%	13,032	17,981	-27.5%	13,014.9	12,108.3	7.5%	620.6	817.3	-24.1%

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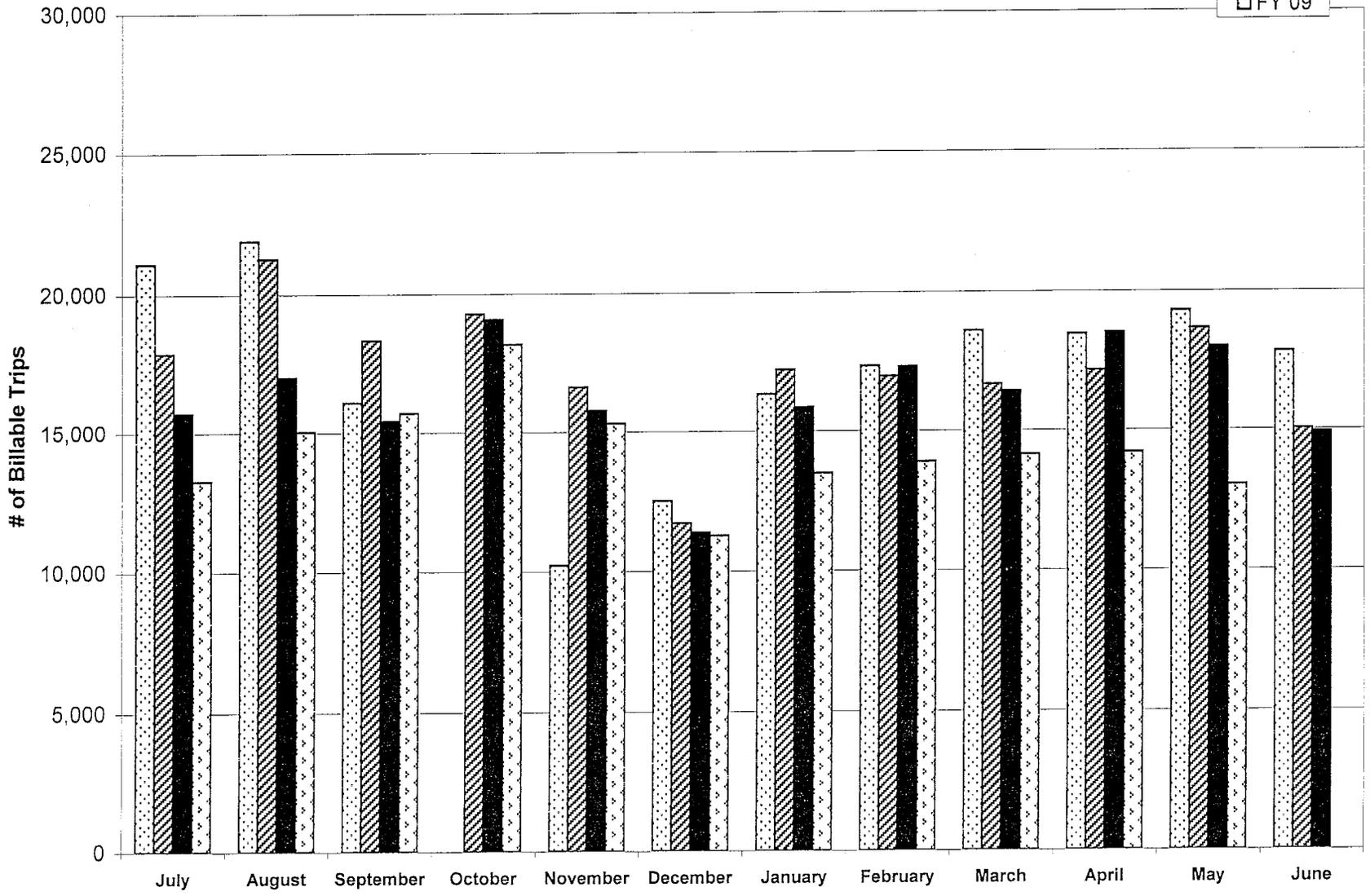
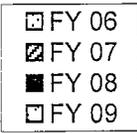
Attachment C

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Attachment D

Total UCSC Faculty/Staff Ridership
as of 5/31/2009



5-7.e1

Attachment E

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009
TO: Board of Directors
FROM: Frank L. Cheng, Project Manager
SUBJECT: CONSIDERATION OF METROBASE STATUS REPORT

I. RECOMMENDED ACTION

That the Board of Directors accept and file the MetroBase Status Report.

II. SUMMARY OF ISSUES

- Maintenance Building
 - West Bay Builders working on punch-list items for the first phase of building.
 - West Bay is continuing with site work on 2nd half of site.
 - New tilt-up panels have been attached to 1st half of building.
- Operations Building
 - RNL has repackaged the Operations Building.
 - Invitation For Bids(RFI) is pending State release of Proposition 1B Bond Funds.
- Vernon Administration Building
 - DMC Construction is continuing installation of interior walls, doors, plumbing, and HVAC.
 - DMC is continuing site work for new area for the building lobby and elevator.

III. DISCUSSION

West Bay Builders is continuing to work on punch-list items for the first phase of the Maintenance Building. Currently, West Bay Builders is continuing site work on the 2nd half of site. West Bay has completed the concrete pour for footings and foundation slab. West Bay is continuing forming retaining wall, laying out the final tilt up panels, trash enclosure, and plumbing. Tilt up panels for the 2nd half have been attached to 1st half of building. Construction meetings are held weekly to maintain project schedule.

In regards to the Operations Building, RNL Design has completed the re-package of the Operations Building. The plans have been reviewed by the City of Santa Cruz, and plan checked by Bureau Veritas. Invitation for Bids is pending State release of Proposition 1B Bond Funds.

DMC Construction is continuing interior and exterior site work. Current interior work consists of metal framing, door installations, plumbing, and HVAC system. The exterior work continues

5-8.1

with elevator work, access ramps, and generator concrete pad. DMC is continuing to turn in submittals and RFI. Weekly construction meetings held to maintain schedule.

Information for the MetroBase Project can be viewed at <http://www.scmtd.com/metrobase>
Information on the project, contact information, and MetroBase Hotline number (831) 621-9568 can be viewed on the website.

New updates on the MetroBase Project:

- West Bay setting up tilt-up panels, and continuing retaining wall construction.
- DMC interior and exterior work continuing.

Previous information regarding the MetroBase Project:

- A. Maintenance Building (IFB 06-01)
 - West Bay working on 2nd half site work, and punch-list items for 1st half.
 - IFB 06-01 Maintenance Building awarded to West Bay Builders.
 - Weekly Construction Meetings.
- B. Operations Building
 - RNL Design Operations Building re-package complete.
 - Invitation For Bids is pending State release of Proposition 1B Bond Funds.
- C. Vernon Administration Building (IFB 09-10)
 - Wald, Ruhnke & Dost Architects completed bid set.
 - Invitation For Bids 09-10 due March 24, 2009.
 - On April 24, 2009, the Board of Directors approved a contract with DMC Construction, Inc. for the construction remodel of the building located at 110 Vernon Street, Santa Cruz for an amount not to exceed \$1,833,141.
 - Notice-to-Proceed for Vernon project is May 6, 2009.
 - Weekly Construction Meetings.

IV. FINANCIAL CONSIDERATIONS

Funds for the construction of the Maintenance Building, Operations Building, and Vernon Administration Building Components of the MetroBase Project are available within the funds the METRO has secured for the Project.

V. ATTACHMENTS

Attachment A: None

5-8.2

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009
TO: Board of Directors
FROM: Angela Aitken, Finance Manager
SUBJECT: RENEWAL OF PROPERTY INSURANCE COVERAGE FOR FY10

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors authorize renewal of property insurance coverage with QBE Insurance Corporation.

II. SUMMARY OF ISSUES

- METRO carries property insurance on all its owned facilities and on leased facilities in accordance with lease agreements, as well as on building contents.
- The premium renewal for FY10 is \$42,366.

III. DISCUSSION

Saylor & Hill, METRO's property insurance broker, has arranged for renewal of property insurance coverage with QBE Insurance Corporation. This is all risk coverage, excluding earthquake and flood, and includes buildings and contents, employee tools, telephone system, and other equipment, with a \$5,000 deductible. METRO carries flood insurance on two locations, 1200 River Street, and 1200 B River Street under two separate policies. The QBE Insurance Corporation is rated A, IX by Best.

The renewal quote has increased by less than 1% over last year's premium.

IV. FINANCIAL CONSIDERATIONS

The insurance cost of \$42,366 is included in the FY10 final budget.

V. ATTACHMENTS

None.

Prepared by: Debbie Kinslow, Assistant Finance Manager

5-9.1

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009
TO: Board of Directors
FROM: Angela Aitken, Finance Manager
SUBJECT: RENEWAL OF LIABILITY AND VEHICLE PHYSICAL DAMAGE INSURANCE PROGRAM COVERAGE WITH CALTIP FOR FY10

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors authorize payment to the California Transit Insurance Pool (CalTIP) in the amount of \$457,207 for participation in the FY10 liability and vehicle physical damage insurance coverage program.

II. SUMMARY OF ISSUES

- METRO carries liability and vehicle physical damage insurance through CalTIP, a pool of California public transit properties established in 1987
- The (net) Liability Program Contribution Deposit for FY10 is in the amount of \$385,642 for liability insurance, including an additional \$10 million in excess coverage
- The (net) Vehicle Physical Damage Program Contribution Deposit for FY10 is \$71,565 for vehicle physical damage insurance

III. DISCUSSION

METRO has been a member of CalTIP since its inception in 1987. Each member agency has a representative on CalTIP's Board of Directors. Assistant Finance Manager Debbie Kinslow is the METRO representative. Coverage limits are \$20 million for liability with a \$250,000 deductible per occurrence.

The net premium for **Liability** coverage for FY10 is \$385,642, a decrease of \$40,021 or 9% from FY09. The 9% decrease is partially due to a retrospective credit adjustment approved by the CalTIP Board in April 2009. METRO's allocated portion of the credit is \$27,497. The gross premium is \$413,139, with a net premium due of \$385,642.

Vehicle Physical Damage coverage is for actual cash value of the vehicle with a \$25,000 deductible on buses and a \$500 deductible on non-revenue vehicles. The premium for vehicle physical damage coverage is \$71,565, an increase of \$10,915 or 18% from FY09.

Pool loss experience has been very good and the net cost of this coverage has been very favorable to METRO. The liability coverage includes errors and omissions coverage.

IV. FINANCIAL CONSIDERATIONS

The insurance cost is included in the FY10 final budget.

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V. ATTACHMENTS

NONE

Prepared by Debbie Kinslow, Assistant Finance Manager

5-10.2

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009
TO: Board of Directors
FROM: Angela Aitken, Finance Manager 
Robyn Slater, Human Resources Manager

SUBJECT: CONSIDERATION OF ACCEPTING A MEMORANDUM OF UNDERSTANDING INCORPORATING ADDITIONAL AMENDMENTS TO THE CONTRACT FOR EXCESS WORKERS COMPENSATION INSURANCE COVERAGE THROUGH THE CALIFORNIA PUBLIC ENTITY INSURANCE AUTHORITY JOINT POWERS AGREEMENT.

I. RECOMMENDED ACTION

That the Board of Directors authorize the General Manager to execute the memorandum of understanding to the contract for excess workers compensation insurance coverage through the California Public Entity Insurance Authority joint powers agreement.

II. SUMMARY OF ISSUES

- On June 26, 2009, the Board of Directors approved continued participation in the joint powers agreement with the California Public Entity Insurance Authority (CPEIA) for low rates for excess workers' compensation insurance.
- CPEIA has issued a memorandum of understanding that has incorporated additional amendments to the agreement.
- Staff recommends that the Board of Directors authorize the General Manager to execute the memorandum of understanding to the joint powers agreement for excess workers compensation insurance with CPEIA.

III. DISCUSSION

On June 26, 2009, the Board of Directors approved continued participation in the joint powers agreement with CPEIA for low rates for excess workers' compensation insurance. CPEIA has issued a memorandum of understanding that has incorporated additional amendments to the joint powers agreement. Staff recommends that the Board of Directors authorize the General Manager to execute the memorandum of understanding to the joint powers agreement for excess workers compensation insurance with CPEIA.

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IV. FINANCIAL CONSIDERATIONS

Funds to support this contract are included in the Human Resources FY10 Workers' Compensation Insurance budget.

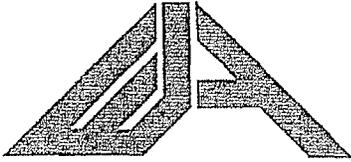
V. ATTACHMENTS

Attachment A: Memorandum of Understanding

Prepared By: Lloyd Longnecker, Purchasing Agent

5-11.2

ATTACHMENT - A



Adopted: March 5, 1993
Amended: October 4, 1996
Amended: October 6, 2006
Amended: March 6, 2009

MEMORANDUM OF UNDERSTANDING EXCESS WORKERS' COMPENSATION PROGRAM

This Memorandum of Understanding is entered into by and between the CSAC Excess Insurance Authority (hereinafter referred to as the "Authority") and the participating members who are signatories to this Memorandum.

1. **Joint Powers Agreement.** Except as otherwise provided herein, all terms used herein shall be as defined in Article 1 of the Joint Powers Agreement Creating the CSAC Excess Insurance Authority (hereinafter referred to as "Agreement"), and all other provisions of the Agreement not in conflict with this Memorandum shall be applicable.
2. **Annual Premium.** The participating members, in accordance with the provisions of Article 14(b)(2) of the Agreement, shall be assessed an annual premium for the purpose of funding the Excess Workers' Compensation Program (hereinafter referred to as the "Program"). Annual premiums shall include expected losses for the policy period, including incurred but not reported losses (IBNR), as well as a margin for contingencies based upon a confidence level as determined by the Board of Directors of the Authority (hereinafter Board), and adjustments, if any, for a surplus or deficit from all program policy periods. In addition, the premium shall include program reinsurance costs and program administrative costs, plus the Authority's general expense allocated to the Program by the Board for the next policy period.
3. **Cost Allocation.** Each participating member's share of annual premium shall be determined pursuant to a cost allocation plan as described in Article 14(b)(2) of the Agreement. The Board approved cost allocation plan is attached hereto as Exhibit A and may be amended from time to time by an affirmative vote of the majority of the Board representing the members participating in the Program.
4. **Dividends and Assessments.** The Program shall be funded in accordance with paragraph 2 above. In general, the annual premium, as determined by the Board, will be established at a level which will provide adequate overall funding without the need for adjustments to past policy period(s) in the form of dividends and assessments. However, should the Program for any reason not be adequately funded, except as otherwise provided herein, pro-rata assessments to the participating members may be utilized to ensure the approved funding level for those policy periods individually or for a block of policy periods, in accordance with the provisions of Article 14(b)(3) of the Agreement. Pro-

rata dividends will be declared as provided herein. Dividends may also be declared as deemed appropriate by the Board.

5. **Closure of Policy Periods.** Notwithstanding any other provision of this Memorandum, the following provisions are applicable:

- (a) Upon reaching ten (10) years of maturity after the end of a program period, that period shall be "closed" and there shall be no further dividends declared or assessments made with respect to those program periods except as set forth in paragraph 6(a), below;
- (b) Notwithstanding sub-paragraph (a) above, the Board may take action to leave a policy period "open" even though it may otherwise qualify for closure. In addition, the last ten (10) policy periods shall always remain "open" unless the Board takes specific action to declare any of the last ten (10) policy periods closed.
- (c) Dividends and assessments (other than as outlined in paragraph 6(a), below) shall be administered to the participating members based upon the proportion of premiums paid to the Program in "open" periods only. For purposes of administering dividends and assessments pursuant to this sub-paragraph, all "open" policy periods shall be considered as one block. New members to the Program shall become eligible for dividends and assessments upon participating in the Program for three consecutive policy periods (not less than 24 months). Participating members who withdraw from the Program prior to the three year policy period restriction are still eligible for any assessments that arose out of the policy years they participated in the Program.

6. **Declaration of Dividends.** Dividends shall be payable from the Program to a participating member in accordance with its proportionate funding to the Program during all "open" policy periods except as follows:

- (a) A dividend shall be declared at the time a program period is closed on all amounts which represent premium surcharge amounts assessed pursuant to Article 14(b)(3) of the Agreement where the funding exceeds the 80% confidence level. This dividend shall be distributed based upon each member's proportionate share of assessment paid and accrued to the policy period being closed.

7. **Memorandum of Coverage.** A Memorandum of Coverage will be issued by the Authority evidencing membership in the Program and setting forth terms and conditions of coverage.
8. **Claims Administration.** Each participating member is required to comply with the Authority's Underwriting and Claims Administration Standards (including Addendum A - W.C. Claims Administration Guidelines) as amended from time to time, and which are attached hereto as Exhibit B and incorporated herein.
9. **Late Payments.** Notwithstanding any other provision to the contrary regarding late payment of invoices or cancellation from a Program, at the discretion of the Executive Committee, any member that fails to pay an invoice when due may be given a ten (10) day written notice of cancellation.
10. **Disputes.** Any question or dispute with respect to the rights and obligations of the parties to this Memorandum regarding coverage shall be determined in accordance with the Joint Powers Agreement Article 31, Dispute Resolution.
11. **Amendment.** This Memorandum may be amended by two-thirds of the CSAC Excess Insurance Authority's Board of Directors and signature on the Memorandum by the member's designated representative who shall have authority to execute this Memorandum. Should a member of the Program fail to execute any amendment to this Memorandum within the time provided by the Board, the member will be deemed to have withdrawn as of the end of the policy period.
12. **Complete Agreement.** Except as otherwise provided herein, this Memorandum constitutes the full and complete agreement of the members.
13. **Severability.** Should any provision of this Memorandum be judicially determined to be void or unenforceable, such determination shall not affect any remaining provision.
14. **Effective Date.** This Memorandum shall become effective on the effective date of coverage for the member and upon approval by the Board of any amendment, whichever is later.
15. **Execution in Counterparts.** This Memorandum may be executed in several counterparts, each of which shall be an original, all of which shall constitute but one and the same instrument.

IN WITNESS WHEREOF, the undersigned have executed this Memorandum as of the date set forth below.

Dated: 3/6/2009



CSAC Excess Insurance Authority

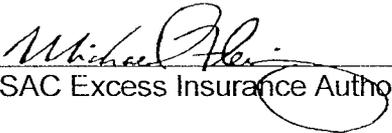
Dated: _____

Member Entity: _____

5-11.a4

IN WITNESS WHEREOF, the undersigned have executed this Memorandum as of the date set forth below.

Dated: 3/6/2009



CSAC Excess Insurance Authority

Dated: _____

Member Entity: _____

5-11.a5

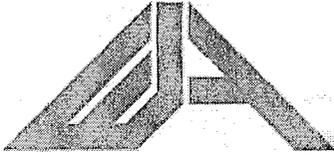


EXHIBIT A

EXCESS WORKERS' COMPENSATION PROGRAM COST ALLOCATION PLAN

As delegated by the Board of Directors, the Executive Committee will determine the specific allocation of all costs among the members subject to the following parameters:

Actuarial Analysis

An annual actuarial analysis will be performed using loss data and payroll collected from the members. The analysis will determine the necessary funding rates at various confidence levels and using various discount assumptions. Different rates may be developed for different groups or classes of business as is deemed necessary or appropriate by the Executive Committee. At the March Board meeting, the Board of Directors will select the funding level rates and discount factors to be used based upon the actuarial analysis and recommendations from the actuary, the Underwriting Committee and the Executive Committee.

