

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

August 17, 2001

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, August 17, 2001 at the City Hall Council Chambers, 809 Center Street, Santa Cruz, California.

Acting Chairperson Beautz called the meeting to order at 9:01 a.m.

## SECTION 1: OPEN SESSION

### 1. ROLL CALL:

#### DIRECTORS PRESENT

Jeff Almquist  
Jan Beautz  
Bruce Gabriel  
Michelle Hinkle  
Rafael Lopez  
Dennis Norton

#### DIRECTORS ABSENT

Sheryl Ainsworth  
Tim Fitzmaurice  
Mike Keogh  
Christopher Krohn  
Emily Reilly  
Ex-Officio Mike Rotkin (arrived at 9:09 a.m.)

#### STAFF PRESENT

Bryant Baehr, Operations Manager  
Kim Chin, Planning & Marketing Manager  
Mark Dorfman, Asst. General Manager  
Margaret Gallagher, District Counsel  
Terry Gale, IT Manager  
Tom Hiltner, Grants/Legis. Analyst  
Isaac Holly, IT Technician

David Konno, Fac. Maint. Manager  
Ian McFadden, Transit Planner  
Elisabeth Ross, Finance Manager  
Judy Souza, Base Superintendent  
Tom Stickel, Fleet Maintenance Manager  
Leslie R. White, General Manager

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

Fahmey Ma'Awad, MASTF  
Sharon Barbour, MUG  
Wally Brondstatter, UTU  
Dianna Dunn, SEIU  
Mark Hartunian, Lift Line  
Patti Korba, SEA

Ed Kramer, MASTF  
Jeff LeBlanc, Bus Rider  
Debra Lane, MASTF  
John Mellon, VMU  
Steve Paulsen, UTU  
Linda Wilshusen, SCCRTC

### 2. ORAL AND WRITTEN COMMUNICATION

- a. Laura Scribner, City of Santa Cruz
- b. Gail Baker
- c. Roberta Fama

RE: July 4<sup>th</sup> Service  
RE: Bus Operator Dennis Baldwin  
RE: Hwy. 17 Express

Oral:

Gail Baker introduced herself as the person whose life bus operator Dennis Baldwin saved during a recent police shootout. Ms. Baker was informed by Director Beautz that Mr. Baldwin had received a commendation from the Board for his heroic actions.

Jerianne Bosso of Santa Cruz Transportation requested that the issue of the taxicab rate increase received through the City Council be agendized for the September Board meeting.

**3. LABOR ORGANIZATION COMMUNICATIONS**

None

**4. METRO USERS GROUP (MUG) COMMUNICATIONS**

Sharon Barbour read the following Motions that were passed at the recent MUG meeting:

- A. MUG recommends reducing the ADA Paratransit Service Area to  $\frac{3}{4}$  mile, grandfathering in everyone currently receiving service as long as they pass recertification and looking into the utilization of TDA funds for non-ADA eligible services.
- B. MUG supports Staff's recommendation to keep the location of the Capitola Mall Transit Center and the service provided there as is.

**5. METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) COMMUNICATIONS**

Debra Lane read the following Motions that were passed at the recent MASTF meeting:

- A. MASTF strongly urges the Board and Management to obtain funding for the Talking Bus technology and establish a time line for installation of the technology in all buses.
- B. MASTF requests that progress on the Talking Bus technology be evaluated periodically and reported to MASTF on a bi-monthly basis.
- C. MASTF approves of the revised Paratransit Rider's Guide.

Director Norton stated that he is in the process of bringing proposed improvements for ADA access to the buses at the Capitola Mall. Ms. Barbour clarified that MUG is in favor of retaining the bus stop at the front of the mall where it currently is.