Pool Contributions

The total needed deposit pool contribution will be determined by multiplying the rates described above by the payroll for all of the members participating in the pool. Estimated payroll for the year being funded will be used. The Executive Committee may break the pool into different layers for allocation purposes, and may apply a different loss experience modification for each layer as is deemed appropriate based on loss frequency. In general, the lower layers will be subject to greater experience modification and the higher layers will be subject to lower experience modification or no experience modification. Within the layers, the larger members will be subject to greater experience modification than the smaller members. After the experience modification has been applied for each layer, there will be a pro-rata adjustment back to the total needed deposit pool contribution. This amount will be collected from the members at the beginning of the policy period. The actual payroll for the period will be determined after the completion of the policy period and an adjustment to each member's pool contribution will be made to account for the difference between the estimated and actual payroll. Additional contributions will be collected or return contributions will be refunded as appropriate.

Reinsurance Premiums

The reinsurance premium will be determined through negotiations with the reinsurer(s) and approved by the Board upon recommendation of the

5-11.96

Underwriting and Executive Committees. This premium will then be allocated among the members based upon their estimated payroll. Adjustments will be made based on the actual payroll upon completion of the policy period in the same manner as described in the Pool Contribution section above.

EIA Administration Fees

The total EIA Administration Fees will be determined through the annual budgeting process with an appropriate amount allocated to the Excess Workers' Compensation Program. These fees will be allocated among the members as determined by the Executive Committee. In general, the basis for this allocation will be each member's percentage of the total pool contributions and reinsurance premium.

Deviation From the Standard

The Executive Committee may establish policies to deviate from the standard allocation methodology selected for each year on a case-by-case basis, if necessary. They may also elect to further delegate some or all of the decision-making authority described herein to the Underwriting Committee.

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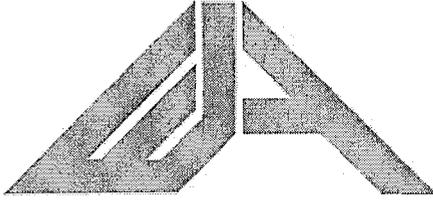


Exhibit B

Adopted: December 6, 1985
Amended: January 23, 1987
Amended: October 6, 1995
Amended: October 1, 1999
Amended: October 3, 2003
Amended: October 1, 2004
Amended: March 6, 2009

CSAC EXCESS INSURANCE AUTHORITY UNDERWRITING AND CLAIMS ADMINISTRATION STANDARDS

I. GENERAL

- A. Each Member shall appoint an official or employee of the Member to be responsible for the risk management function and to serve as a liaison between the Member and the Authority for all matters relating to risk management.
- B. Each Member shall maintain a loss prevention program and shall consider and act upon all recommendations of the Authority concerning the reduction of unsafe conditions.

II. EXCESS WORKERS' COMPENSATION PROGRAM

- A. Members of the Excess Workers' Compensation Program, except those members of the Primary Workers' Compensation Program whose responsibilities are outlined in Section IV below, shall be responsible for the investigation, settlement, defense and appeal of any claim made, suit brought or proceeding instituted against the Member.
 - 1. The Member shall use only qualified personnel to administer its workers' compensation claims. At least one person in the claims office (whether in-house or outside administrator) shall be certified by the State of California as a qualified administrator of self-insured workers' compensation plans.
 - 2. Qualified defense counsel experienced in workers' compensation law and practice shall handle litigated claims. Members are encouraged to utilize attorneys who have the designation "Certified Workers' Compensation Specialist, the State Bar of California, Board of Legal Specialization".
 - 3. The Member shall use the Authority's Workers' Compensation Claims Administration Guidelines (Addendum A) and shall advise its claims administrator that these guidelines are utilized in the Authority's workers' compensation claims audits.
- B. The Member shall provide the Authority written notice of any potential excess workers' compensation claims in accordance with the requirements of the Authority's Bylaws. Updates on such claims shall be provided pursuant to the reporting provisions of the Authority's Workers'

Compensation Claims Administration Guidelines (Addendum A) or as requested by the Authority and/or the Authority's excess carrier.

- C. A claims administration audit utilizing the Authority's Workers' Compensation Claims Administration Guidelines (Addendum A) shall be performed once every two (2) years. In addition, an audit will be performed within twelve (12) months of any of the following events:
1. There is an unusual fluctuation in the Member's claim experience or number of large claims, or
 2. There is a change of workers' compensation claims administration firms, or
 3. The Member is a new member of the Excess Workers' Compensation Program.

The claims audit shall be performed by a firm selected by the Authority unless an exception is approved. Recommendations made in the claims audit shall be addressed by the Member and a written response outlining a program for corrective action shall be provided to the Authority within sixty (60) days of receipt of the audit.

- D. Each Member shall maintain records of claims in each category of coverage (i.e. indemnity, medical, expense) or as defined by the Authority and shall provide such records to the Authority as directed by the Board of Directors, Claims Review Committee, Underwriting Committee, or Executive Committee. Such records shall include both open and closed claims, allocated expenses, and shall not be capped by the Member's self-insured retention.
- E. The Member shall obtain an actuarial study performed by a Fellow of the Casualty Actuarial Society (FCAS) at least once every three (3) years. Based upon the actuarial recommendations, the Member should maintain reserves and make funding contributions equal to or exceeding the present value of expected losses and a reasonable margin for contingencies.

III. GENERAL LIABILITY PROGRAMS

- A. Members of the General Liability I or General Liability II Programs, except those members of the Primary General Liability Program whose responsibilities are outlined in Section V below, shall be responsible for the investigation, settlement, defense and appeal of any claim made, suit brought or proceeding instituted against the Member.
1. The Member shall use only qualified personnel to administer its liability claims.

2. Qualified defense counsel experienced in tort liability law shall handle litigated claims. Members are encouraged to utilize defense counsel experienced in the subject at issue in the litigation.
 3. The Member shall use the Liability Claims Administration Guidelines (Addendum B) and shall advise its claims administrator that these guidelines are utilized in the Authority's liability claims audits.
- B. The Member shall provide the Authority written notice of any potential excess liability claim in accordance with the requirements of the Authority's Bylaws. Updates on such claims shall be provided pursuant to the reporting provisions of the Authority's Liability Claims Administration Guidelines (Addendum B) or as requested by the Authority and/or the Authority's excess carrier.
- C. A claims administration audit utilizing the Authority's Liability Claims Administration Guidelines (Addendum B) shall be performed once every three (3) years. In addition, an audit will be performed within twelve (12) months of any of the following events:
1. There is an unusual fluctuation in the Member's claims experience or number of large claims, or
 2. There is a change of liability claims administration firms, or
 3. The Member is a new member of the General Liability I or General Liability II Program.

The claims audit shall be performed by a firm selected by the Authority unless an exception is approved. Recommendations made in the claims audit shall be addressed by the Member and a written response outlining a program for corrective action shall be provided to the Authority within sixty (60) days of receipt of the audit.

- D. Each Member shall maintain records of claims in each category of coverage (i.e. bodily injury, property damage, expense) or as defined by the Authority and shall provide such records to the Authority as directed by the Board of Directors or applicable committee. Such records shall include open and closed claims, allocated expenses, and shall not be capped by the Member's self-insured retention.
- E. The Member shall obtain an actuarial study performed by a Fellow of the Casualty Actuarial Society (FCAS) at least once every three (3) years. Based upon the actuarial recommendations, the Member should maintain reserves and make funding contributions equal to or exceeding the present value of expected losses and a reasonable margin for contingencies.

IV. PRIMARY WORKERS' COMPENSATION PROGRAM

- A. Members of the Primary Workers' Compensation Program shall provide the third party administrator written notice of any claim in accordance with the requirements of the Authority. Members must also cooperate with the third party administrator in providing all necessary information in order for claims to be administered appropriately.
- B. The Authority shall be responsible for ensuring qualified personnel administer claims in the Primary Workers' Compensation Program and that claims are administered in accordance with the Authority's Workers' Compensation Claims Administration Guidelines (Addendum A).
- C. The Authority shall be responsible for ensuring a claims administration audit utilizing the Authority's Workers' Compensation Claims Administration Guidelines (Addendum A) is performed once every two (2) years.
- D. The Authority shall be responsible for obtaining an actuarial study performed by a Fellow of the Casualty Actuarial Society (FCAS) annually.

V. PRIMARY GENERAL LIABILITY PROGRAM

- A. Members of the Primary General Liability Program shall provide the third party administrator written notice of any claim or incident in accordance with the requirements of the Authority. Members must also cooperate with the third party administrator in providing all necessary information in order for claims to be administered appropriately.
- B. The Authority shall be responsible for ensuring qualified personnel administer claims in the Primary General Liability Program and that claims are administered in accordance with the Authority's Liability Claims Administration Guidelines (Addendum B).
- C. The Authority shall be responsible for ensuring a claims administration audit utilizing the Authority's Liability Claims Administration Guidelines (Addendum B) is performed once every two (2) years.
- D. The Authority shall be responsible for obtaining an actuarial study performed by a Fellow of the Casualty Actuarial Society (FCAS) annually.

VI. PROPERTY PROGRAM

- A. Members of the Property Program shall maintain appropriate records including a complete list of insured locations and schedule of values pertaining to all real property. Such records shall be provided to the Authority or its brokers as requested by the Executive or Property Committees.

- B. Each Member shall perform a real property replacement valuation for all locations over \$250,000. Valuations shall be equivalent to the Marshall Swift system and shall be performed at least once every five (5) years. New members shall have an appraisal or valuation performed within one year from entry into the Program.

VII. MEDICAL MALPRACTICE PROGRAM

A. Program I

1. Members of Medical Malpractice Program I (hereinafter Program I) shall be responsible for the investigation, settlement, defense and appeal of any claim made, suit brought or proceeding instituted against the Member.
 - a. Members of Program I shall use only qualified personnel to administer its health facility claims.
 - b. Qualified defense counsel experienced in health facility law shall handle litigated claims.
 - c. Members of Program I shall use the "Claims Reporting and Handling Guidelines" in the CSAC Excess Insurance Authority Medical Malpractice Program Operating and Guidelines Manual (hereinafter Operating and Guidelines Manual), and shall advise its claims administrator that these claims handling guidelines are utilized in the Authority's medical malpractice claims audits.
2. Members of Program I shall provide the Authority written notice of any potential excess claim or "major incident" in accordance with the requirements of the Authority and of the excess carrier as stated in the Operating and Guidelines Manual. Updates on such claims or major incidents shall be provided as requested by the Authority.
3. A claims administration audit utilizing the Authority's Claims Reporting and Handling Guidelines in the Operating and Guidelines Manual shall be performed once every three (3) years. In addition, an audit will be performed within twelve (12) months of any of the following events:
 - a. There is an unusual fluctuation in the Member's claims experience or number of large claims, or
 - b. There is a change of health facility claims administration firms, or
 - c. The Member is a new member of the Medical Malpractice Program, or

- d. The Medical Malpractice Committee requests an audit. The claims audit shall be performed by a firm(s) selected by the Authority. Recommendations made in the claims audit shall be addressed by the Member and a written response outlining a program for corrective action shall be provided to the Authority within sixty (60) days of receipt of the audit.
4. Each Member shall maintain records of claims in each category of coverage (i.e. bodily injury, property damage, expense) or as defined by the Authority and shall provide such records to the Authority as directed by the Board of Directors or applicable committee. Such records shall include open and closed claims, allocated expenses, and shall not be capped by the Member's self-insured retention.
5. Members of Program I shall obtain an actuarial study performed by a Fellow of the Casualty Actuarial Society (FCAS) at least once every three (3) years. Based upon the actuarial recommendations, the Member should maintain reserves and make funding contributions equal to or exceeding the present value of expected losses and a reasonable margin for contingencies.
6. The Member shall have an effective risk management program in accordance with the "Risk Management Guidelines" as stated in the Operating and Guidelines Manual.

B. Program II

1. For Medical Malpractice Program II (hereinafter Program II) Members, the Authority shall be responsible for the investigation, settlement, defense and appeal of any claim made, suit brought or proceeding instituted against the Member. The Authority may contract with a third party administrator for handling of such claims.
2. The Authority shall be responsible for ensuring the third party administrator uses qualified personnel to administer Program II claims.
3. The Authority shall be responsible for ensuring qualified defense counsel experienced in health facility law shall handle litigated claims.
4. The Authority shall be responsible for ensuring a claims administration audit utilizing the Authority's Claims Reporting and Handling Guidelines in the Operating and Guidelines Manual shall be performed once every two (2) years.

The claims audit shall be performed by a firm(s) selected by the Authority. Recommendations made in the claims audit shall be

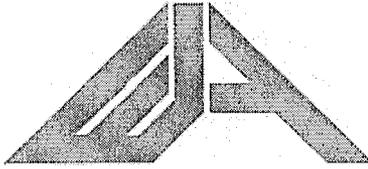
addressed by the third party administrator and a written response outlining a program for corrective action shall be provided to the Authority within sixty (60) days of receipt of the audit.

5. The Authority shall be responsible for obtaining an actuarial study performed by a Fellow of the Casualty Actuarial Society (FCAS) annually.
6. The Member shall have an effective risk management program in accordance with the "Risk Management Guidelines" as stated in the Operating and Guidelines Manual.

VIII. SANCTIONS

- A. The Authority shall provide the Member written notification of the Member's failure to meet any of the above-mentioned standards or of other concerns, which affect or could affect the Authority.
- B. The Member shall provide a written response outlining a program for corrective action within sixty (60) days of receipt of the Authority's notification.
- C. After approval by the Executive or applicable Program Committee of the Member's corrective program, the Member shall implement the approved program within ninety (90) days. The Member may request an additional sixty (60) days from the Executive or applicable Program Committee. Further requests for extensions shall be referred to the Board of Directors.
- D. Failure to comply with subsections B or C may result in cancellation of the Member from the affected Authority Program in accordance with the provisions in the Joint Powers Agreement.
- E. Notwithstanding any other provision herein, any Member may be canceled pursuant to the provision of the Joint Powers Agreement.

ADDENDUM TO EXHIBIT B



Adopted: December 6, 1985
Amended: March 4, 1988
Amended: October 7, 1988
Amended: October 6, 1995
Amended: October 1, 1999
Amended: June 6, 2003

ADDENDUM A WORKERS' COMPENSATION CLAIMS ADMINISTRATION GUIDELINES

The following Guidelines have been adopted by the CSAC Excess Insurance Authority in accordance with Article 18(b) of the March 1993 Amended Joint Powers Agreement Creating the CSAC Excess Insurance Authority.

I. CASE LOAD

- A. On or after 07/01/2004, the claims examiner assigned to the Member shall handle a caseload not to exceed 175 indemnity claims. This caseload will include future medical cases with every 4 future medical cases counted as 1 indemnity case.
- B. Supervisory personnel should not handle a caseload, although they may handle specific issues.

II. CASE REVIEW AND DOCUMENTATION

- A. Documentation should reflect any significant developments in the file and include a plan of action. The examiner should review the file every 45 days. The supervisor shall monitor any significant activity on the file every 120 days. An accomplishment level of 95% shall be considered acceptable.

III. COMPENSABILITY

- A. The initial compensability determination (accept claim, deny claim or delay acceptance pending the results of additional investigation) and the reasons for such a determination will be made and documented in the file within fourteen (14) calendar days of the filing of the claim with the employer. An accomplishment level of 100% shall be considered acceptable.
- B. Delay of benefit letters shall be mailed in compliance with Department of Industrial Relations' guidelines. An accomplishment level of 100% shall be considered acceptable.
- C. The final compensability determination shall be made by the claims examiner or supervisor within 90 days of employer receipt of the claim form. An accomplishment level of 100% shall be considered acceptable.

IV. THREE POINT CONTACT

- A. The claims examiner shall conduct the three (3) point contact with the injured worker, employer representative and treating physician within five (5) working days of receipt of the notice of the claim. An accomplishment level of 95% shall be considered acceptable.

V. INITIAL INDEMNITY PAYMENT

- A. The initial indemnity payment will be issued and mailed to the injured employee within fourteen (14) days of the first day of disability. This shall not apply with salary continuation. An accomplishment level of 100% shall be considered acceptable.
- B. The properly completed DWC Benefit Notice shall be mailed to the employee within fourteen (14) days. An accomplishment level of 100% shall be considered acceptable.
- C. Late payments due directly to the injured worker must include the self imposed 10% penalty in accordance with Labor Code Section 4650. An accomplishment level of 100% shall be considered acceptable.

VI. SUBSEQUENT INDEMNITY PAYMENTS

- A. All indemnity payments subsequent to the first payment will be verified, except for obvious long-term disability, and issued in compliance with Labor Code Section 4651. An accomplishment level of 100% shall be considered acceptable.
- B. Late payments must include the self-imposed 10% penalty in accordance with Labor Code Section 4650. An accomplishment level of 100% shall be considered acceptable.

VII. FINAL INDEMNITY PAYMENTS

- A. All final payments will be issued with the appropriate DWC benefit notices.

VIII. TRANSPORTATION EXPENSE

- A. Transportation reimbursement will be mailed within fifteen (15) working days of the receipt of the claim for reimbursement. Advance travel expense payments will be mailed to the injured employee ten (10) days prior to the anticipated date of travel. An accomplishment level of 100% shall be considered acceptable.

IX. MEDICAL PAYMENTS

- A. Medical treatment billings (physician, pharmacy, hospital, physiotherapist, etc.) will be matched to the file, reviewed for correctness, approved for

payment and paid within sixty (60) calendar days of receipt. An accomplishment level of 100% shall be considered acceptable.

- B. The medical provider must be notified in writing within 30 working days if a medical bill is contested, denied or incomplete.
- C. A bill review process should be utilized wherever possible. There should be participation in a PPO whenever possible.

X. PHYSICIAN CONTACT

- A. In cases involving loss of time from work, the attending physician's office will be contacted within five (5) working days of notice of claim. Such contact will continue as needed during the continuation of temporary disability to assure that treatment is related to a compensable injury or illness.

XI. LITIGATED CASES

The claims administrator and Member shall establish written guidelines for the handling of litigated cases. The guidelines should, at a minimum, include the points below, which may be adopted and incorporated by reference as "the guidelines".

A. Defense of Litigated Claims

1. The claims administrator shall promptly initiate investigation of issues identified as material to potential litigation. The Member shall be alerted to the need for in-house investigation, or the need for a contract investigator who is acceptable to the Member. The Member shall be kept informed on the scope and results of investigations.
2. The claims administrator shall, in consultation with the Member, assign defense counsel from a list approved by the Member. (Note: To comply with Government Code Section 25203, the Member's list should be approved by a two-thirds vote of the board of supervisors.)
3. Settlement proposals directed to the Member shall be forwarded by the claims administrator or defense counsel in a concise and clear written form with a reasoned recommendation. Settlement proposals shall be presented to the Member as directed so as to insure receipt in sufficient time to process the proposal.
4. Knowledgeable Member personnel shall be involved in the preparation for medical examinations and trial, when appropriate or deemed necessary by the Member so that all material evidence and witnesses are utilized to obtain a favorable result for the defense.
5. The claims administrator shall comply with any reporting requirement of the Member.

B. Subrogation

1. In all cases where a third party (other than a Member employee or agent) is responsible for the injury to the employee, the third party shall be contacted within 10 days with notification of the Member's right to subrogation and the recovery of certain claim expenses. If the third party is a governmental entity, a claim shall be filed with the governing board (or State Board of Control as to State entities) within 6 months of the injury or notice of the injury.
2. Periodic contact shall be made with the responsible party and/or insurer to provide notification of the amount of the estimated recovery to which the Member will be entitled.
3. The file will be monitored to determine the need to file a complaint in civil court in order to preserve the statute of limitations.
4. If the injured worker brings a civil action against the party responsible for the injury, the claims administrator shall consult with the Member about the value of the subrogation claim and other considerations. Upon Member authorization, subrogation counsel shall be assigned to file a Lien or a Complaint in Intervention in the civil action.
5. Whenever practical, the claims administrator will aggressively pursue recovery in any subrogation claim. They should attempt to maximize the recovery for benefits paid, and assert a credit against the injured workers' net recovery for future benefit payments.