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

**CONSENT AGENDA:**

- ADD TO ITEM #7-4** ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 7/19/01  
**(Insert Minutes)**
- ADD TO ITEM #7-9** ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JUNE 2001  
**(Insert Report)**
- ADD TO ITEM #7-11** ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE STATUS REPORT  
**(Insert Supplemental Report)**
- ADD TO ITEM #7-12** ACCEPT AND FILE STATUS REPORT ON BUS STOP AND SHELTER  
**(Insert Supplemental Report)**

**REGULAR AGENDA:**

- DELETE ITEM #9** CONSIDERATION OF ADDITIONAL SERVICE TO THE SANTA CRUZ COUNTY FAIR  
**(Action taken at 8/10/01 Board Meeting)**
- DELETE ITEM #10** CONSIDERATION OF ADDITIONAL SERVICE TO THE BEACHFEST EVENT  
**(Action taken at 8/10/01 Board Meeting)**
- DELETE ITEM #14** CONSIDERATION OF ISSUES RELATING TO THE SERVICE AREA SERVED BY ADA PARATRANSIT  
**(Deferred to the September 21, 2001 Board Meeting)**
- DELETE ITEM #15** CONSIDERATION OF ISSUES RELATING TO THE PARATRANSIT CUSTOMER'S GUIDE/POLICIES AND PROCEDURES FOR PARATRANSIT OPERATIONS  
**(Deferred to the September 21, 2001 Board Meeting)**
- ADD TO ITEM #16** CONSIDERATION OF PRIORITIZATION OF GRANT-FUNDED CAPITAL PROJECTS  
**(Add Staff Report)**
- ADD TO ITEM #17** CONSIDERATION AND APPROVAL OF MANAGEMENT COMPENSATION PROGRAM 2001-2003  
**(Add Staff Report)**

- ADD TO ITEM #18**            CONSIDERATION OF EXTENDING AND MODIFYING THE EMPLOYMENT AGREEMENT BETWEEN METRO AND LESLIE R. WHITE FOR THE PERIOD DECEMBER 1, 2001 THROUGH NOVEMBER 30, 2004  
**(Add Staff Report)**
- ADD TO ITEM #19**            CONSIDERATION OF AWARD OF CONTRACT FOR RESIDENT BUS INSPECTION SERVICES  
**(Add Staff Report)**
- ADD TO ITEM #20**            CONSIDERATION OF RECOMMENDATIONS FROM THE CALL STOP COMMITTEE  
**(Add Staff Report)**

#### CONSENT AGENDA

- 7-1. APPROVE REGULAR BOARD MEETING MINUTES OF 7/13/01 AND 7/20/01  
7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS  
7-3. CONSIDERATION OF TORT CLAIMS: Deny the claim of: Erdem Esengil  
7-4. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 7/19/01  
7-5. ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF 7/18/01  
7-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JUNE 2001, APPROVAL OF BUDGET TRANSFERS AND DESIGNATION OF EXCESS SALES TAX FUNDS IN THE AMOUNT OF \$225,000 FOR LIABILITY INSURANCE RESERVES, \$440,000 FOR WORKERS' COMPENSATION RESERVES, \$100,000 FOR BUS STOP IMPROVEMENT RESERVES, \$462,000 FOR ALTERNATIVE FUEL CONVERSION FUND AND THE REMAINDER FOR CAPITAL RESERVES IN THE ESTIMATED AMOUNT OF \$1,800,000; AND ADOPTION OF SCHEDULE OF RESERVE ACCOUNTS  
7-7. CONSIDERATION OF APPROVAL OF RESPONSES TO TRIENNIAL PERFORMANCE AUDIT  
7-8. ACCEPT AND FILE STATUS REPORT ON ADA PARATRANSIT PROGRAM FOR JUNE 2001  
7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JUNE 2001  
7-10. ACCEPT AND FILE JULY RIDERSHIP REPORT  
7-11. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE STATUS REPORT  
7-12. ACCEPT AND FILE STATUS REPORT ON BUS STOP AND SHELTER MAINTENANCE  
7-13. ACCEPT AND FILE THE URBANIZED AREA FORMULA PROGRAM AND THE NEEDS OF SMALL TRANSIT INTENSIVE CITIES STUDY AND APPROVE A LEGISLATIVE POSITION IN SUPPORT OF ITS FINDINGS  
7-14. ACCEPT AND FILE STATUS REPORT ON THE INVESTIGATION OF BIODIESEL AS AN INTERIM FUEL

- 7-15. **CONSIDERATION OF DISTRICT POSITION ON ELIMINATION OF CITY OF SANTA CRUZ BEACH SHUTTLE/BUS LANE**  
(Moved to Consent Agenda at 8/10/01 Board Meeting. Staff Report retained original numbering as Item #8)
- 7-16. **CONSIDERATION OF SHUTTLE SERVICE FOR THE CITY OF CAPITOLA ART AND WINE FESTIVAL**  
(Moved to Consent Agenda at 8/10/01 Board Meeting. Staff Report retained original numbering as Item #12.)
- 7-17. **CONSIDERATION OF AMENDING THE TERM OF THE CONTRACT FOR PAIGE'S SECURITY SERVICES**  
(Moved to Consent Agenda at 8/10/01 Board Meeting. Staff Report retained original numbering as Item #13.)

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR LOPEZ**

**Approve Consent Agenda.**

**Motion passed unanimously.**

#### **REGULAR AGENDA**

8. **MOVED TO CONSENT AGENDA AS ITEM #7-15,**
9. **DELETED - ACTION TAKEN AT 8/10/01 BOARD MEETING**
10. **DELETED - ACTION TAKEN AT 8/10/01 BOARD MEETING**
11. **CONSIDERATION OF ALTERNATE MEETING LOCATIONS AND NIGHT MEETINGS FOR THE REGULAR BOARD MEETING**

#### **Summary:**

Margaret Gallagher reported that both MUG and MASTF requested that the monthly Board Meetings remain at the Santa Cruz locations where they are currently held. Ms. Gallagher suggested that the Board direct Staff to hold at least one annual special meeting at each of the City Council Chambers of Watsonville, Capitola, and Scotts Valley to discuss issues relevant to each jurisdiction.

#### **Discussion:**

Director Lopez asked what would be the best method of outreach to people around the county since METRO is a countywide agency. There was extensive discussion on the merits of holding some meetings in each jurisdiction in order to reach target audiences on specific issues. Concerns ranged from locations not meeting ADA accessibility standards, convenient transportation to and from the various meeting locations and keeping the meetings in a centralized location for those who are dependent on public transportation. Director Norton

reported that Charter Communications would be ready to televise community meetings around the county within four months.

**ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR ALMQUIST**

**Hold three regular meetings for one year on a trial basis in three jurisdictions, possibly at night and possibly special meetings. METRO will provide transportation to these meetings if necessary.**

**Motion passed unanimously**

- 12. MOVED TO CONSENT AGENDA AS ITEM #7-16.**
- 13. MOVED TO CONSENT AGENDA AS ITEM #7-17.**
- 14. DEFERRED TO SEPTEMBER 21, 2001 BOARD MEETING**
- 15. DEFERRED TO SEPTEMBER 21, 2001 BOARD MEETING**
- 16. CONSIDERATION OF PRIORITIZATION OF GRANT-FUNDED CAPITAL PROJECTS**

**Summary:**

Mark Dorfman reported that the Board adopted the 01-02 Budget in July and Staff identified known funding sources for capital items at that time. The Board directed Staff to look at funding the bus stop announcement project with Federal capital dollars anticipated to be received at the end of the first quarter. Mr. Dorfman discussed the Next Bus technology for Highway 17 service. This technology would equip the Highway 17 buses with a radio link modem that sends signals back to a computer which predicts arrival of the next bus.