XII. VOCATIONAL REHABILITATION

- A. Adjusting personnel will notify the injured worker of their potential rights to rehabilitation benefits per Labor Code Section 4636 after 90 days of aggregate temporary disability and get the treating doctor to determine if injured worker is a Qualified Injured Worker.
- B. Determination of the Qualified Injured Worker/Non-Qualified Injured Worker status shall be made in accordance with Labor Code Section 4637. The adjusting personnel shall advise the injured worker of his/her rehabilitation benefits in accordance with the Rules of the Division of Workers' Compensation, within ten (10) days of knowledge of medical eligibility. The claims administrator will:
 1. Notify the employer of the employee's permanent work restrictions so that the employer can determine the availability of permanent modified or alternate work.
 2. Make timely referral to a Qualified Rehabilitation Representative in accordance with Labor Code Section 4637

3. Control rehabilitation costs.
4. Attempt to secure the prompt conclusion of vocational rehabilitation benefits, and settle rehabilitation where appropriate.

XIII. FISCAL HANDLING

- A. Active indemnity cases will be balanced with appropriate file documentation on a semi-annual basis to verify that statutory benefits are paid, and medical, legal and vocational rehabilitation charges are appropriate. An accomplishment level of 100% shall be considered acceptable.

XIV. EXCESS INSURANCE

- A. Potential Workers' Compensation excess cases shall be reported in accordance with the reporting criteria established by The Bylaws of the CSAC Excess Insurance Authority.

All cases which meet the established reporting criteria are to be reported within five (5) working days of the day on which it is known the criterion is met. An accomplishment level of 100% shall be considered acceptable.

XV. AWARD PAYMENT

- A. Payments on undisputed Awards, Commutations, or Compromise and Releases will be issued within ten (10) days following receipt of the appropriate document. An accomplishment level of 100% shall be considered acceptable.

XVI. PENALTIES

- A. If the Member utilizes a third party administrator, the Member will be advised of the assessment of any penalty for delayed payment and the reason thereof, and the administrators plans for payment of such penalty within five (5) days of assessment. An accomplishment level of 100% shall be considered acceptable.
- B. If the Member utilizes a third party administrator, the Member, in their contract with the administrator, shall specify who is responsible for specific penalties.

XVII. RESERVES

- A. Using the information available at the time, an initial reserve will be established at the most probable case value. Claim reserves shall be reviewed on a regular basis and updated as case values increase or decrease.

XVIII. RESOLUTION OF CLAIM

- A. Within ten (10) days of receiving medical information indicating that a claim be finalized, the claims examiner shall take appropriate action to finalize the claim. An accomplishment level of 95% shall be considered acceptable.

XIX. CASE CLOSURE

- A. All indemnity cases will be closed within sixty (60) days of the final financial transaction or final correspondence to the injured worker as required by law. An accomplishment level of 95% shall be considered acceptable.
- B. All medical only cases will be closed or transferred to an indemnity status by the ninetieth (90) day following incurral. An accomplishment level of 95% shall be considered acceptable.

XX. TELEPHONE INQUIRIES

- A. Return calls will be made within one working day of the original telephone inquiry. An accomplishment level of 90% shall be considered acceptable.

XXI. INCOMING CORRESPONDENCE

- A. All correspondence received will have the date of receipt clearly stamped on the front side. An accomplishment level of 100% shall be considered acceptable.

XXII. RETURN CORRESPONDENCE

- A. All correspondence requiring a written answer will have such answer completed and transmitted within five (5) working days of receipt. An accomplishment level of 95% is acceptable.

XXIII. SETTLEMENTS

- A. The third party administrator shall obtain the Member's authorization on all settlements or stipulations in excess of the settlement authority provided in any provision of the individual contract between the Member and the claims administrator.
- B. No agreement shall be authorized involving liability, or potential liability, of the Authority without the advance written consent of the Authority.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009

TO: Board of Directors

FROM: Angela Aitken, Finance Manager 

SUBJECT: CONSIDERATION OF SUBMITTING COMMENTS TO THE SCCRTC ON THE REGIONAL TRANSPORTATION PLAN "ACTION ELEMENT" LIST OF PROJECTS.

I. RECOMMENDED ACTION

Consider long-range transit projects and authorize staff to submit the list of projects for the Regional Transportation Plan Action Element 2010 update to SCCRTC.

II. SUMMARY OF ISSUES

- The Santa Cruz County Regional Transportation Commission (SCCRTC) is updating the Regional Transportation Plan to identify transportation needs in the region through 2035.
- In June 2009, staff submitted a draft list of projects to be considered in the "Action Element" of the Regional Transportation Plan on the document titled "METRO Operating and Capital Transit Funding Needs, 2010-2035" (Attachment A).
- The SCCRTC will consider which projects are financially constrained (higher priority projects that are financially feasible over the next 25 years using anticipated revenues) and unconstrained (would require generation of new revenue sources, such as new taxes or fees).
- Upon authorization of the Board, and including any additional directions and comments of the Board, staff will submit the final project list for the Regional Transportation Plan to the SCCRTC.

III. DISCUSSION

The Santa Cruz County Regional Transportation Commission is updating the Regional Transportation Plan, a planning document that establishes goals, objectives and strategies to implement transportation projects through the year 2035. Federal, state and regional agencies which subsidize public transit funding require that METRO develop transit projects in a continuing, comprehensive planning process coordinated with the Regional Transportation Planning Agency (SCCRTC) and the Metropolitan Planning Organization (AMBAG). Listing METRO's long-range transit projects in the Regional Transportation Plan (RTP) is an essential first step in securing financial assistance.

5-12.1

In June 2009, METRO staff submitted to the SCCRTC an updated list of financially constrained and financially unconstrained projects (Attachment A) developed from the 2005 RTP, and which have gone through staff comment and review based upon estimated revenue available to Santa Cruz County through 2035. In addition, applicable projects listed in planning efforts since 2005 were brought forward.

METRO staff reviewed the project lists and identified “gaps” in the transit network in consideration of additional projects, based on constrained and unconstrained revenue. Due to the potential State appeal of *Shaw vs. Chiang* to the Third District Court of Appeals, METRO staff recommends that it would not be fiscally prudent to plan State Transit Assistance (STA) funding in the RTP, as the current STA program is suspended indefinitely, pending the outcome of this case. Given revenue constraints, especially with the recent diversion of transit funds to the State General Fund, it will not be possible to maintain the existing transit system, let alone address service gaps over the next 25 years. For instance, it will only be possible to address a portion of the ongoing, required replacement of fixed route and Paratransit vehicles within constrained revenues.

Additionally, it may not be possible to meet increased demands for fixed route and Paratransit service as the population ages. To meet those needs, new revenue sources would need to be made available, and for that reason some of the transit needs are identified as unconstrained. Based upon the Board’s direction, staff will submit the list with any comments to the SCCRTC to be included in the Regional Transportation Plan Action Element.

The METRO Board will have additional opportunities to review and comment upon the Regional Transportation Plan as it develops. The SCCRTC is scheduled to hold a public hearing on the draft RTP project list in August 2009. SCCRTC anticipates distributing the *draft Regional Transportation Plan* and environmental review document in early 2010 with adoption of the final document, following a public hearing, in the Spring of 2010.

IV. FINANCIAL CONSIDERATIONS

Submitting projects to the SCCRTC has no direct financial impact. Obtaining federal, state and regional funds depends upon METRO’s transit projects conforming to existing regional plans such as the RTP.

V. ATTACHMENTS

Attachment A: *METRO Operating and Capital Transit Funding Needs 2010-2035*, as submitted for the RTP.

Prepared by: Debbie Kinslow, Assistant Finance Manager

5-12.2

**METRO Operating and Capital Transit Funding Needs
2010 - 2035**

SCMTD - Updates to 2005 RTP

Show all figures in 000's in 2010 dollars (will be escalated for final 2010 document)

Project	RTP#	Description	Ttl Cost (est)	Constrained Total	Unconstrained Total	Avg Annual Cost (if applicable)	Scheduled	Cost 2010-15	Cost 2016-25	Cost 2026-35	Priority #	Fully Funded?	Available (formula) Funding Sources /amounts	Comments/ Additional Info
1 ADA Paratransit Bus Replacements	MTD-02	Replace vans for ADA Paratransit fleet (including Accessible Taxi program). Add capacity to meet increased trip demand thru 2035. Assumes 3% increase/year starting in 2010.		\$1,750	#VALUE!		2015, 2020 2025, 2030; 2035	\$ 1,750					ARRA / \$1,750	34 vans ~\$65k ea. Replace every 5 years ~\$137k annually for 3% exp. Over 25 yrs.
2 ADA Service Expansion	MTD-P11		\$3,492	\$0	\$3,492									
3 Bike Station at Capitola Mall	MTD-P23	Establish bike station at Capitola Mall, especially to serve UCSC. Would be joint mall, UCSC, MTD project. Cost unknown.	\$1,000	\$0	\$1,000									
4 Bikes on Buses Expansion	MTD-P20	Add additional space for bikes on buses when/if new technology becomes available.	\$1,500	\$0	\$1,500									
5 Bus Rapid Transit	MTD-P15	Construct park & ride lots, transit centers and operate grade-separated bus rapid transit to reduce congestion on Highway 1.	\$25,920	\$0	\$25,920									
6 Bus Stop Improvements	MTD-P09	Install/replace shelters and benches.	\$7,500	\$0	\$7,500									
7 Bus Trip Planner - Advanced Traveler Information System	MTD-15	Format door-to-door route and schedule information using geographical information software. Voice-activated telephone system may also be implemented.	\$500	\$500	\$0		2011	\$ 500					STIP / \$500	programmed 2011
8 Commuter/Subscription Bus Program	MTD-P18	Capital and operating for subscription buses to areas not currently served by express buses (similar to large vanpool)	\$2,000	\$0	\$2,000									4 Buses @ \$500k ea. Replace every 12 years
9 Highway 1 Express Buses	MTD-P27	Hwy 1 express buses	\$6,000	\$0	\$6,000									6 Buses @ \$500k ea. Replace every 12 years
10 Highway 17 Express Service Expansion	MTD-P12	Add trips to extend service hours for Highway 17 express. Capital and Operating costs. Annual expansion cost: \$175K/yr.	\$4,357	\$0	\$4,357									\$175k/yr for 25 yrs.
11 Local Transit Service Restoration and Expansion	MTD-P14	Restore local service to 2001 levels, then expand service 10% including expanded service within SLV, City of SC and Watsonville, express buses, improved service to industrial areas. \$6.7M/yr operating, \$9M capital costs (9 buses & onetime replacement)	\$176,500	\$0	\$176,500									9% service expansion to 2001 level + 10% expansion 9 buses @ \$500k ea. Replace every 12 years
12 Metro Bus Replacements	MTD-P04	Replace fleet at the end of normal bus lifetime.	\$125,500	\$2,500	\$123,000		every 12 years	\$ 2,500					Measure A 2010/ \$2,500	Replace 5 in 2010 Replace 92 thru 2015 Replace 47 thru 2025 Replace 107 thru 2035 @ ~\$500K each
13 MetroBase Consolidated Bus Operations Facility	MTD-01	Construct a new facility at a centralized location to consolidate 7 operations, maintenance and administration facilities.	\$28,000	\$4,200	\$23,800		2010-2015	\$28,000					FY10 Budget: Federal / \$1,108 Local / \$3,092	\$23,800 Prop 1B funds uncertain
14 Replacement Transit Fareboxes	MTD-18	Electronic registering fareboxes will be eligible for replacement by 2015, includes prepaid card fare collection program.	\$9,068	\$2,267	\$6,801		2010, every 5 years	\$ 2,267					ARRA / \$2,267	Replace every 5 years
15 Signal Priority/Pre-Emption for Buses	MTD-P21	Enable coach operators to actuate traffic signals to prolong green or change red lights to improve transit running time.	\$2,000	\$0	\$2,000									
16 Transit Mobility Training Program Expansion	MTD-P19	Hire additional staff, increase public outreach, and incorporate recommendations from 2001 ADA audit for mobility training program for 15 years to encourage fixed route rather than Paratransit use. Avg annual cost: \$80K/yr	\$1,200	\$0	\$1,200									
17 Transit Technological Improvements	MTD-P06	New radios, Automatic Vehicle Locator system on all METRO buses. Real time bus arrival/departure displays at stops. IT software and hardware upgrades for scheduling, customer service, planning systems.	\$7,350	\$1,384	\$5,966		2010, every 5 years	\$ 1,384					ARRA / \$1,161 OHS / \$203	FY 10 Budget
18 UCSC Bus Service Expansion	MTD-P13	Increase frequency on routes serving UCSC to eliminate standing loads. Capital and Operating costs	\$14,000	\$0	\$14,000									UCSC Budget constraints?
19 Small Bus Fleet	MTD-P24	Purchase smaller buses for travel through residential neighborhoods. Cost currently unknown.	\$0	\$0	\$0									

5-12.91

Attachment A

**METRO Operating and Capital Transit Funding Needs
2010 - 2035**

SCMTD - Updates to 2005 RTP

Show all figures in 000's in 2010 dollars (will be escalated for final 2010 document)

Project	RTP#	Description	Ttl Cost (est)	Constrained Total	Unconstrained Total	Avg Annual Cost (if applicable)	Scheduled	Cost 2010-15	Cost 2016-25	Cost 2026-35	Priority #	Fully Funded?	Available (formula) Funding Sources /amounts	Comments/ Additional Info
NEW PROJECTS														
20		Local Transit - Continuation of Existing Service Levels 2010-2035 Operation & maintenance cost of existing local fixed route bus service (2010 budget)	\$846,100	\$33,844	\$812,256	33,844	annually	\$33,844					Fares, Contracts / \$8,889 Ads Rent, Interest / \$514 TDA / \$5,793 Federal / \$3,741 Reserves / \$4,974 Sales Tax / \$9,933	FY10 budget
21		Highway 17 Express Service - Cont. of Existing Service Levels Operation & maintenance cost of existing bus services (2010 budget)	\$60,000	\$2,400	\$57,600	2,400	annually	\$ 2,400					Sales Tax / \$2,400	FY10 budget
22		ADA Paratransit Service - Continuation of Existing Service Operation & maintenance cost of existing Paratransit service (2010 budget)	\$114,325	\$4,573	\$109,752	4,573	annually	\$ 4,573					Sales Tax / \$4,573	FY10 budget
23		ParaCruz Operating Facility Design, Right-of-Way and construction for new ParaCruz Operating Facility	\$12,000	\$0	\$12,000									
24		Solar Panels for MetroBase Energy reduction through installation of solar panels on the new MetroBase Facilities	\$6,000	\$0	\$6,000									
25		ParaCruz Scheduling Software; Mobile Data Terminals; Radios Upgrade Trapeze ride-scheduling/certification software; install mobile data terminals in vehicles	\$3,000	\$137	\$2,863		2010; every 5 yrs.	\$ 137					Federal / \$63 STA / \$74	FY 10 Budget
26		Bus Rebuild, Maintenance Rebuild engines; Fleet maintenance equipment.	\$2,512	\$0	\$2,512		every 3 years							
27		Pacific Station Renovation Renovate Transit Center	\$12,000	\$2,100	\$9,900		2010	\$ 2,100					Federal / \$1,418 TCRP / \$682	Land 2010
28		Non-Revenue Vehicles Replace support vehicles	\$1,217	\$0	\$1,217		every 5 years							
29		Transit Security and Surveillance Systems Enhance passenger safety and facilities security. Emergency response systems.	\$1,100	\$660	\$440		2010	\$ 660					OHS / \$660	FY 10 Budget
30		Disaster Response Mobile Command Field unit for Disaster Response Management	\$500	\$0	\$500									
31		IT: Automated Data Processing software, telephones, portable computers, servers, Customer Information Kiosks, digital ID processing equipment Maintain and upgrade office software and hardware, bandwidth, web site, phone network, to enhance productivity, customer service and maintain functionality.	\$5,310	\$979	\$4,331		2010, every 5 yrs.	\$ 979					STA / \$979	FY 10 Budget
32		METRO facilities repair/upgrades Maintain and upgrade physical plant.	\$3,786	\$154	\$3,632		2010, every 7yrs.	\$ 154					STA / \$154	FY 10 Budget
33		L/CNG Storage Tank Install 2nd L/CNG storage tank to add capacity for CNG replacement buses	\$1,000	\$0	\$1,000		2010							
34		MetroBase Phase II Expansion to 150 bus fleet; purchase new property	\$15,000	\$0	\$15,000									
35		Parking Structure Joint venture w/City of Santa Cruz Tannery Arts Center	\$4,000	\$0	\$4,000									
36		Water Harvesting for River St Water capture for bus wash facility	\$1,500	\$0	\$1,500									
37		Security Gates for MetroBase Controlled electronic access to River St. operations and Golf Club maintenance facilities	\$1,000	\$0	\$1,000									
Totals			\$1,506,237	\$57,428	#VALUE!									

NOTE: Due to the potential State appeal of Shaw vs. Chiang to the Third District Court of Appeals, METRO staff recommends that it would not be fiscally prudent to plan State Transit Assistance (STA) funding in the RTP, as the current STA program is suspended indefinitely, pending the outcome of this case.

5-12.02

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

NOTICE OF ACTION TAKEN IN CLOSED SESSION MEMORANDUM

DATE: July 24, 2009

TO: Board of Directors

FROM: Margaret Gallagher, District Counsel

SUBJECT: Notification Of Action Taken In Closed Session Regarding Settlement with Mary Bell and Joseph Bell; Santa Cruz County Superior Court Case No. CV 16033

Settlement of Bell vs. Santa Cruz METRO, et al; Case No. CV 160334

On May 8, 2009, in closed session the Board of Directors authorized a settlement in the amount of One hundred twenty-five thousand dollars (\$125,000.00), for an accident that occurred on April 16, 2007, in Santa Cruz, California involving Mary Bell. The following directors authorized the settlement: Bustichi, Graves, Hagen, Hinkle, Martinez, Pirie, Robinson, Rotkin and Stone. There were no Directors that opposed the settlement. Directors Spence and Tavantzis were absent.

Pursuant to this direction, a fully executed release was received from these claimants and a District warrant was issued in the sum of \$125,000.00. The Request for Dismissal with Prejudice was filed in Superior Court on July 6, 2009.

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009

TO: Board of Directors

FROM: Angela Aitken, Finance Manager 

SUBJECT: CONSIDERATION OF THE ROUTE 54 SERVICE CHANGES FOR FALL 2009

I. RECOMMENDED ACTION

That the Board of Directors approve the Route 54 service changes effective Fall 2009 Bid

II. SUMMARY OF ISSUES

- METRO is addressing ongoing service efficiency improvements.
- The Service Review and Planning Committee (SPARC) has developed a service change that addresses the underutilized weekday trips of the Route 54.
- The United Transportation Union Local 23 (UTU-FR) has agreed to this service change and this can be accommodated in the Fall 2009 Bid.
- The total savings from this service efficiency improvement is estimated to be \$25,000-\$35,000 annually.