**Discussion:**

Funding sources, such as Transportation Development Act (TDA), Congestion Mitigation Air Quality Program (CMAQ) and Service Transportation Program (STP) funds were discussed. Les White stated that Staff would return to the State to request Traffic Congestion Relief Program (TCRP) funds for the cost of renovation at the Metro Center once the right-of-way is complete and once Staff has a firm number of funds needed. Mark Dorfman stated that METRO has \$1M in State funding and may enter into a Memorandum of Understanding (MOU) with the Redevelopment Dept. on this project.

There was discussion regarding the Call Stop Announcement technology being installed in the fleet. The older buses need to be retrofitted with microphones and P.A. systems. Estimated cost would be \$7,000 - \$8,000 per bus for this technology upgrade. The trolley acquisition may be eligible under STP funding. Director Lopez inquired if this trolley could be used by other jurisdictions when not in use by the City.

Linda Wilshusen stated that there are \$1M in funds through the State Transportation Improvement Program (STIP) which have not yet been formally considered by the Commission. Commission staff anticipates that \$19M will be available through this program. There may also be funds available that had previously been allocated for the Broadway/Brommer Bikeway project. A "511" traveler information system is beginning to be implemented. Funding will be needed for the Bay Area. Les White asked the Board if they are comfortable with Staff submitting any projects to the Commission under STP. Director Beautz stated that Staff should not put more projects on STP funding. She also supports the entire fleet receiving call stop announcement equipment. Lastly, Director Beautz would like Staff to apply for the Broadway/Brommer Bikeway funding.

At Director Almquist's request, Mr. White will contact Valley Transportation Authority (VTA) to help fund the Next Bus project. Fahmey Ma'Awad requested exact pricing per bus to implement the Call Stop Announcement technology. Ed Kramer spoke regarding call stops that are not compliant with the law in that stops should be called when served by more than one fixed bus route and this is not happening. He stated that the call stop list derived from the Call Stop Announcement Committee is good but not complete.

Wally Brondstatter expressed his hopes that the Metro Center renovation receives priority as this affects the environment in which the bus operators work. Director Norton is in favor of retrofitting the entire fleet with the Call Stop technology and urged Staff to closely look at the costs. He is also in favor of acquiring a trolley since Capitola is currently leasing theirs. Ex Officio Director Rotkin asked if the trolley would replace a bus. Mr. White responded that the contract has not yet been awarded under the California Air Resources Board (CARB). This will be brought back to the Board as a separate item. Director Almquist would like to see the Next Bus project included in the Federal funding. Les White will bring back a funding plan to next month's meeting for the call stop announcement technology. Mr. White recommended to the Board that they direct Staff to contact staff of Capitola and Watsonville regarding shared use of a single vehicle and contributions to the funding.

**ACTION: MOTION: DIRECTOR LOPEZ SECOND: DIRECTOR GABRIEL**

**First and foremost, that the Metro Center expansion be a major priority for this Board. Prioritize the capital projects list for upcoming funding as follows: 1) Call Stop Announcement technology for entire fleet; 2) Trolley - direct Staff to meet with additional jurisdictions for a cooperative project through the county; 3) Next Bus project.**

**AMENDMENT: DIRECTOR ALMQUIST SECOND: DIRECTOR GABRIEL**

**Direct Staff to approach Valley Transportation Authority (VTA) for Next Bus project funding and to apply for CMAQ funds for the Call Stop Announcement project.**

**Motion passed unanimously.**

**17. CONSIDERATION AND APPROVAL OF MANAGEMENT COMPENSATION PROGRAM 2001 - 2003**

**Summary:**

Les White requested that the Board approve a two-year management compensation plan including a Cost of Living adjustment of 4.25% for FY 02/03. It is also recommended to add a sixth step in the first year and a longevity provision effective August 1, 2002; plus a 5% increase at 10 years and 5% at 15 years. Lastly, it is requested that the Board approve a communication allowance of \$12 per month for those managers who are required to have cell phones capable of maintaining radio contact with the Dispatch Center and with the approval of the General Manager.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR HINKLE**