III. DISCUSSION

METRO is addressing ongoing service efficiency improvements. The Service Review and Planning Committee (SPARC) has developed two (2) service changes to the weekday Route 54:

1. Deletion of the 7:05am inbound trip (From Cabrillo College to Capitola Mall)
2. Changes in the 5:30pm trip to make it an express bus after departing La Selva Beach.(No stops between La Selva Beach and Cabrillo College)

The weekday 7:05am trip is averaging less than 2 riders per trip leading to an excessive underutilization of resources. SPARC has made the recommendation of deleting this trip effective Fall 2009 Bid. The weekday 5:30pm trip also lacks sufficient ridership during the inbound portion between La Selva Beach and the Capitola Mall. In order to enhance the run time and service performance of this trip, SPARC has made the recommendation to make this trip an express bus after departing La Selva Beach to Cabrillo College via Highway 1. Upon arriving at Cabrillo College, the trip will go out of service. This change would be effective Fall 2009 Bid.

5-14.1

IV. FINANCIAL CONSIDERATIONS

The total savings from this service efficiency improvement is estimated to be \$25,000-\$35,000 annually.

IV. ATTACHEMETS

NONE

Prepared by: Erich R. Friedrich

5-14.2

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009
TO: Board of Directors
FROM: Robyn Slater, Human Resources Manager
SUBJECT: PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

I. RECOMMENDED ACTION

Staff recommends that the Board of Directors recognize the anniversaries of those District employees named on the attached list and that the Board Chair present them with awards.

II. SUMMARY OF ISSUES

- None.

III. DISCUSSION

Many employees have provided dedicated and valuable years to the Santa Cruz Metropolitan Transit District. In order to recognize these employees, anniversary awards are presented at five-year increments beginning with the tenth year. In an effort to accommodate those employees that are to be recognized, they will be invited to attend the Board meetings to receive their awards.

IV. FINANCIAL CONSIDERATIONS

None.

V. ATTACHMENTS

Attachment A: Employee Recognition List

**SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
EMPLOYEE RECOGNITION**

TEN YEARS

Francisco Ramirez Calderon, Bus Operator
Patricia S. Cummings, Bus Operator
Andre Paul Harte, Bus Operator
Lynn Hersey, Bus Operator
Juan Serrato, Bus Operator

FIFTEEN YEARS

None

TWENTY YEARS

None

TWENTY-FIVE YEARS

None

THIRTY YEARS

None

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009
TO: Board of Directors
FROM: Robyn D. Slater, Human Resources Manager
SUBJECT: **CONSIDER APPROVAL OF WAGE CHANGE FOR THE PERSONNEL
TECHNICIAN CLASS SPECIFICATION**

I. RECOMMENDED ACTION

That the Board of Directors approve the revised wage table for the Personnel Technician class specification as a result of a contractually required salary survey.

II. SUMMARY OF ISSUES

- The Memorandum of Understanding (MOU) between METRO and the Service Employees International Union, Local 521 (SEIU) provides for a wage study of up to 3 class specifications per year.
- In December 2008 SEIU requested a salary survey of the Personnel Technician class specification. There is one incumbents in this classification.
- Information was requested from 13 local governmental bodies and California Transit Districts.
- The results of the survey showed that the current wage range for the Personnel Technician was lower than the comparative organizations (of those that had similar positions).
- The Human Resources Manager met with the General Manager and reviewed the results of the wage survey and agreed on a percentage increase to bring the wage scale to a competitive rate.
- After discussion with the General Manager a meeting was held with SEIU and an 8% increase to the wage scale was suggested.

III. DISCUSSION

The SEIU MOU states that the Union can request salary surveys of up to three positions per year. In December 2008 the Union requested a salary survey of three positions, one of which was the Personnel Technician.

Previously, METRO and SEIU had agreed on 13 organizations comprised of local agencies and California Transit districts that are used for all salary surveys. The organizations were contacted and when applicable the class specifications and wage scales of like positions were reviewed.

7.1

METRO's wage scale was the lowest of the eight class specifications that were used for review. The top of the wage scales were used for comparison. The range was \$25.19 to \$31.79.

The Human Resources Manager met with the General Manager and reviewed the results of the wage survey. The Human Resources Manager suggested an adjustment of 8% to the wage scale.

After receiving agreement by the General Manager the Human Resources Manager met with the union and presented the suggested increase. The union was in agreement with the proposed increase.

IV. FINANCIAL CONSIDERATIONS

Based on the suggested 8% increase the cost would be approximately \$4,300 per year.

V. ATTACHMENTS

Attachment A: Revised wage scale

Personnel Technician Salary Schedule

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6
Current pay scale - 07/24/09	\$ 20.32	\$ 21.34	\$ 22.38	\$ 23.53	\$ 24.70	\$ 25.95
New pay scale (8% increase)	\$ 21.95	\$ 23.05	\$ 24.17	\$ 25.41	\$ 26.68	\$ 28.03
06/24/10 (3% contractual increase)	\$ 22.61	\$ 23.74	\$ 24.90	\$ 26.17	\$ 27.48	\$ 28.87
06/23/11 (3% contractual increase)	\$ 23.29	\$ 24.45	\$ 25.65	\$ 26.96	\$ 28.30	\$ 29.74

Attachment A

7.a1

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: July 24, 2009
TO: Board of Directors
FROM: Robyn D. Slater, Human Resources Manager
SUBJECT: CONSIDERATION OF ADOPTION OF THE REVISED EQUAL EMPLOYMENT OPPORTUNITY PLAN, 2009-2011

I. RECOMMENDED ACTION

Consider adoption of the Equal Opportunity Plan (EEO Plan), 2009-2011, for the Santa Cruz Metropolitan Transit District

II. SUMMARY OF ISSUES

- The Federal Transit Administration (FTA) requires METRO to submit an updated EEO Plan every three years for review and approval as part of federal funding requirements.
- The FTA last approved METRO's EEO Plan in 2006 and it is now time for METRO to submit an updated Plan to the FTA.
- METRO's Plan for 2009 - 2011 has been updated based on January 1, 2006 through December 31, 2008 workforce data.
- METRO'S Board of Directors must adopt the EEO Plan for 2009-2011 prior to submission to the FTA.
- The goal of METRO's EEO Plan is to achieve a workforce that is represented in all occupational areas consistent with the percentage of females and minorities in the area workforce.

III. DISCUSSION

The Federal Transit Administration requires agencies that receive federal funding to submit an updated EEO Plan every three years for review and approval as part of federal funding requirements. The Board of Directors approved the last EEO Plan in October 2006 covering the calendar years 2006 – 2008. Following Board approval the Plan was submitted to the FTA. It is now time to submit an updated EEO Plan for the 2009 – 2011 time period. The updated EEO Plan is attached for Board review and approval. Once approved METRO will submit the 2009 – 2011 Plan to the FTA.

The goal of METRO's EEO Plan is to achieve a workforce that is represented in all occupational areas consistent with the percentage of females and minorities in the area workforce. The EEO Plan examines data gathered from METRO's current workforce statistics, recruitment and hiring efforts, identifies groups in each EEO occupational category that may be underutilized, and establishes employment goals for the next Plan cycle. The EEO Plan also examines METRO's accomplishments in recruiting and hiring over a three year cycle in support of efforts to achieve parity in the workforce.

A summary of some highlights from the employment data contained in the updated EEO Plan follows.

METRO received 1021 applications between January 1, 2006 and December 31, 2008. Of the 1021 applications, 84 applicants were hired (approximately 8%). Of the applications received 36.2% of the applicants were female, 48.7% were minorities, and 57.9% were over the age of 40. Of the 280 applicants determined to be qualified and placed on eligible lists, 53.6% were females, 43.2% were minorities, and 63.2% were over 40. Of the 84 applicants hired 42.9% were female, 31% were minorities, and 70.2% were over 40. These percentages indicate that recruitment and hiring efforts have been successful for the organization when compared to the overall area workforce composition. However, changes in workforce availability show that continued efforts should be made to improve the percentages in several of the occupational job categories.

METRO's 2009 – 2011 EEO Plan contains appointment goals to hire 58 females and 7 minorities during the three calendar year period. Some of the prior EEO Plan goals were met, and others were not. One of METRO's continued areas of focus will be the hiring of additional female Operatives (Bus Operators). In addition, updated data show there is slight underutilization of females in the Professional, Administrative Support, Craft Workers, Laborers & Helpers, and Service Worker groups. The data show there is a slight underutilization of minorities in the Official & Managers, Professionals, Administrative Support, Operatives (not Bus Operators), and Operatives (Bus Operators) groupings. The hiring goals set are a guide for hiring and promotional activity during the Plan year period.

METRO will continue to strive to meet the appointment goals as stated in the 2009 – 2011 EEO Plan. METRO will emphasize equal employment opportunity in all advertising and recruitment efforts, as well as in promotional opportunities. The data contained in the EEO Plan demonstrate that METRO's overall workforce is a reflection of the groups available in the general Santa Cruz County area.

Appendix E contains updated Federal and State agency contact information for filing complaints. This list is contained in the Sexual Harassment in Employment Policy currently being updated by the Legal Department.

IV. FINANCIAL CONSIDERATIONS

None

V. ATTACHMENTS

Attachment A: Equal Employment Opportunity Plan 2009 -2011

8.2

SANTA CRUZ METROPOLITAN TRANSIT
DISTRICT

EQUAL EMPLOYMENT OPPORTUNITY
PLAN



2009 -2011

BOARD OF DIRECTORS

Dene Bustichi, Chair
Ellen Pirie, Vice Chair
Ron Graves
Donald Hagen
Michelle Hinkle
Emilio Martinez
Lynn Robinson
Mike Rotkin
Pat Spence
Mark Stone
Marcela Tavantzis
Donna Blitzer

Leslie White, Secretary/General Manager
Robyn D. Slater, Human Resources Manager

8. a2

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APPENDICES

- Appendix A Discrimination Complaint Procedure
- Appendix B Reasonable Accommodation Procedure
- Appendix C Policy Regarding Persons with Disabilities
- Appendix D Life Threatening Illness Policy
- Appendix E Sexual Harassment Policy (includes complaint procedure)
- Appendix F Race/Ethnic Identification
- Appendix G Description of EEOC Job Categories
- Appendix H Definitions

8.a3

I. EQUAL EMPLOYMENT OPPORTUNITY POLICY

The Santa Cruz Metropolitan Transit District (METRO) Board of Directors hereby reaffirms the Equal Employment Opportunity Policy and practices of planning, implementing and administering its employment policies, procedures and programs without regard to race, color, ancestry, national origin, religious creed, sex, medical condition or disability, age, marital status, veteran status, or sexual orientation. This policy applies to all employees and applicants for employment and to all aspects of employment including recruitment, appointment, training, promotion, transfer, termination, layoff, recall, compensation and discipline.

METRO's goal is to achieve a workforce that is represented in all occupational areas and at all employment levels by minorities and females in numbers consistent with the percentage of these groups represented in the area workforce. Through the establishment and implementation of this policy, it is the intent of the METRO Board of Directors to actively support and comply with the following laws and regulations: the Equal Pay Act of 1963; Title VII of the Civil Rights Act of 1964, as amended; Civil Rights Act of 1991; the Urban Mass Transportation Act of 1964, as amended; the Age Discrimination in Employment Act of 1967; Section 504 of the Rehabilitation Act of 1973; the Vietnam Era Veterans Readjustment Assistance Act of 1974; Americans with Disabilities Act of 1990; and the California Fair Employment and Housing Act.

METRO recognizes that a prohibition of discriminatory employment practices alone will neither achieve this goal nor insure equal employment opportunity, but that METRO must take affirmative action in order to overcome the effects of discrimination. Such affirmative action steps are designed to remove and prevent artificial barriers to employment and the benefits of employment and to correct the effects of any past practices that may have created such barriers.

II. EEO POLICY STATEMENT FROM THE GENERAL MANAGER

As Secretary/General Manager of the Santa Cruz Metropolitan Transit District (METRO), I am committed to equal employment opportunity for all persons, regardless of race, color, ancestry, national origin, religious creed, sex, medical condition or disability, age, marital status, veteran status, or sexual orientation. I fully support METRO's Equal Employment Opportunity Program, including the establishment of goals and timetables, in order to overcome the effects of past discrimination on minorities and females. The successful achievement of equal opportunity goals will provide benefits to METRO through increased utilization, and development of previously underutilized human resources.

The responsibility for the implementation of the Equal Employment Opportunity Plan is assigned to the Human Resources Manager who serves as METRO's Equal Employment Opportunity Officer. However, all METRO management shares in the responsibility for achieving METRO's employment goals and will have the specific task to assure equal employment opportunity compliance. The performance by management and supervisory personnel will be evaluated on the success of the Equal Employment Opportunity Program the same way as their performance on other METRO goals.

An employee or applicant for employment who perceives that his/her civil rights have been violated may file a complaint with the General Manager or the Equal Employment Opportunity Officer.

July 2009

Leslie R. White
Secretary/General Manager

III. DISSEMINATION OF THE EEO POLICY

The EEO (Equal Employment Opportunity) Policy and Plan shall be publicized and disseminated to METRO'S employees, applicants seeking employment and the general public as follows:

Internal Dissemination

- ◆ The EEO Policy and Statement from the General Manager shall be posted on at least one bulletin board at each METRO facility where employees work; included in the METRO's administrative procedures manual; distributed to each new employee; and maintained in the Human Resources Department for distribution to employees as requested.
- ◆ Copies of the EEO Plan shall be distributed to members of the Board of Directors, METRO management personnel, and departments to be available for review by METRO employees.
- ◆ Informational and training sessions shall be offered in order for METRO management and supervisory personnel to participate in equal employment opportunity compliance training.

External Dissemination

- ◆ Posters explaining State and Federal non-discrimination laws will be displayed at METRO work facilities.
- ◆ The EEO Plan will be maintained in the Human Resources Department for review by applicants and the general public.
- ◆ METRO employment opportunity flyers and application forms will state that METRO is an equal opportunity employer.
- ◆ Human Resources Department staff will inform outreach referral sources of METRO's EEO Policy and request that these sources actively refer qualified applicants from protected classes.

IV. OBJECTIVES OF THE EQUAL EMPLOYMENT OPPORTUNITY PLAN

- A. To ensure equal employment opportunity in METRO employment, including recruitment, appointment, compensation, training, promotion, transfer, termination, layoff, recall and discipline.
- B. To recruit, appoint and promote qualified minorities and females in order to achieve a workforce representative of minorities and females in the area workforce.
- C. To achieve specific goals and timetables to correct underutilization of minorities and females.
- D. To ensure that METRO does not discriminate against individuals based on race, color, ancestry, or national origin, religious creed, sex, medical condition (including life threatening illnesses) or disability, age, marital status, veteran status, or sexual orientation.
- E. To investigate and respond to complaints of discrimination and harassment and take corrective action when necessary.
- F. To ensure dissemination of the EEO Policy both internally and externally.
- G. To develop effective monitoring and reporting systems to assess program compliance and ensure that METRO employment procedures do not discriminate against protected classes.

V. EQUAL EMPLOYMENT OPPORTUNITY RESPONSIBILITIES

In order to implement all aspects of the EEO Plan, responsibilities shall be as follows:

Board of Directors

- To adopt METRO's EEO Policy Statement and Plan.
- To publicly support the Equal Employment Opportunity Plan.
- To approve revisions and modifications to the Plan.
- To monitor Equal Employment Opportunity progress to ensure commitment by METRO management

General Manager

- To allocate adequate financial and staff resources to implement an effective Plan.
- To evaluate managers' performance in meeting departmental EEO goals.

Equal Employment Opportunity Officer

- To update the Equal Employment Opportunity Plan every three years and submit the updated Plan to the Board of Directors.
- To submit METRO's Equal Employment Opportunity Plan to FTA for approval every three years.
- To develop, recommend and implement the Equal Employment Opportunity Plan and internal and external communication procedures.
- To collect and analyze employment data and identify problem areas.
- To design, implement and monitor reporting systems to measure program effectiveness and to determine where further action is needed.
- To contact minority, disabled, and women's organizations, community groups and educational institutions to refer qualified minority, disabled, and female applicants for employment.
- To ensure that current legal information affecting Equal Employment Opportunity is communicated to appropriate METRO personnel.
- To ensure that employment practices are job related and free of adverse impact and adverse treatment.

- To investigate complaints of discrimination and harassment and recommend corrective action when necessary.
- To identify and recommend Equal Employment Opportunity training to supervisory and management personnel.
- To develop and recommend procedures and practices to ensure equal employment opportunity and affirmative action in all aspects of employment activities.
- To meet with and obtain input from an Equal Employment Opportunity Committee composed of employee representatives.

Managers and Supervisory Personnel

- To support and comply with the Equal Employment Opportunity Plan.
- To work with the Equal Employment Opportunity Officer to identify problem areas and review department goals.
- To monitor appointments together with Equal Employment Opportunity goals.
- To maintain a discrimination free work environment and to take immediate action to investigate and correct inappropriate behavior of subordinates.

Equal Employment Opportunity Committee

- To assist the Equal Employment Opportunity Officer in promoting an understanding and acceptance of the Plan.
- To express the concerns of METRO employees in terms of Equal Employment Opportunity and assist in resolving such concerns.
- To assist in Equal Employment Opportunity program activities.

All Employees

- To support and comply with the Equal Employment Opportunity Policy and Plan.

VI. REVIEW OF 2006 - 2008 STATISTICS

RECRUITMENTS

Chart 1 presents METRO applicant data for recruitments from January 1, 2006 through December 31, 2008. Of the 1,021 applications received, females comprised 36.2% (370) and minorities comprised 48.7% (497). A total of 280 persons were placed on eligible lists for all positions recruited, 53.6% (150) were female and 43.2% (121) were minorities. Of the 84 appointments made, 42.9% (36) were female and 31% (26) were minorities. Since the last EEO Report filed in 2006 the statistics show a slight increase in the percentage of females hired (42.9% vs. 41.4%), a decrease in the percentage of minorities hired (31% vs. 52.1%), and an increase the percentage of individuals over age 40 hired (70.2% vs. 52.1%).

Chart 1 has been adapted to reflect the new EEO 1 job categories and is discussed below:

- **Officials and Managers:** 115 applications were received, 31 persons were placed on eligible lists, and 7 individuals were hired. Females constituted 36.5% and minorities constituted 27.0% of the total applications received. Of the individuals hired 85.7% were female, 0% were minorities and 85.7% were over the age of 40.
- **Professionals:** No recruitments in this category.
- **Technicians:** 11 applications were received, 7 persons were placed on eligible lists and 1 person was hired. Females constituted 72.7% and minorities constituted 45.5% of the total applications received. Of the individuals hired 100% were female, 0% were minorities and 0% were over forty.
- **Sales Workers:** No recruitments in this category.
- **Administrative Support Workers:** 325 applications were received, 89 persons were placed on the eligible list and 20 individuals were hired. Females comprised 68.0% and minorities comprised 44.6% of the applications received. Of the individuals hired, females constituted 75%, 20% were minority and 50% were over forty.
- **Craft Workers:** 111 applications were received, 29 persons were placed on the eligible list and 10 individuals were hired. Females constituted 0.9% and minorities constituted 43.2% of the total applications received. Of the individuals that were hired 0% were female, 20% were minority and 70% were over forty.
- **Operatives:** 391 applications were received, 122 persons were placed in the eligible list and 45 individuals were hired. Females constituted 24.6% and minorities constituted 53.5% of the applications received. Of the individuals hired 31.1% were females, 42.2% were minorities and 80.0% were over forty.

- **Laborers and Helpers:** 68 applications were received, 2 individuals were placed on the eligible lists, and 1 individual was hired. Females constituted 2.9% and minorities constituted 86.8% of the total applications received. Of the individuals hired, 100% were minorities, and 0% were over 40.
- **Service Workers:** No recruitments in this category.

CHART 1
January 1, 2006 - December 31, 2009

Recruitment Statistics

<u>EEOC JOB CATEGORY</u>	<u>RECRUITMENT</u> <u>NUMBERS</u>	<u>FEMALE</u>		<u>MINORITY</u>		<u>DISABLED</u>		<u>40 PLUS</u>	
		<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
Officials and Managers									
Applications Received	115	42	36.5%	31	27.0%	0	0.0%	76	66.1%
Applicants Placed on Eligible List	31	21	67.7%	10	32.3%	0	0.0%	31	100.0%
Applicants Hired	7	6	85.7%	0	0.0%	0	0.0%	6	85.7%
Professionals									
Applications Received	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Applicants Placed on Eligible List	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Applicants Hired	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Technicians									
Applications Received	11	8	72.7%	5	45.5%	0	0.0%	7	63.6%
Applicants Placed on Eligible List	7	5	71.4%	3	42.9%	0	0.0%	5	71.4%
Applicants Hired	1	1	100.0%	0	0.0%	0	0.0%	0	0.0%
Sales Workers									
Applications Received	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Applicants Placed on Eligible List	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Applicants Hired	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Admin Support Workers									
Applications Received	325	221	68.0%	145	44.6%	0	0.0%	139	42.8%
Applicants Placed on Eligible List	89	62	69.7%	34	38.2%	0	0.0%	44	49.4%
Applicants Hired	20	15	75.0%	4	20.0%	0	0.0%	10	50.0%
Craft Workers									
Applications Received	111	1	0.9%	48	43.2%	0	0.0%	73	65.8%
Applicants Placed on Eligible List	29	0	0.0%	7	24.1%	0	0.0%	21	72.4%
Applicants Hired	10	0	0.0%	2	20.0%	0	0.0%	7	70.0%
Operatives									
Applications Received	391	96	24.6%	209	53.5%	3	0.8%	259	66.2%
Applicants Placed on Eligible List	122	62	50.8%	65	53.3%	0	0.0%	75	61.5%
Applicants Hired	45	14	31.1%	19	42.2%	0	0.0%	36	80.0%
Laborers & Helpers									
Applications Received	68	2	2.9%	59	86.8%	0	0.0%	37	54.4%
Applicants Placed on Eligible List	2	0	0.0%	2	100.0%	0	0.0%	1	50.0%
Applicants Hired	1	0	0.0%	1	100.0%	0	0.0%	0	0.0%
Service Workers									
Applications Received	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Applicants Placed on Eligible List	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Applicants Hired	0	0	0.0%	0	0.0%	0	0.0%	0	0.0%
TOTAL									
Applications Received	1021	370	36.2%	497	48.7%	3	0.3%	591	57.9%
Applicants Placed on Eligible List	280	150	53.6%	121	43.2%	0	0.0%	177	63.2%
Applicants Hired	84	36	42.9%	26	31.0%	0	0.0%	59	70.2%

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APPOINTMENTS

Chart 2 illustrates changes in the percentage of all METRO appointments from 1999 to 2008. These figures represent the number of persons from new appointments, internal promotions, and re-employment from layoff, return from furlough, provisional appointments, and demotions. Figures listed below for Area Workforce come from the 2000 Census data for Santa Cruz County,

CHART 2

APPOINTMENT PERCENTAGES

ETHNICITY OR GENDER	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	METRO WORK FORCE	AREA WORK FORCE
WHITE	58.5%	66.7%	59.6%	74.3%	57.1%	42.5%	55.3%	50.0%	78.8%	73.9%	52.6%	63.4%
HISPANIC	29.2%	23.5%	38.3%	22.9%	35.7%	39.7%	40.4%	37.5%	12.1%	17.4%	35.5%	28.8%
BLACK	10.8%	2.0%	0.0%	2.9%	0.0%	6.8%	4.3%	1.6%	3.0%	0.0%	6.1%	1.30%
ASIAN/ PACIFIC ISLANDER	1.5%	5.9%	0.0%	0.0%	7.1%	6.8%	0.0%	10.9%	6.1%	8.7%	4.3%	4.4%
AMERICAN INDIAN/ ALASKAN	0.0%	2.0%	2.1%	0.0%	0.0%	4.1%	0.0%	0.0%	0.0%	0.0%	1.5%	1.2%
TOTAL MINORITIES	41.5%	33.3%	40.4%	25.7%	42.9%	57.5%	44.7%	50.0%	21.2%	26.1%	47.4%	38.4%
TOTAL FEMALE	30.8%	35.3%	21.3%	40.0%	7.1%	53.4%	29.8%	35.9%	45.5%	26.1%	30.9%	49.9%

SEPARATIONS/ TERMINATIONS FOR CAUSE

Chart 3A provides the number of total separations and terminations for cause from January 1, 2006 through December 31, 2008, by ethnicity and gender. The percentages for each category are compared with METRO's workforce percentages. For the three-year period the percentages show of the 81 separations, 24.7% were minorities, and 43.2% were female. For the same time period, of the 10 separations for cause, 30% were minorities, and 50% were female.

The percentages shown for female terminations appear high due to the small number of employees terminated (10) during the three-year period reflected. The METRO workforce percentages are reflective of METRO's workforce composition as of May 31, 2009.

CHART 3A
2006 - 2008 SEPARATIONS

Ethnicity/Gender	Separations #	Separations %	Terminations #	Terminations %	Workforce %
White	56	69.1%	5	50.0%	52.6%
Hispanic	15	18.5%	2	20.0%	35.5%
Black	4	4.9%	1	10.0%	6.1%
Asian/Pacific Is	0	0%	0	0	4.3%
Amer. In/Alaskan	1	1.2%	0	0%	1.5%
Total Minorities	20	24.7%	3	30.0%	47.7%
Total Females	35	43.2%	5	50.0%	30.9%
Total	81		10		

PROMOTIONS

Chart 3B shows all promotions from January 1, 2006 – December 31, 2008, listed by position, race, and sex. Chart 3C shows the promotion data in summary form, and it shows that 36.4% of those promoted were minorities, and 51.5% were women. The promotion data is compared to METRO total workforce percentages.

CHART 3B
January 1, 2006 to December 31, 2008 PROMOTIONS

<u>POSITION</u>	<u>EMPLOYEES PROMOTED</u>
Accounting Specialist	1 WHT (F)
Bus Operator	1 HIS (F)
Bus Operator	3 HIS (M)
Dispatch/Schedulers	5 WHT (F)
Fac Maint Wkr II	2 WHT (M)
Fixed Route Supt	1 WHT (F)
Flt Maint Supervisor	1 WHT (M)
FM Lead Mechanic	1 HIS (M)
FM Mechanic II	1 AIS (M)
FM Mechanic II	1 HIS (M)
FM Mechanic II	1 WHT (M)
FM Mechanic III	1 HIS (M)
Paratran Supt	1 WHT (F)
Payroll & Benefits Coor	1 WHT (F)
Schedule Analyst	1 WHT (F)
Sr Acctng Technician	3 WHT (F)
Sr Fac Maint Wkr	1 WHT (M)
Sr Sys Administrator	1 WHT (M)
Transit Supervisor	1 AIS (M)
Transit Supervisor	2 HIS (F)
Transit Supervisor	1 WHT (F)
Transit Supervisor	1 WHT (M)
Veh Serv Wkr II	1 HIS (M)

CHART 3C

Ethnicity/Gender	Promotions #	Promotions %	METRO Workforce %
White	21	63.6%	52.6%
Hispanic	10	30.3%	35.5%
Black	0	0%	6.1%
Asian/Pacific Is	2	6.1%	4.3%
Amer. In/Alaskan	0	0%	1.5%
Total Minorities	12	36.4%	47.4%
Total Females	17	51.5%	30.9%
Total	33		

VII. WORKFORCE UTILIZATION ANALYSIS

Chart 4 summarizes METRO's workforce statistics from 1999 – 2008 showing the changing percentages of women and minorities during the ten-year span. METRO has experienced an 11.2% increase in its representation of minority employees, and a slight decrease in females.

CHART 4

	<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>% Change 1999-2008</u>
Females	31.7	30.5	29.7	28.6	29.1	34.0	33.3	32.3	32.4	30.8	- 0.9
Hispanics	22.0	23.5	25.5	26.2	28.8	30.8	33.1	34.8	35.0	35.2	+13.2
Asian/Pacific Islanders	4.0	4.9	4.7	4.8	3.7	4.7	4.0	4.2	3.8	4.4	+0.4
Blacks	7.8	6.4	5.9	6.3	6.7	7.0	7.0	6.5	6.4	5.9	-1.9
American Indian/ Alaskan Natives	1.9	1.8	2.1	2.1	2.0	2.0	2.0	1.7	1.7	1.5	- 0.4
Total Minorities	35.7%	36.6%	38.3%	35.7%	41.1%	44.5%	46%	47.2%	46.8%	46.9%	+11.2

METRO Workforce Compared to Area Workforce

Employment statistics for METRO's workforce compared to the Area Workforce show that METRO's workforce is representative of the area workforce in every category except females.

<u>Ethnicity/Gender</u>	<u>METRO</u>	<u>Area</u>
White	52.6%	64.4%
Hispanic	35.2%	28.8%
Black	5.9%	1.3%
Asian/Pac. Is.	4.4%	4.4%
Am. Ind./Alaskan	1.5%	1.2%
Total Minorities	46.9%	38.4%
Total Females	30.8%	49.9%

The largest numbers of METRO employees are in the Operations Department, with a total of 174 employees, including 156 Bus Operators of which 21% are female. During the 2006 – 2008 time period METRO hired 45 Bus Operators of which 31.1% were female.

Underutilization Analysis

Workforce utilization analyses have been prepared in Charts 5 and 6 to determine where underutilization of protected classes exists at METRO.

The U.S. Census data from 2000 provides the percentages of availability of minorities and females within each EEOC job category in the labor force. The next U.S. Census will be conducted in 2010. The data in Charts 5 and 6 provide a utilization analysis of the major EEOC job categories being underutilized when compared to their availability in the Santa Cruz County labor force.

The California Department of Fair Employment and Housing has required that an employer may not use the general labor force availability data for minorities and females. Instead we must use the County's availability percentages broken down by ethnicity and females for each EEOC job category to establish the appointment goals listed later in this Plan (contained in Chart 8).

The first page of Chart 5 on the following page labeled "Work Force Utilization Analysis, System Wide" shows all METRO departments combined as of December 31, 2008, classified by EEOC job category, and protected classes. Subsequent pages of Chart 5 show the breakdown of employees for each department with the number and percent of protected class employees.

Underutilization

In reviewing the System Wide Chart (page 1 of Chart 5) the following underutilization information is displayed:

Officials and Managers – Underutilization of 2 minorities.

Professionals – Underutilization of 2 females and 1 minority. No recruitments were conducted for this category.

Technicians – Slight underutilization of minorities. METRO has only two individuals in the Technician category, and during 2006 – 2008 one female was hired as an internal promotion.

Administrative Support – Underutilization of 1 female and 1 minority.

Craft Workers – Underutilization of 1 female.

Operatives (not Bus Operators) – Underutilization of 1 minority.

Bus Operators -- Underutilization of 48 females and 2 minorities.

Laborers and Helpers – Underutilization of 2 females

Service Workers – Underutilization of 4 females. No recruitments were conducted for this category.

When reviewing the Work Force Analysis Charts for each department, the statistics show general workforce availability percentages, but each department may not have positions in each EEOC Job Category. In some of the EEO categories there are so few employees, or so few hired, reaching our utilization goals is very difficult.

System wide Distribution by EEOC Job Category / METRO Job Title and Salary

Chart 6 shows each EEO Category with a list of METRO's Job Classification titles contained in each category. The Charts also show the number of METRO positions by ethnicity, male/female, with salary ranges for each METRO job classification as of December 31, 2008.

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 SYSTEM WIDE REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER			AMERICAN INDIAN/ALASKAN NATIVE					
	TOTAL EMP	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK	UNDER UTILIZATION		WORK FORCE AVAIL	WORK	UNDER UTILIZATION		WORK FORCE AVAIL	WORK	UNDER UTILIZATION		WORK FORCE AVAIL	WORK	UNDER UTILIZATION		
			#	%			#	%			#	%			#	%			#	%	
1) OFFICIALS & MANAGERS	15	9	38.6	0	0.0	2	5.7	0	0.0	0	6.3	1	6.3	0	3.6	1	3.6	0	0.4	0	0.4
2) PROFESSIONALS	9	2	49.5	2	27.3	0	7.9	1	7.9	0	0.7	0	0.7	0	4.2	0	4.2	0	0.4	0	0.4
3) TECHNICIANS	2	2	52.1	0	0.0	0	16.0	0	16.0	0	1.7	0	1.7	0	4.6	0	4.6	0	0.2	0	0.2
5) ADMINISTRATIVE SUPPORT	44	33	76.5	1	1.5	15	18.7	0	0.0	2	1.3	0	0.0	0	3.0	1	3.0	1	0.5	0	0.0
6) CRAFT WORKER	29	0	4.8	1	4.8	9	22.2	0	0.0	1	0.6	0	0.0	0	1.3	0	1.3	0	0.5	0	0.5
7) OPERATIVES (NON BUS-OP)	43	15	30.6	0	0.0	22	48.8	0	0.0	2	1.0	0	0.0	0	3.1	1	3.1	1	0.3	0	0.0
BUS OPERATORS	156	32	51.5	48	31.0	58	26.5	0	0.0	14	1.5	0	0.0	0	1.5	2	1.5	3	0.0	0	0.0
8) LABORERS AND HELPERS	12	1	24.0	2	15.7	10	67.8	0	0.0	0	0.5	0	0.5	0	1.5	0	1.5	0	0.6	0	0.6
9) SERVICE WORKERS	10	2	57.7	4	37.7	5	31.1	0	0.0	2	1.2	0	0.0	0	4.0	0	4.0	0	0.5	0	0.5
TOTALS	320	96		58		121		1		21		1		0	5		5		0		0

8.a18

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 ADMINISTRATION REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER				AMERICAN INDIAN/ ALASKAN NATIVE			
	TOTAL EMP	WORK FORCE	UNDER		WORK FORCE	UNDER														
			% AVAIL	% UTILIZATION		% AVAIL	% UTILIZATION													
1) OFFICIALS & MANAGERS	3	0	38.6	1 38.6	0	5.7	0 5.7	0	6.3	0 6.3	0	3.6	0 3.6	0	0.4	0 0.4				
2) PROFESSIONALS	0	0	49.5	0 0.0	0	7.9	0 0.0	0	0.7	0 0.0	0	4.2	0 0.0	0	0.4	0 0.0				
3) TECHNICIANS	0	0	52.1	0 0.0	0	16.0	0 0.0	0	1.7	0 0.0	0	4.6	0 0.0	0	0.2	0 0.0				
5) ADMINISTRATIVE SUPPORT	3	2	76.5	0 0.0	1	18.7	0 0.0	0	1.3	0 1.3	0	3.0	0 3.0	0	0.5	0 0.5				
6) CRAFT WORKER	0	0	4.8	0 0.0	0	22.2	0 0.0	0	0.6	0 0.0	0	1.3	0 0.0	0	0.5	0 0.0				
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0 0.0	0	48.8	0 0.0	0	1.0	0 0.0	0	3.1	0 0.0	0	0.3	0 0.0				
BUS OPERATORS	0	0	51.5	0 0.0	0	26.5	0 0.0	0	1.5	0 0.0	0	1.5	0 0.0	0	0.0	0 0.0				
8) LABORERS AND HELPERS	0	0	24.0	0 0.0	0	67.8	0 0.0	0	0.5	0 0.0	0	1.5	0 0.0	0	0.6	0 0.0				
9) SERVICE WORKERS	0	0	57.7	0 0.0	0	31.1	0 0.0	0	1.2	0 0.0	0	4.0	0 0.0	0	0.5	0 0.0				
TOTALS	6	2		1	1	0		0	0		0	0		0	0					

8.a.19

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 FINANCE REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER			AMERICAN INDIAN/ALASKAN NATIVE		
	TOTAL EMP	WORK FORCE	UNDER		TOTAL EMP	WORK FORCE	UNDER		TOTAL EMP	WORK FORCE	UNDER		TOTAL EMP	UNDER		TOTAL EMP	UNDER	
			% AVAIL	% UTILIZATION			% AVAIL	% UTILIZATION			% AVAIL	% UTILIZATION		% AVAIL	% UTILIZATION		% AVAIL	% UTILIZATION
1) OFFICIALS & MANAGERS	3	3	38.6	0 0.0	0	5.7	0 5.7	0	6.3	0 6.3	0	3.6	0 3.6	0	0.4	0 0.4	0	0.4
2) PROFESSIONALS	2	0	49.5	1 49.5	0	7.9	0 7.9	0	0.7	0 0.7	0	4.2	0 4.2	0	0.4	0 0.4	0	0.4
3) TECHNICIANS	1	1	52.1	0 0.0	0	16.0	0 16.0	0	1.7	0 1.7	0	4.6	0 4.6	0	0.2	0 0.2	0	0.2
5) ADMINISTRATIVE SUPPORT	7	5	76.5	0 0.0	0	18.7	1 18.7	0	1.3	0 1.3	0	3.0	0 3.0	0	0.5	0 0.5	0	0.5
6) CRAFT WORKER	0	0	4.8	0 0.0	0	22.2	0 0.0	0	0.6	0 0.0	0	1.3	0 0.0	0	0.5	0 0.0	0	0.0
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0 0.0	0	48.8	0 0.0	0	1.0	0 0.0	0	3.1	0 0.0	0	0.3	0 0.0	0	0.0
BUS OPERATORS	0	0	51.5	0 0.0	0	26.5	0 0.0	0	1.5	0 0.0	0	1.5	0 0.0	0	0.0	0 0.0	0	0.0
8) LABORERS AND HELPERS	0	0	24.0	0 0.0	0	67.8	0 0.0	0	0.5	0 0.0	0	1.5	0 0.0	0	0.6	0 0.0	0	0.0
9) SERVICE WORKERS	0	0	57.7	0 0.0	0	31.1	0 0.0	0	1.2	0 0.0	0	4.0	0 0.0	0	0.5	0 0.0	0	0.0
TOTALS	13	9		1 0	1		0 1	0		0 0	0		0 0	0		0 0	0	

8.220

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 CUSTOMER SERVICE REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER				AMERICAN INDIAN/ALASKAN NATIVE				
	TOTAL EMP	WORK FORCE AVAIL	UNDER		TOTAL EMP	WORK FORCE AVAIL	UNDER		TOTAL EMP	WORK FORCE AVAIL	UNDER		TOTAL EMP	WORK FORCE AVAIL	UNDER		TOTAL EMP	WORK FORCE AVAIL	UNDER		
			% UTILIZATION	#			% UTILIZATION	#			% UTILIZATION	#			% UTILIZATION	#			% UTILIZATION	#	
1) OFFICIALS & MANAGERS	0	0	38.6	0	0.0	0	5.7	0	0.0	0	6.3	0	0.0	0	3.6	0	0.0	0	0.4	0	0.0
2) PROFESSIONALS	0	0	49.5	0	0.0	0	7.9	0	0.0	0	0.7	0	0.0	0	4.2	0	0.0	0	0.4	0	0.0
3) TECHNICIANS	0	0	52.1	0	0.0	0	16.0	0	0.0	0	1.7	0	0.0	0	4.6	0	0.0	0	0.2	0	0.0
5) ADMINISTRATIVE SUPPORT	5	5	76.5	0	0.0	4	18.7	0	0.0	0	1.3	0	1.3	0	3.0	0	3.0	0	0.5	0	0.5
6) CRAFT WORKER	0	0	4.8	0	0.0	0	22.2	0	0.0	0	0.6	0	0.0	0	1.3	0	0.0	0	0.5	0	0.0
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0	0.0	0	48.8	0	0.0	0	1.0	0	0.0	0	3.1	0	0.0	0	0.3	0	0.0
BUS OPERATORS	0	0	51.5	0	0.0	0	26.5	0	0.0	0	1.5	0	0.0	0	1.5	0	0.0	0	0.0	0	0.0
8) LABORERS AND HELPERS	0	0	24.0	0	0.0	0	67.8	0	0.0	0	0.5	0	0.0	0	1.5	0	0.0	0	0.6	0	0.0
9) SERVICE WORKERS	0	0	57.7	0	0.0	0	31.1	0	0.0	0	1.2	0	0.0	0	4.0	0	0.0	0	0.5	0	0.0
TOTALS	5	5		0		4		0		0		0		0		0		0		0	

8.021

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 HUMAN RESOURCES REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER				AMERICAN INDIAN/ ALASKAN NATIVE				
	TOTAL EMP	WORK FORCE	UNDER		WORK FORCE	WORK FORCE	UNDER		WORK FORCE	WORK FORCE	UNDER		WORK FORCE	WORK FORCE	UNDER		WORK FORCE	WORK FORCE	UNDER		
			%	UTILIZATION			%	UTILIZATION			%	UTILIZATION			%	UTILIZATION			%	UTILIZATION	%
1) OFFICIALS & MANAGERS	2	2	38.6	0	0.0	0	5.7	0	5.7	0	6.3	0	6.3	0	3.6	0	3.6	0	0.4	0	0.4
2) PROFESSIONALS	0	0	49.5	0	0.0	0	7.9	0	0.0	0	0.7	0	0.0	0	4.2	0	0.0	0	0.4	0	0.0
3) TECHNICIANS	0	0	52.1	0	0.0	0	16.0	0	0.0	0	1.7	0	0.0	0	4.6	0	0.0	0	0.2	0	0.0
5) ADMINISTRATIVE SUPPORT	4	4	76.5	0	0.0	0	18.7	1	18.7	0	1.3	0	1.3	0	3.0	0	3.0	0	0.5	0	0.5
6) CRAFT WORKER	0	0	4.8	0	0.0	0	22.2	0	0.0	0	0.6	0	0.0	0	1.3	0	0.0	0	0.5	0	0.0
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0	0.0	0	48.8	0	0.0	0	1.0	0	0.0	0	3.1	0	0.0	0	0.3	0	0.0
BUS OPERATORS	0	0	51.5	0	0.0	0	26.5	0	0.0	0	1.5	0	0.0	0	1.5	0	0.0	0	0.0	0	0.0
8) LABORERS AND HELPERS	0	0	24.0	0	0.0	0	67.8	0	0.0	0	0.5	0	0.0	0	1.5	0	0.0	0	0.6	0	0.0
9) SERVICE WORKERS	0	0	57.7	0	0.0	0	31.1	0	0.0	0	1.2	0	0.0	0	4.0	0	0.0	0	0.5	0	0.0
TOTALS	6	6		0		0		1		0		0		0		0		0		0	

8.022

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 INFORMATION TECHNOLOGY REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER			AMERICAN INDIAN/ ALASKAN NATIVE					
	TOTAL EMP	WORK FORCE	UNDER UTILIZATION		WORK FORCE	AVAIL	UNDER UTILIZATION		WORK FORCE	AVAIL	UNDER UTILIZATION		WORK FORCE	AVAIL	UNDER UTILIZATION		WORK FORCE	AVAIL	UNDER UTILIZATION		
			#	%			#	%			#	%			#	%			#	%	
1) OFFICIALS & MANAGERS	1	0	38.6	0	38.6	0	5.7	0	5.7	0	6.3	0	6.3	0	3.6	0	3.6	0	0.4	0	0.4
2) PROFESSIONALS	3	1	49.5	0	0.0	0	7.9	0	7.9	0	0.7	0	0.7	0	4.2	0	4.2	0	0.4	0	0.4
3) TECHNICIANS	0	0	52.1	0	0.0	0	16.0	0	0.0	0	1.7	0	0.0	0	4.6	0	0.0	0	0.2	0	0.0
5) ADMINISTRATIVE SUPPORT	0	0	76.5	0	0.0	0	18.7	0	0.0	0	1.3	0	0.0	0	3.0	0	0.0	0	0.5	0	0.0
6) CRAFT WORKER	0	0	4.8	0	0.0	0	22.2	0	0.0	0	0.6	0	0.0	0	1.3	0	0.0	0	0.5	0	0.0
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0	0.0	0	48.8	0	0.0	0	1.0	0	0.0	0	3.1	0	0.0	0	0.3	0	0.0
BUS OPERATORS	0	0	51.5	0	0.0	0	26.5	0	0.0	0	1.5	0	0.0	0	1.5	0	0.0	0	0.0	0	0.0
8) LABORERS AND HELPERS	0	0	24.0	0	0.0	0	67.8	0	0.0	0	0.5	0	0.0	0	1.5	0	0.0	0	0.6	0	0.0
9) SERVICE WORKERS	0	0	57.7	0	0.0	0	31.1	0	0.0	0	1.2	0	0.0	0	4.0	0	0.0	0	0.5	0	0.0
TOTALS	4	1		0		0		0		0		0		0		0		0		0	

8.223

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 LEGAL REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

BEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER			AMERICAN INDIAN/ALASKAN NATIVE					
	TOTAL EMP	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER UTILIZATION		
			#	%			#	%			#	%			#	%			#	%	#
1) OFFICIALS & MANAGERS	0	0	38.6	0	0.0	0	5.7	0	0.0	0	6.3	0	0.0	0	3.6	0	0.0	0	0.4	0	0.0
2) PROFESSIONALS	1	1	49.5	0	0.0	0	7.9	0	7.9	0	0.7	0	0.7	0	4.2	0	4.2	0	0.4	0	0.4
3) TECHNICIANS	0	0	52.1	0	0.0	0	16.0	0	0.0	0	1.7	0	0.0	0	4.6	0	0.0	0	0.2	0	0.0
5) ADMINISTRATIVE SUPPORT	2	2	76.5	0	0.0	0	18.7	0	18.7	0	1.3	0	1.3	0	3.0	0	3.0	0	0.5	0	0.5
6) CRAFT WORKER	0	0	4.8	0	0.0	0	22.2	0	0.0	0	0.6	0	0.0	0	1.3	0	0.0	0	0.5	0	0.0
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0	0.0	0	48.8	0	0.0	0	1.0	0	0.0	0	3.1	0	0.0	0	0.3	0	0.0
BUS OPERATORS	0	0	51.5	0	0.0	0	26.5	0	0.0	0	1.5	0	0.0	0	1.5	0	0.0	0	0.0	0	0.0
8) LABORERS AND HELPERS	0	0	24.0	0	0.0	0	67.8	0	0.0	0	0.5	0	0.0	0	1.5	0	0.0	0	0.6	0	0.0
9) SERVICE WORKERS	1	1	57.7	0	0.0	1	31.1	0	0.0	0	1.2	0	1.2	0	4.0	0	4.0	0	0.5	0	0.5
TOTALS	4	4		0		1		0		0		0		0		0		0		0	

8.24

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 FACILITIES MAINTENANCE REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER				AMERICAN INDIAN/ALASKAN NATIVE				
	TOTAL EMP	WORK FORCE	UNDER		WORK FORCE	UNDER															
			% AVAIL	% UTILIZATION		% AVAIL	% UTILIZATION														
1) OFFICIALS & MANAGERS	0	0	38.6	0	0.0	0	5.7	0	0.0	0	6.3	0	0.0	0	3.6	0	0.0	0	0.4	0	0.0
2) PROFESSIONALS	0	0	49.5	0	0.0	0	7.9	0	0.0	0	0.7	0	0.0	0	4.2	0	0.0	0	0.4	0	0.0
3) TECHNICIANS	0	0	52.1	0	0.0	0	16.0	0	0.0	0	1.7	0	0.0	0	4.6	0	0.0	0	0.2	0	0.0
5) ADMINISTRATIVE SUPPORT	0	0	76.5	0	0.0	0	18.7	0	0.0	0	1.3	0	0.0	0	3.0	0	0.0	0	0.5	0	0.0
6) CRAFT WORKER	5	0	4.8	0	4.8	0	22.2	1	22.2	1	0.6	0	0.0	0	1.3	0	1.3	0	0.5	0	0.5
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0	0.0	0	48.8	0	0.0	0	1.0	0	0.0	0	3.1	0	0.0	0	0.3	0	0.0
BUS OPERATORS	0	0	51.5	0	0.0	0	26.5	0	0.0	0	1.5	0	0.0	0	1.5	0	0.0	0	0.0	0	0.0
8) LABORERS AND HELPERS	0	0	24.0	0	0.0	0	67.8	0	0.0	0	0.5	0	0.0	0	1.5	0	0.0	0	0.6	0	0.0
9) SERVICE WORKERS	8	1	57.7	4	45.2	3	31.1	0	0.0	3	1.2	0	0.0	0	4.0	0	4.0	0	0.5	0	0.5
TOTALS	13	1		4		3		1		4		0		0		0		0		0	

8.225

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 PARACRUZ REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER				AMERICAN INDIAN/ALASKAN NATIVE				
	TOTAL EMP	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER UTILIZATION		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER UTILIZATION		
			#	%			#	%			#	%			#	%			#	%	#
1) OFFICIALS & MANAGERS	3	3	38.6	0	0.0	0	5.7	0	5.7	0	6.3	0	6.3	0	3.6	0	3.6	0	0.4	0	0.4
2) PROFESSIONALS	2	0	49.5	1	49.5	0	7.9	0	7.9	0	0.7	0	0.7	0	4.2	0	4.2	0	0.4	0	0.4
3) TECHNICIANS	0	0	52.1	0	0.0	0	16.0	0	0.0	0	1.7	0	0.0	0	4.6	0	0.0	0	0.2	0	0.0
5) ADMINISTRATIVE SUPPORT	15	11	76.5	0	0.0	7	18.7	0	0.0	3	1.3	0	0.0	0	3.0	0	3.0	0	0.5	0	0.5
6) CRAFT WORKER	0	0	4.8	0	0.0	0	22.2	0	0.0	0	0.6	0	0.0	0	1.3	0	0.0	0	0.5	0	0.0
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0	0.0	0	48.8	0	0.0	0	1.0	0	0.0	0	3.1	0	0.0	0	0.3	0	0.0
BUS OPERATORS	0	0	51.5	0	0.0	0	26.5	0	0.0	0	1.5	0	0.0	0	1.5	0	0.0	0	0.0	0	0.0
8) LABORERS AND HELPERS	0	0	24.0	0	0.0	0	67.8	0	0.0	0	0.5	0	0.0	0	1.5	0	0.0	0	0.6	0	0.0
9) SERVICE WORKERS	1	0	57.7	1	57.7	1	31.1	0	0.0	0	1.2	0	1.2	0	4.0	0	4.0	0	0.5	0	0.5
TOTALS	21	14		2		8		0		3		0		0		0		0		0	

8.026

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 OPERATIONS REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER				AMERICAN INDIAN/ ALASKAN NATIVE				
	TOTAL EMP	WORK FORCE AVAIL	UNDER		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER		WORK FORCE AVAIL	WORK FORCE AVAIL	UNDER		
			% UTILIZATION	#			% UTILIZATION	#			% UTILIZATION	#			% UTILIZATION	#			% UTILIZATION	#	
1) OFFICIALS & MANAGERS	2	1	38.6	0	0.0	1	5.7	0	0.0	0	6.3	0	6.3	0	3.6	0	3.6	0	0.4	0	0.4
2) PROFESSIONALS	1	0	49.5	0	49.5	0	7.9	0	7.9	0	0.7	0	0.7	0	4.2	0	4.2	0	0.4	0	0.4
3) TECHNICIANS	1	1	52.1	0	0.0	0	16.0	0	16.0	0	1.7	0	1.7	0	4.6	0	4.6	0	0.2	0	0.2
5) ADMINISTRATIVE SUPPORT	2	2	76.5	0	0.0	2	18.7	0	0.0	0	1.3	0	1.3	0	3.0	0	3.0	0	0.5	0	0.5
6) CRAFT WORKER	0	0	4.8	0	0.0	0	22.2	0	0.0	0	0.6	0	0.0	0	1.3	0	0.0	0	0.5	0	0.0
7) OPERATIVES (NON BUS-OP)	12	4	30.6	0	0.0	4	48.8	2	15.5	2	1.0	0	0.0	0	3.1	0	3.1	0	0.3	0	0.3
BUS OPERATORS	156	32	51.5	48	31.0	59	26.5	0	0.0	14	1.5	0	0.0	0	1.5	2	1.5	3	0.0	0	0.0
8) LABORERS AND HELPERS	0	0	24.0	0	0.0	0	67.8	0	0.0	0	0.5	0	0.0	0	1.5	0	0.0	0	0.6	0	0.0
9) SERVICE WORKERS	0	0	57.7	0	0.0	0	31.1	0	0.0	0	1.2	0	0.0	0	4.0	0	0.0	0	0.5	0	0.0
TOTALS	174	40		48		66		2		16		0		0	2		3		0		

8.027

CHART 5

WORK FORCE UTILIZATION ANALYSIS
 SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 FLEET MAINTENANCE REPORT AS OF 12/31/08
 BASED ON CENSUS 2000 DATA

EEOC JOB CATEGORY	FEMALE				HISPANIC				BLACK				ASIAN/PACIFIC ISLANDER				AMERICAN INDIAN/ ALASKAN NATIVE				
	TOTAL EMP	WORK FORCE AVAIL	UNDER		WORK FORCE AVAIL	% UTILIZATION	UNDER		WORK FORCE AVAIL	% UTILIZATION	UNDER		WORK FORCE AVAIL	% UTILIZATION	UNDER		WORK FORCE AVAIL	% UTILIZATION			
			#	%			#	%			#	%			#	%					
1) OFFICIALS & MANAGERS	1	0	38.6	0	38.6	0	5.7	0	5.7	0	6.3	0	6.3	0	3.6	0	3.6	0	0.4	0	0.4
2) PROFESSIONALS	0	0	49.5	0	0.0	0	7.9	0	0.0	0	0.7	0	0.0	0	4.2	0	0.0	0	0.4	0	0.0
3) TECHNICIANS	0	0	52.1	0	0.0	0	16.0	0	0.0	0	1.7	0	0.0	0	4.6	0	0.0	0	0.2	0	0.0
5) ADMINISTRATIVE SUPPORT	6	2	76.5	3	43.2	0	18.7	1	18.7	0	1.3	0	1.3	0	3.0	0	3.0	1	0.5	0	0.0
6) CRAFT WORKER	24	0	4.8	1	4.8	9	22.2	0	0.0	0	0.6	0	0.6	0	1.3	0	1.3	0	0.5	0	0.5
7) OPERATIVES (NON BUS-OP)	0	0	30.6	0	0.0	0	48.8	0	0.0	0	1.0	0	0.0	0	3.1	0	0.0	0	0.3	0	0.0
BUS OPERATORS	0	0	51.5	0	0.0	0	26.5	0	0.0	0	1.5	0	0.0	0	1.5	0	0.0	0	0.0	0	0.0
8) LABORERS AND HELPERS	12	1	24.0	2	15.7	10	67.8	0	0.0	0	0.5	0	0.5	0	1.5	0	1.5	0	0.6	0	0.6
9) SERVICE WORKERS	0	0	57.7	0	0.0	0	31.1	0	0.0	0	1.2	0	0.0	0	4.0	0	0.0	0	0.5	0	0.0
TOTALS	43	3		6		19		1		0		0		0		0		1		0	

8.28

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY EEOC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2003

CHART 6

EEO-01: OFFICIALS & MANAGERS

JOB CLASSIFICATION SALARY RANGE	TOTAL	WHITE		HISPANIC		ASIAN		BLACK		AM. INDIAN		TOTAL MIN.		TOTAL ALL	
		M	F	M	F	M	F	M	F	M	F	M	F		
\$5,760-\$7,351 ASST FINANCE MANAGER	1		1												1
\$8,421-***** ASST GENERAL MANAGER	1	1												1	
\$5,760-\$7,351 ASST HR MANAGER	1		1												1
\$4,813-\$6,143 ASST PARATRANS SUPT	1		1												1
\$7,556-\$9,771 FINANCE MANAGER	1		1												1
\$4,352-\$5,557 FINANCIAL ANALYST	1		1												1
\$5,760-\$7,351 FIXED ROUTE SUPT	1		1												1
*****-***** GENERAL MANAGER	1	1													1
\$6,895-\$8,800 HUMAN RES MANAGER	1		1												1
\$6,895-\$8,800 INFO TECH MANAGER	1	1												1	
\$7,556-\$9,771 MAINTENANCE MANAGER	1		1												1
\$7,556-\$9,771 OPERATIONS MANAGER	1			1								1		1	
\$3,943-\$5,041 PARATRAN ELIG COORD	1		1												1

8.29

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY EEOC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2008

CHART 6

EEO-02: PROFESSIONALS

JOB CLASSIFICATION SALARY RANGE	TOTAL	WHITE		HISPANIC		ASIAN		BLACK		AM. INDIAN		TOTAL MIN.		TOTAL ALL	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F
\$3,255-\$4,157															
ACCESS SERVICES COOR	1	1												1	
\$9,727-*****															
DISTRICT COUNSEL	1		1												1
\$4,696-\$5,934															
GRANTS/LEGIS ANALYST	1	1												1	
\$4,536-\$5,796															
PURCHASING AGENT	1	1												1	
\$4,659-\$5,945															
SAFETY&TRAINING COOR	1	1												1	
\$3,897-\$4,973															
SR IT TECH	1		1												1
\$5,628-\$7,185															
SR SYS ADMINISTRATOR	1	1												1	
\$6,164-\$7,868															
SR. DATAB ADMINISTR	1	1												1	
\$2,598-\$3,694															
TRNG & RD RESP COORD	1	1												1	
TOTAL	9	7	2											7	2

8.a31

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY EEOC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2008

CHART 6

EEO-03: TECHNICIANS

JOB CLASSIFICATION SALARY RANGE	TOTAL		WHITE		HISPANIC		ASIAN		BLACK		AM. INDIAN		TOTAL MIN.		TOTAL ALL	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
\$4,354-\$5,555																
SCHEDULE ANALYST	1	1		1												1
\$2,493-\$3,186																
TRANSIT SURVEYOR	1	1		1												1
TOTAL	1	2		2												2

8.a32

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY EEOC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2008

CHART 6

EEO-05: ADMINISTRATIVE SUPPORT

JOB CLASSIFICATION SALARY RANGE	TOTAL	WHITE		HISPANIC		ASIAN		BLACK		AM. INDIAN		TOTAL MIN.		TOTAL ALL	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F
\$3,550-\$4,543 ACCOUNTING SPECIALST	1		1												1
\$3,377-\$4,311 ADMIN ASSISTANT	2		1	1								1		1	1
\$2,615-\$3,338 ADMIN CLERK I	1				1								1		1
\$4,510-\$5,755 ADMIN SERV COOR	1		1												1
\$3,420-\$4,366 BENEFITS COORDINATOR	1		1												1
\$3,299-\$4,293 CUS SERV COORD	1		1												1
\$2,718-\$3,463 CUS SERV REP	3				3							3			3
\$2,235-\$3,179 DISPATCH/SCHEDULERS	3		3												3
\$2,145-\$3,052 DISPATCHER	7	3		3				1				3	1	6	1
\$3,420-\$4,366 HR SPECIALIST	1		1												1
\$3,189-\$4,079 HUMAN RESOURCE CLERK	1		1												1
\$3,671-\$4,654 LEAD PARTS CLERK-FM	1	1													1
\$3,943-\$5,041 PARALEGAL	2		2												2

8.a33

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY SEOC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2008

CHART 6

\$2,146-\$3,052																			
PARATRANS CLERK III		1				1			1			1							
\$2,952-\$3,735																			
PARTS CLERK		1		1								1							
\$3,189-\$4,079																			
PAYROLL SPECIALIST		1			1					1			1						
\$3,420-\$4,356																			
PERSONNEL TECH		1		1									1						
\$2,427-\$2,427																			
PLANNING INTERN																			
\$2,952-\$3,735																			
REC'NG PARTS CLERK		1				1			1			1							
\$2,030-\$2,088																			
RESERVATIONIST		10		1		9			9			10							
\$3,357-\$4,283																			
SR ACNTS TECHNICIAN		5		4				1		1		5							
\$4,146-\$5,297																			
SUP OF REV COLL		1		1									1						
\$4,200-\$5,349																			
SUP/PARTS & MAT - FM		1		1								1							
\$2,935-\$3,749																			
T&P PRDG SPECIALIST		1			1					1			1						
\$4,354-\$5,555																			
TRANSIT PLANNER		1		1								1							
TOTAL		49		7	19		4	15		1		2	1	5	18		12	37	

8.34

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY EEOC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2008

CHART 6

EEO-06: SKILLED CRAFT

JOB CLASSIFICATION SALARY RANGE	TOTAL	WHITE		HISPANIC		ASIAN		BLACK		AM. INDIAN		TOTAL MIN.		TOTAL ALL	
		M	F	M	F	M	F	M	F	M	F	M	F	M	F
	1														
	1														
\$4,560-\$5,812 FAC MAINT SUPERVISOR	1	1												1	
\$3,255-\$4,144 FAC MAINT WKR II	3	2						1				1		3	
\$4,560-\$5,812 FLT MAINT SUPERVISOR	2	2												2	
\$4,070-\$5,160 FM LEAD MECHANIC	5	2		2		1						3		5	
\$3,533-\$4,474 FM MECHANIC I	2	1		1								1		2	
\$3,704-\$4,689 FM MECHANIC II	11	8		2		1						3		11	
\$3,883-\$4,912 FM MECHANIC III	4	2		2								2		4	
\$3,552-\$4,512 SR FAC MAINT WKR	1	1												1	
\$3,335-\$4,228 UPHOLSTERER II	1			1								1		1	
TOTAL	30	19		8		2		1				11		30	

8.a35

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY EEOC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2008

CHART 6

EEO-07: OPERATIVES

JOB CLASSIFICATION SALARY RANGE	TOTAL		WHITE		HISPANIC		ASIAN		BLACK		AM. INDIAN		TOTAL MIN.		TOTAL ALL	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
\$2,413-\$4,605 BUS OPERATOR	171	23	63	23	57	6	5		9	5	3		74	11	137	34
\$4,189-\$5,349 TRANSIT SUPERVISOR	12	2	4	2	2	2			2				4	2	8	4
\$2,129-\$3,026 VAN DRIVERS	51	5	12	5	19	10	3	1			1		22	12	34	17
TOTAL	234	30	79	30	78	18	8	1	11	5	3	1	100	25	179	55

8.a36

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY EEOC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2008

CHART 6

EEO-09: LABORERS AND HELPERS

JOB CLASSIFICATION SALARY RANGE	TOTAL	WHITE		HISPANIC		ASIAN		BLACK		AM. INDIAN		TOTAL MIN.		TOTAL ALL	
		M	F	M	F	M	F	M	F	M	F	M	F		
	1														
\$2,801-\$3,659	1														
VEH SERV DETAILER	2			2								2		2	
\$3,169-\$4,025	1														
VEH SERV TECHNICIAN	2	1		1								1		2	
\$2,742-\$3,487	1														
VEH SERV WKR II	9	1		7	1							7	1	8	1
TOTAL	13	2		10	1							10	1	12	1

8.a37

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
 QUARTERLY WORK FORCE COMPOSITION
 SYSTEMWIDE DISTRIBUTION BY EEQC JOB CATEGORY AND JOB TITLE
 AS OF: 12/31/2008

CHART 6

EEQ-09: SERVICE MAINTENANCE

JOB CLASSIFICATION SALARY RANGE	TOTAL		WHITE		HISPANIC		ASIAN		BLACK		AM. INDIAN		TOTAL MIN.		TOTAL ALL	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
	1	1		1		1		1					1			1
	1	1		1		1		1					1			1
\$3,552-\$4,536	1	1		1		1		1					1			1
CLAIMS INVESTIGTR I	1	1		1		1		1					1			1
\$2,497-\$3,160	1	1		1		1		1					1			1
CUSTOD SERV WKR I	1	5	1	1	2	1		1	1	1			3	1	4	1
\$2,785-\$3,541	1	1		1		1		1					1			1
FAC MAINT WKR I	1	2	1	1	1	1		1					1	1	2	1
\$2,146-\$3,052	1	1		1		1		1					1			1
GAS MECHANIC II	1	1		1	1	1		1					1	1	1	1
\$3,059-\$3,903	1	1		1		1		1					1			1
LEAD CUSTODIAN	1	1		1		1		1	1	1			1	1	1	1
TOTAL	1	10	2	1	4	1		1	2	1			6	2	3	2

8.a38

VIII. EMPLOYMENT GOALS

Assessment of 2006 - 2008 Appointment Goals

The Equal Employment Opportunity Policy of the Santa Cruz Metropolitan Transit District states that METRO seeks to achieve a workforce in which minorities and females are represented in numbers consistent with the area workforce. METRO employment goals are based upon the percentage of minorities and females in the Santa Cruz County workforce as reported by the 2000 census.

Appointment Goals were established for 2006 – 2008 based upon workforce composition data and the areas of underutilization within METRO. Chart 7 identifies appointment goals from the prior period (Jan. 1, 2003 – Dec. 31, 2005), and shows 110 appointments made between January 1, 2006 and December 31, 2008. Appointments include appointments of new hires, promotions, reinstatements from layoff and furloughs, and provisional appointments.

Chart 7 shows the following outcomes for achieving appointment goals:

Officials and Managers - one goal was met and 1 Hispanic was hired.

Professionals – the goals were not met, as one individual was hired as an internal promotion.

Craft Workers - the goals were not met.

Operatives (Bus Operators) - the goals were not met. Of the 46 individuals hired, 14 were females. METRO continues to strive to increase the number of females in the Operatives group. As an example, the most recent class of 8 new Bus Operators hired in **2009** contained 4 (50%) females.

Laborers and Helpers - the goals were not met. 1 individual was hired, a prior laid off worker.

Service Workers – the goals were not met. No one was hired in this group.

**CHART 7
APPOINTMENT GOALS
Jan.1, 2006 - Dec. 31, 2008**

EEOC JOB CATEGORY (Appointment Goals from 2003 - 2005 Plan)	<u>Positions Filled</u>	<u>Appointments</u>	
Officials & Managers 1 Hispanic - met 1 Black - not met	Operations Manager	1	M/HIS
	Assistant HR Manager	2	1F/AIS, 1F/WHT
	Finance Manager	1	F/WHT
	Assist. Fin. Manager	1	F/WHT
	Assist. Paratransit Superintendent	1	F/WHT
	Fixed Route Superintendent	1	F/WHT
	Paratransit Superintendent	1	F/WHT
	Financial Analyst	1	F/WHT
Professionals 1 Hispanic - not met 1 Black - not met	Sr. Systems Administrator	1	M/WHT
Technicians No goal	Schedule Analyst	1	F/WHT
Admin. Support Workers No goal	Payroll Specialist	2	F/HIS
	Senior Accounting Technician	4	F/WHT
	Human Resources Clerk	1	F/WHT
	Paratransit Clerk	2	F/BLK, F/WHT
	Accounting Specialist	1	F/WHT
	Administrative Assistant	3	1F/WHT, 1M/WHT, 1M/HIS
	Paralegal	1	F/WHT
	Dispatch/Scheduler	1	M/WHT, 5F/WHT
	Dispatcher	4	1F/WHT, 1M/HIS, 2M/WHT
	Lead Parts Clerk	1	M/WHT
Planning Intern	3	M/WHT	
Craft Workers 2 Females - not met	Mechanic I	2	1M/HIS, 1M/WHT
	Mechanic II	3	1M/AIS, 1M/HIS, 1M/WHT
	Mechanic III	1	M/HIS
	Lead Mechanic	1	M/HIS
	Fac Maint Wkr II	4	M/WHT
	Sr. Facilities Maint Worker	1	M/WHT
	Facilities Maint. Supervisor	1	M/WHT
	Fleet Maint. Supervisor	1	M/WHT
Operatives (not Bus Op) No goal	Van Driver	15	1F/HIS, 6M/HIS, 3M/AIS, 4M/WHT, 2F/WHT
Operatives (Bus Operator) 43 Female - not met	Bus Operator	41	5F/WHT, 16M/WHT, 1M/BLK, 1F/BLK, 5M/AIS 9M/HIS, 4F/HIS
	Transit Supervisor	5	1M/AIS, 2F/HIS, 1M/WHT, 1F/WHT
Laborers & Helpers 2 Female - not met	Vehicle Service Worker II	1	M/HIS
Service Workers 4 Female - not met	None	110	Total Appointments

IX. APPOINTMENT GOALS

Database for Selection of Population Statistics

The U.S. Census Bureau provides the statistical database for the civilian labor force used to determine the percentages of females and minorities in the area workforce. Civilian workforce statistics are used rather than general population statistics since the general population is not reflective of the population available for work. The general population includes children under the age of 16, students, retired workers, inmates of institutions, etc. Workforce statistics are the standards, which are used by compliance agencies (EEOC and DFEH) and the judicial system to determine evidence of discrimination.

Appointment Goals

METRO bases its appointment goals for the agency as a whole and each job category on the Utilization chart (Chart 4). The utilization charts identify the EEOC job categories, which are below parity in each protected class. Chart 8 on the following page lists 2009 - 2011 appointment goals by EEOC job category for METRO. In addition to the appointment goals, METRO will continue its commitment to reach parity with the female and minority population segments of the Santa Cruz County labor force. METRO will continue to identify and eliminate employment barriers for female and minority protected classes, as well as the disabled and forty years and older protected classes.

CHART 8

APPOINTMENT GOALS
BY EEOC JOB CATEGORY

JANUARY 1, 2009 – DECEMBER 31, 2011

EEOC Job Category	Minority	Female
Officials & Managers	Black (1), Asian (1)	No underutilization
Professionals	Hispanic (1)	2
Technicians	No underutilization	No underutilization
Administrative Support	Asian (1)	1
Craft Workers	No underutilization	1
Operatives (not bus operators)	Asian (1)	No underutilization
Operative (Bus Operators)	Asian (2)	48
Laborers & Helpers	No underutilization	2
Service Workers	No underutilization	4
Total	Black (1) Asian (5) Hispanic (1)	58*

* Due to the large disparity of female Operatives in the Bus Operator category it is unlikely this goal will be met during the three years until the next EEO report. However, METRO will continue to strive to significantly increase the number of female Bus Operators.

X.	<u>EQUAL EMPLOYMENT OPPORTUNITY ACTIVITIES</u>	<u>FREQUENCY</u>
1.	Include an EEO policy statement in METRO publications.	Ongoing
2.	Inform management and supervisory staff about EEO status and concerns.	Ongoing
3.	Produce EEO report including current workforce utilization.	Quarterly
4.	Produce EEO reports on appointments, goals, new hires, separations, transfers, promotions and training.	Annually
5.	Maintain records on applicant flow data by ethnicity, gender, disability, age, recruitment and referral source.	Each Recruitment
6.	Recruit candidates with Spanish speaking skills	Applicable Recruitment
7.	Include the EEO policy as part of the orientation process for new employees.	Each Appointment
8.	Inform employees of the EEO Plan.	Ongoing
9.	Include in METRO contracts with vendors a statement of nondiscrimination.	Ongoing
10.	Communicate current EEO legal information to appropriate METRO personnel.	Ongoing
11.	Update EEO Plan.	Triennially
12.	Provide information to EEO committee on achievement of appointment goals.	Ongoing
13.	Contact local community organizations representing minority, disabled, and female organizations, community groups, educational institutions, and student unions and associations to elicit their assistance in the referral of qualified applicants from protected classes.	Ongoing
14.	Training opportunities for current employees to assist employees in developing skills needed for future promotions.	Ongoing

APPENDIX A

DISCRIMINATION COMPLAINT PROCEDURE

All District employees have the right to file complaints of alleged discrimination. The procedure for filing discrimination complaints is as follows:

An employee, who feels that he or she has been discriminated against due to race, color, ancestry, national origin, religious creed, sex, medical condition or disability, age, marital status, and sexual orientation, may file a complaint alleging discrimination. A complaint must be in writing, signed and filed as soon as possible after the alleged discrimination occurred but no later than one hundred calendar days. The complaint should be directed to the General Manager or the Equal Employment Opportunity Officer.

The General Manager and/or the Equal Employment Opportunity Officer will initiate an investigation within fifteen calendar days of receipt of the written complaint. Whenever possible, the District will attempt to resolve complaints on an informal basis. The formal investigation shall be completed within forty-five days. Within ten days of completion of the investigation, a decision will be rendered in writing and sent to the employee who filed the complaint. Upon request, the employee may discuss the decision with the General Manager and/or the Equal Employment Opportunity Officer.

If an employee is not satisfied with the resolution of his or her complaint, she or he may file a written complaint with:

- The Federal Transit Administration, 211 Main Street, Room 1160, San Francisco, CA 94105
- The Secretary of the U.S. Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20590
- The U.S. Equal Employment Opportunity Commission, 901 Market Street, Suite 500, San Francisco, CA 94103 (complaint generally required to be filed within 300 days of the incident)
- The California Fair Employment and Housing Commission, 111 North Market Street, Suite 810, San Jose, CA 95113-1102 (complaint generally required to be filed within 300 days of the incident)

8.944

APPENDIX B

REASONABLE ACCOMMODATION PROCEDURE

The District utilizes this six-step procedure for determining reasonable accommodation for current employees who become disabled during District employment and for job applicants with disabilities.

The first step entails the employee or applicant's identification of his/her disability, as covered under the Americans with Disabilities Act, and request for reasonable accommodation.

The second step is a job analysis of the specific position to be filled. This provides a clear understanding of the essential functions of the job and the work environment.

The third step identifies functional characteristics of the applicant or employee. This is to learn the type and nature of disability and to fully understand the specific abilities and limitations of the individual.

The fourth step carefully compares the job analysis data with the characteristics of the disability of the employee or applicant. This information is used to identify and understand incompatibilities, which exist between the known limitations of the applicant or employee and the essential functions of the job, and/or work environment, which impede, or are likely to impede, satisfactory performance.

The fifth step develops a list of potential remedies to determine the most reasonable methods to resolve identified problems. Examples of remedies may include adaptive equipment, architectural modifications, communication aids, scheduling adjustments, and body mechanics. The proper remedy choice must be made on an individual basis. When considering possible alternatives, the District makes an effort to involve experts in the field and those individuals who will be affected, especially the disabled individual. Accommodations prescribed without involvement of the disabled individual are rarely as effective or appropriate as those, which are planned with such input.

The sixth and final step evaluates the success of the accommodation made after a period of employment.

8.a45

APPENDIX C

POLICY REGARDING PERSONS WITH DISABILITIES

The District's Equal Employment Opportunity states that persons who are disabled shall not be discriminated against.

As part of the Equal Employment Opportunity Action Plan, the District shall actively recruit persons with a disability by notifying agencies and organizations, which serve the disabled community. The District shall maintain records on the number of persons with a disability that are employed.

The District shall consider a person with a disability qualified for a particular job when that person is capable of performing the essential duties of the job with or without reasonable accommodation for the person's disability. A claim that management has failed to provide a reasonable accommodation is a matter, which may be handled in accordance with the discrimination complaint procedure.

LIFE THREATENING ILLNESS POLICY

POLICY STATEMENT

Santa Cruz Metropolitan Transit District (District) recognizes that an employee with a life-threatening illness including, but not limited to, cancer, heart disease, degenerative neurological disease, and acquired immune deficiency syndrome (AIDS), may wish to continue to engage in as many normal pursuits as the condition allows, including work. As long as an employee is able to meet acceptable performance standards and medical evidence indicates that the condition is not a threat to the employee or others, managers and supervisors should be sensitive to his/her condition, and ensure that the employee is treated consistently with other employees. At the same time, the District has an obligation to provide a safe work environment for all employees and customers. Every precaution should be taken to ensure that an employee's condition does not present a health and/or safety threat to other employees or customers.

Any employee with a life-threatening illness is covered by District benefits and policies relating to insurance, health and disability benefits, non-discrimination, and equal employment opportunity.

GUIDELINES

When dealing with situations involving employees with life-threatening illnesses, managers and supervisors should:

1. Remember that an employee's health condition is personal and confidential, and precautions (legally required) should be taken to protect information regarding any employee's health condition.
2. Be sensitive and responsive to co-workers' concerns and emphasize employee education available through the Human Resources Department.
3. Be sensitive to the fact that continued employment for an employee with a life-threatening illness may sometimes be therapeutically important in the remission or recovery process, or may help to prolong the employee's life.
4. If warranted, make reasonable accommodation for an employee with the life-threatening illness consistent with the business needs of the District.
5. Advise an employee who has reported a life-threatening illness that consultation on disability plans and other benefits to assist them in effectively managing their situation is available through the Human Resources Department.
6. Give no special consideration beyond normal transfer policies for employees who feel threatened by a co-worker's life-threatening illness.
7. Contact the Human Resources Department if you believe that you or your employees need information about terminal or contagious illnesses, or a specific life-threatening illness, or if you need further guidance in managing a situation that involves an employee with a life-threatening illness.

AVAILABLE RESOURCES

Consistent with our concern for employees with life-threatening illnesses, the District offers the following range of resources available through the employee's department and the Human Resources Department:

1. Management and employee education and information on terminal illness and specific life-threatening illnesses.
2. Referral to agencies and/or organizations, which offer supportive services for life-threatening illnesses.
3. Benefit consultation to assist employees in effectively managing health, leave of absence, and other benefits.

8.a48

SEXUAL HARASSMENT IN EMPLOYMENT

POLICY

- 1.01 The Santa Cruz Metropolitan Transit District (hereinafter METRO) is committed to creating and maintaining a workplace environment free of harassment because of sex, sexual harassment, gender harassment, exploitation and intimidation. METRO employees should be aware that sexual and gender harassment are prohibited by federal and state law and will not be tolerated. Complaints of harassment because of sex, sexual and/or gender harassment will be properly investigated and appropriate disciplinary action, up to and including termination, will be taken.
- 1.02 All METRO employees, including management, supervisors, and employees, are responsible for preventing harassment because of sex, including sexual and gender harassment and stopping such harassment when it does occur. Retaliation against an individual for his/her involvement in a complaint or investigation under this policy is prohibited by law and constitutes a separate violation of METRO policy.
- 1.03 METRO will not tolerate, condone or trivialize harassment because of sex, or sexual or gender harassment in any form.

APPLICABILITY

- 2.01 This policy and procedure is applicable to METRO employees, applicants, volunteers, contractors, vendors and other individuals.
- 2.02 If a METRO employee engages in any harassing conduct including acts of retaliation in violation of this policy he/she shall be subject to disciplinary action up to and including employment termination.
- 2.03 If the harasser is determined to be a non-METRO employee, METRO will take such action as is allowed given METRO's control and other legal responsibilities METRO has with respect to the conduct of such non-employee.
- 2.04 Failure of a METRO employee to follow this policy and procedure shall subject such employee to disciplinary action up to and including employment termination.

DEFINITIONS

- 3.01 **Examples of Sexual Harassment:** verbal communications, such as asking for a date, telling sexual jokes, bragging about sexual exploits, making comments regarding appearance or anatomy, or using terms with double meanings (one of which is sexual). However, nonverbal actions also can constitute unlawful harassment, such as touching ones-self or another (particularly in sexually sensitive places), suggestive eye contact, or posting or circulating sexually oriented posters, cartoons, or pictures.
- 3.02 **Gender Harassment:** Conduct, whether blatant or subtle, that discriminates against a person solely because of that person's sex or gender identification or sexual orientation. See definition of "Sex".
- 3.03 **Harassment because of sex:** includes but is not limited to verbal harassment, physical harassment and visual forms of harassment. Harassment because of sex includes sexual harassment, gender harassment and harassment based on pregnancy, childbirth, or related medical conditions. See also Sexual Harassment and Gender Harassment.

- 3.04 **Hostile Work Environment Harassment:** A hostile work environment exists where supervisors, co-employees, and/or others create an atmosphere so infused with unwelcome sexually oriented conduct that an individual's reasonable comfort or ability to perform his/her job is affected.
- 3.05 **Motivation for sexual harassment:** either sexual desire or general hostility to the plaintiff's gender.
- 3.06 **Quid pro quo harassment** occurs when a supervisor conditions the granting of an economic benefit upon the receipt of sexual favors from a subordinate or punishes the subordinate for refusing to submit to his/her request. In a hostile work environment the employee may be either a) personally subjected to offensive remarks and inappropriate visual displays or touching, or 2) he/she may personally witness the harassing conduct toward other employees even if he/she is not personally subjected to the harassment.
- 3.07 **Physical harassment:** includes assault, battery, impeding or blocking movement, or any physical interference with normal work or movement, when directed at an individual on the basis of gender or sex.
- 3.08 **Sex:** includes but is not limited to pregnancy, childbirth or medical conditions related to pregnancy or childbirth. "Sex" also includes but is not limited to an employee's gender which means the employee's actual sex or the perception of the employee's sex, and includes the perception of the employee's identity, appearance, or behavior, whether or not that identity, appearance, or behavior is different from that traditionally associated with the employee's sex at birth.
- 3.09 **Sexual Harassment:** Sexual harassment is discrimination and violates the Federal Civil Rights Act of 1964, the California Fair Employment and Housing Act, and this policy. Sexual harassment is defined as unwanted sexual advances, requests for sexual favors, or visual, verbal or physical conduct of a sexual nature if: a) submission is a condition of employment, or b) submission affects employment decisions, or c) the purpose or effect is to unreasonably interfere with the employee's work performance or d) it creates an intimidating, hostile, or offensive environment. This definition includes many forms of offensive behavior.

Sexually harassing conduct can be physical, verbal, visual or written, and can occur between people of the same or opposite sex. Sexual harassment can occur between peers, supervisors to subordinate, subordinate to supervisor, within or across departments. The two basic elements of sexual harassment are: 1) the behavior is unwelcome; and 2) it is sexual in nature, as perceived by the recipient or it is behavior that ridicules denigrates or harasses a person because of his or her gender.

Types of sexual harassment include "quid pro quo" sexual harassment and hostile environment sexual harassment.

- 3.10 **Same-sex harassment:** Harassment from one individual to another both of the same gender
- 3.11 **Retaliation:** Any adverse action taken against an employee because of his/her participation in the complaint or investigation or hearing relating to this policy or the provision of federal or state law.
- 3.12 **Verbal Harassment:** includes epithet, derogatory comments or slurs on the basis of gender or sex.

STANDARDS

4.01 Harassment because of sex including sexual and gender harassment of any kind is prohibited by every METRO employee in the workplace, in a METRO facility, vehicle, while in METRO service or while in uniform.

4.02 Retaliation of any kind in violation of this policy by any METRO employee is prohibited.

4.03 Retaliating against the complainant, the accused, or any other employee assisting the complainant or participating in a sexual harassment investigation is prohibited.

4.04 Employees have the right to raise the issue of sex discrimination including sexual and/or gender harassment at any time without fear of reprisal or retaliation.

4.05 An employee who feels that he or she has been sexually harassed or who has witnessed others being harassed should immediately bring the matter to the attention of their supervisor or manager either orally or in writing and may file a complaint as set forth in Section VII, of this Policy.

4.06 Supervisors and Managers shall report to their department manager, the Human Resources Manager, the Assistant General Manager, or the General Manager if he/she becomes aware of harassment because of sex, or sexual or gender harassment in violation of this policy.

4.07 The Human Resources Manager shall provide copies of this policy to each employee and extra copies will be available in the following offices:

- a) Human Resources Manager, 370 Encinal, Suite 100, Santa Cruz, California, 95060;
- b) Manager of Operations, 1200 River Street, Santa Cruz, California, 95060;
- c) Manager of Maintenance, 110 Vernon Street, Santa Cruz, California, 95060;
- d) Paratransit Administrator, ParaCruz, 2880 Research Park Drive, Suite 160, Santa Cruz, California 95062;
- e) Fleet Maintenance Shop; 111 Dubois Street, Santa Cruz, CA 95060; and
- f) Fleet Maintenance Facility; 138 Golfclub Drive, Santa Cruz, CA 95060.

HARASSMENT-FREE ENVIRONMENT

5.01 To maintain an environment free from sexual and gender harassment is critical to the operation of METRO. To provide this environment, the following actions shall be required:

- a) Managers and supervisors shall inform all employees that harassment because of sex including sexual and gender harassment is prohibited;
- b) This Sexual and Gender Harassment Policy shall be emphasized by the General Manager and explained by District Counsel to the Managers of each department;
- c) Those who have concerns, or feel victimized by sexual or gender harassment shall be referred to the Human Resources Manager if he/she is not the subject of the complaint. If he/she is the subject of the complaint then the referral shall be made to District Counsel; and
- d) Anti-sexual and gender harassment posters shall be displayed at each worksite and the Department of Fair Employment and Housing pamphlets regarding this issue shall be distributed to each employee at least annually.

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ADMINISTRATION OF REGULATION

6.01 The Human Resources Manager or his/her designee is responsible for the following:

- a) Ensuring that this policy, its definitions of harassment and the complaint procedures are disseminated to all employees on a regular basis.
- b) Ensuring that this policy, its definitions of harassment are made known to contractors, vendors and customers who come in contact with METRO employees or work on METRO premises.
- c) Providing guidance, training and assistance to department managers, supervisors, and employees on preventing and stopping harassment within their areas of responsibility;
- d) Investigating, resolving and making findings and recommendations on complaints filed with federal and/or state agencies;
- e) Informing employees of their rights and responsibilities under this policy;
- f) Investigating and resolving complaints involving departmental personnel in accordance with the complaint procedures set forth herein;
- g) Investigating and resolving complaints involving contractors or others.

Complaint Procedure

7.01 An employee who believes he/she has been harassed because of sex, sexually harassed, harassed because of his/her gender, witnessed another being harassed or retaliated against because of the filing a complaint, or the participation in an investigation or hearing is encouraged to file a complaint in writing or orally to any of the following individuals: immediate supervisor, department manager, Human Resources Manager, Assistant General Manager or the General Manager.

7.02 The supervisor or manager who receives a harassment complaint shall:

- a) Notify the Human Resources Manager immediately if he/she is not the subject of the complaint;
- b) If the Human Resources Manager is the subject of the complaint then the supervisor or manager shall refer the individual to District Counsel who shall take appropriate steps to follow the guidelines set forth in Section 7.03.

7.03 The Human Resources Manager or his/her designee, once notified of a complaint shall take the following actions as soon as possible:

- a) Meet with the complainant and inform the complainant of his/her rights and any obligations to secure those rights;
- b) Fully and effectively investigate the complaint. The investigation shall be immediate, thorough, objective and complete. All persons with information regarding the matter shall be interviewed. A determination shall be made and the results communicated to the complainant, to the alleged harasser, and as appropriate, to all others directly concerned.
- c) If the complaint is proven to be true, take prompt and effective remedial action. First, appropriate action must be taken against the harasser and communicated to the complainant. Second, steps must be taken to prevent any further harassment by the accused and anyone else. Third, appropriate action must be taken to remedy the complainant's loss, if any.

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7.04 Employees who believe that they have been harassed because of their sex, sexually harassed or harassed because of their gender may file a written complaint of discrimination with the following federal and/or state agencies:

- a) Federal Transit Administration, 201 Mission Street, Suite 2210, San Francisco, CA 94105-1926, (415) 744-3133;
- b) The Office of the Secretary, U.S. Department of Transportation, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590, (202) 366-4000;
- c) U.S. Equal Employment Opportunity Commission, 96 N. Third Street, Suite 200, San Jose, CA 95112, (800) 669-4000;(Complaint generally required to be filed within 180 days of the incident); and
- d) California Department of Fair Employment and Housing, San Jose District Office, 2570 North First Street, Suite 480, San Jose, CA 95131, (408) 325-0344; (Complaint generally required to be filed within 1 year of the date of the incident).

The Department of Fair Employment and Housing does not accept complaints filed for investigation by mail. To file a complaint please call one of the toll free numbers below. Complaint generally required to be filed within 300 days of the incident.

1. Employment/Public Accommodations:

1-800-884-1684

2. Hate Violence:

1-800-884-1684

3. TTY:

1-800-700-2320 (Within California)

Training

- 8.01 District Counsel or his/her designee shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment as required by California law and regulations to all METRO's supervising employees every two years.
- 8.02 All new supervisory employees shall within six months of their assumption of a supervisory position receive the training set forth in Section 8.01
- 8.03 METRO designates the odd years commencing with 2007 as training years for purposes of the training described in Section 8.01.
- 8.04 All METRO employees are provided with sexual harassment prevention training at the time of the new hire orientation, at the beginning of his/her employment with METRO and approximately every three years thereafter.

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APPENDIX F

RACE/ETHNIC IDENTIFICATION

The information included below conforms to the 2000 census descriptions of race. METRO will be converting to new categories in the future as required by the U.S. Department of Labor.

The concept of race as used by the Equal Employment Opportunity Commission does not denote scientific definitions of anthropological origins. For the purposes of EEO data collection, race is determined by the group an individual identifies with, or is regarded in the community as belonging to a group. However, no persons should be counted in more than one race/ethnic category.

AMERICAN INDIAN/ALASKAN NATIVE: All persons having origins in any of the original peoples of North America and who maintain cultural identification through tribal affiliation or community recognition.

ASIAN OR PACIFIC ISLANDERS: All persons having origins in any of the original peoples of the Far East, Southeast Asia, the Indian Subcontinent, or the Pacific Islands. This area includes, for example, China, Japan, Korea, the Philippine Islands and Samoa.

BLACK (not of Hispanic origin): All persons having origins in any of the Black racial groups of Africa.

HISPANIC: All persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.

WHITE (not of Hispanic origin): All persons having origins in any of the original peoples of Europe, North Africa or the Middle East.

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APPENDIX G

DESCRIPTION OF EEOC JOB CATEGORIES

Officials and Managers: Occupations requiring administrative and managerial personnel, who set broad policies, exercise overall responsibility for execution of these policies and direct individual departments or special phases of a firm's operation.

Include only those company officers and managers who are exempt from the minimum wage and overtime provisions of the Fair Labor Standards Act.

Professionals: Occupations requiring either college graduation or experience of such kind and amount as to provide a comparable background.

Technicians: Occupations requiring a combination of basic scientific knowledge and manual skill, which can be obtained through 2 years of post high school education, such as, is offered in many technical institutes and junior colleges or through on-the-job training.

Sales: Occupations engaged wholly or primarily in direct selling.

Administrative Support Workers: Administrative support occupations, including all clerical-type work regardless of level or difficulty, where the activities are predominately non-manual through some manual work not directly involved with altering or transporting the products is included.

Craft Workers (Skilled): Manual workers of relatively high level (precision production and repair) having a thorough and comprehensive knowledge of the process involved in their work. Exercise considerable independent judgment and usually received an extensive period of training.

Exclude learners and helpers of craft workers.

Operative (Semi-skilled): Workers who operate transportation or materials moving equipment, or who operate machine or processing equipment, or who perform other factory-type duties of intermediate skill level which can be mastered in a few weeks and require only limited training.

Includes apprentices in such fields as auto mechanics, plumbing, bricklaying, carpentry, building trades, metalworking trades and printing trades.

Laborers (Unskilled): Handlers, equipment cleaners, helpers and other workers in manual occupations which generally require no special training and who perform elementary duties that may be learned in a few days and require the application of little or no independent judgment. Farm workers (laborers) are placed here, as well as farming, forestry and fishing occupations not elsewhere covered.

Service Workers: Workers in both protective and non-protective service occupations.

Includes non-protective workers in professional and personal service, amusement and recreation, food service, maintenance and unarmed sentinel occupations. Also includes protective workers in police detection, fire-fighting and fire protection, armed guard and security occupations.

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APPENDIX H

DEFINITIONS

EQUAL EMPLOYMENT OPPORTUNITY OFFICER: The Human Resources Manager whose responsibilities are to develop, implement, and evaluate the METRO's affirmative action program.

EQUAL EMPLOYMENT OPPORTUNITY PLAN: A written plan outlining the course of action to be taken to eliminate and remedy past discrimination or underutilization of minorities and women.

AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967 (ADEA): ADEA promotes the employment of the older worker based on ability rather than age, and prohibits arbitrary age discrimination in employment.

AMERICANS WITH DISABILITIES ACT (ADA): ADA, passed July 26, 1990, provides comprehensive civil rights protections that are similar in scope to those provided by Title VII of the Civil Rights Act to individuals with disabilities. The purpose of the ADA is to ensure equal opportunity for the disabled in employment, public accommodations, public services and telecommunications. ADA also requires employers to make reasonable accommodations to individuals with known disabilities.

APPLICANT DATA: Statistical data which reflects the numerical results of employment actions such as application testing and hiring. This data is used to monitor employment actions to determine if they are in accordance with the intent and purpose of affirmative action.

APPOINTING AUTHORITY: This term applies to the General Manager of METRO and departmental managers responsible for a particular hiring decision.

BONA FIDE OCCUPATION QUALIFICATION (BFOQ): A defense provided for in Title VII which an employer can raise to justify an employment practice which would otherwise be unlawful because of its discriminatory impact.

CIVIL RIGHTS ACT OF 1964, AS AMENDED: Title VII part of the Act states that: "It shall be unlawful employment practice for an employer:

1. To fail or refuse to hire or to discharge any individual, or otherwise to discriminate against any individual with respect to her/his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin; or
2. To limit, segregate, or classify employees or applicants for employment in any way which would deprive any individual of employment opportunities or otherwise adversely affect her/his status as an employee, because of such individual's race, color, religion, sex, or national origin."

CIVIL RIGHTS ACT OF 1991: This Act made several significant changes in federal civil rights law. For example, the Act: requires the employer to demonstrate that facially neutral employment practices having a disparate impact against minorities are job related for the position in question and consistent with business necessity; specifies that all forms of racial bias in employment are covered; prohibits challenges to consent decrees by individuals who had reasonable opportunity to object to the decree or whose interests were adequately represented by another party; stipulates that any intentional discrimination is unlawful, even if the same action would have resulted without the discriminatory motive; and extends the coverage to U.S. citizens employed by American companies abroad.

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COMPLAINANT: A person who brings a complaint or charge alleging unlawful employment discrimination.

DISCRIMINATION: Employers may not refuse to hire, discharge, or otherwise show partiality or prejudice in compensation or in any other term, condition, or privilege of employment, against an individual based on an individual's protected class status.

DISPARATE TREATMENT: A term used to describe a situation where a person of one race, sex, or ethnic group receives different treatment from that afforded other persons of another race, sex, or ethnic group in similar situations or circumstances.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC): EEOC is an independent agency empowered to prohibit all kinds of employment discrimination based on the categories protected by the Civil Rights Act. Also, the federal government requires EEO forms in which the employer must provide statistics on the number of employees by sex, race and protected ethnic classification in specific job categories.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) CATEGORIES: Job categories defined by the EEOC for reporting purposes (see Appendix E).

EQUAL EMPLOYMENT OPPORTUNITY: A term which describes a work environment that is free of unlawful employment discrimination; all persons are treated fairly and equally in accordance with applicable Federal and State law.

INDIVIDUAL WITH A DISABILITY (Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990). A person who has:

- a. a physical or mental impairment which substantially limits one or more major life activities;
- b. a record of such an impairment; or
- c. is regarded as having such impairment.

PARITY: Parity exists when the percentage of females and minorities in the various job categories of the employer's workforce are in the same proportion that is found in the available workforce as provided by the current census data. Availability in the Santa Cruz County workforce means the percent or number of individuals within a protected class, as defined by the EEOC, available to work in a particular EEOC job category.

PROTECTED CLASS: Legally identified group that is specifically protected by statute against employment discrimination. Unlike "affected class" which must be demonstrated, protected class status is automatically conferred upon recognized group members by virtue of the law or other court decisions interpreting the law.

REASONABLE ACCOMMODATION: The changing of work environments, schedules, or requirements to adapt to the known physical or mental limitations of a qualified handicapped/disabled applicant or employee.

RELEVANT WORKFORCE: The percentage of minorities and females in Santa Cruz County, as determined by the U.S. census data, available to work in a particular EEOC job category. This includes individuals who: (a) are at least 16 years old, (b) worked at any time during the reference week for the census data, (c) didn't work during the reference week but had jobs or businesses from which they were temporarily absent, (d) were on lay off, and (d) didn't work during the reference week but were looking for work during the last four weeks and were available for work during the reference week.

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REMEDIAL ACTION: Any action that is taken by an employer to remedy the effects of past employment practices which may have excluded the appointment and promotion of ethnic minorities and women at various levels of the workforce.

SELECTION PROCESS: The process used to recruit, test, and appoint applicants for employment or to promote employees.

UNDERUTILIZATION: A term used to describe the numerical differences between the employer's workforce and the relevant workforce. If the employer's number is smaller than the relevant workforce, this indicates that the employer's workforce is below parity.

UNLAWFUL EMPLOYMENT DISCRIMINATION: Discrimination which is constitutionally or statutorily forbidden. Unlawful employment discrimination exists when there is causal connection between the issue (i.e., hiring, promotion, termination, etc.) and the basis (i.e., charging party's race, color, religion, sex, national origin, disability, etc.) of the complaint.

UTILIZATION ANALYSIS: The process of comparing the composition of the employer's workforce to the composition of the selected relevant workforce by sex and ethnic/racial categories. The numerical difference between the actual workforce and the relevant workforce indicates whether a particular group of employees, identified by sex and ethnic minority groups is underutilized in the employer's workforce. The difference between the employer's workforce and the relevant workforce is the factor used in setting appointment goals.

VIETNAM ERA VETERANS READJUSTMENT ASSISTANCE ACT OF 1974: 38 U.S.C. 4212 of the Vietnam Era Veterans Readjustment Assistance Act of 1974 prohibits job discrimination and requires affirmative action to employ and advance in employment qualified special disabled veterans and veterans of the Vietnam era.

WORKFORCE ANALYSIS: A statistical analysis of the numbers and percentages of employees by race, sex, and ethnic/racial grouping for each job class category.