**Approve a District Management Compensation Plan for the period August 2001 - August 2003 and incorporate the proposed salary schedule and benefit modifications.**

**Motion passed unanimously.**

**18. CONSIDERATION OF EXTENDING AND MODIFYING THE EMPLOYMENT AGREEMENT BETWEEN METRO AND LESLIE R. WHITE FOR THE PERIOD DECEMBER 1, 2001 THROUGH NOVEMBER 30, 2004**

**Summary:**

Les White reported that his current employment agreement expires in November 2001. He is requesting an extension through November 2004 with the same terms and conditions consistent with the Management Compensation Plan. If approved, this agreement would commence December 1, 2001 to November 30, 2004. Mr. White explained the severance procedures in that if he is terminated "with cause", there is no severance obligation. If he is terminated "without cause", Mr. White would receive a six-month severance package.

**Discussion:**

Wally Brondstatter, UTU Chair, cited Mr. White's performance for the last three years as phenomenal.

**ACTION: MOTION: DIRECTOR NORTON SECOND: DIRECTOR ALMQUIST**

**Modify and extend the current employment agreement between METRO and General Manager, Leslie R. White, for the period December 1, 2001 through November 30, 2004.**

Director Almquist stated that he is extremely pleased with Mr. White and his management team and with the direction of the District in the last four years.

**Motion passed unanimously.**

**19. CONSIDERATION OF AWARD OF CONTRACT FOR RESIDENT BUS INSPECTION SERVICES**

**Summary:**

Tom Stickel reported that this contract would be for inspection services to oversee the construction of eight (8) dedicated CNG buses at New Flyer of America. This bus order was piggybacked onto Pierce Transit's order. Two firms submitted proposals and Staff is recommending that the contract be awarded to J and S Maintenance Professional Services in the amount of \$18,460.00.

**Discussion:**

Director Norton inquired as to why the two proposals are so far apart monetarily. Mr. Stickel responded that this is due to the proximity of the inspectors to the inspection site.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR LOPEZ**

**Authorize the General Manager to execute a contract for resident inspection services with J and S Maintenance Professional Services.**

**Motion passed unanimously.**

**20. CONSIDERATION OF RECOMMENDATIONS FROM THE CALL STOP COMMITTEE**

**Summary:**

Bryant Baehr stated that the Board established a Call Stop Committee on June 15, 2001. Mr. Baehr reviewed the Committee recommendations as outlined in his staff report. The Committee further recommends that a refresher program be held for all bus operators to emphasize the importance of this call stop procedure. This program would involve one-hour of training for each operator, which would be completed by December 31, 2001.

**Discussion:**

District Counsel will contact the Federal Transportation Administration (FTA) to verify that this list of call stops is compliant with ADA requirements. If a response from FTA is not timely, District Counsel will contact an independent consultant. Mr. Ma 'Awad asked for an approximate date of completion and the actual cost of implementing this program. Ed Kramer discussed tactile signage for the visually impaired and referred to the signage at the San Jose train station as being very appropriate. He suggested that the bus operators could stop at a pole with the tactile signage affixed to it. Mr. Kramer expressed interest in being MASTF's representative at the BSAC meeting when they assist with this project.

Debra Lane, speaking on her own behalf only, stated that the new call stop list is meaningless since this doesn't measure job performance. She suggested that in addition to hiring a consultant to ensure the list is ADA compliant, a paid professional should be hired to monitor the job performance of the operators, while making the operators aware that failure to comply will result in disciplinary action. Mr. White reiterated that the bid specifications and timeline would be brought back before the Board. A bi-monthly status report will be made to the Board and MASTF.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR LOPEZ**

**Approve Staff's recommendation as outlined in the staff report with the addition of providing MASTF with a bi-monthly timeline report for installation.**

**Motion passed unanimously.**

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

Margaret Gallagher reported that there would be a discussion with the Real Property Negotiator regarding a request made by Lucy's Beauty Shop for reduction in rent. There will also be a conference with Legal Counsel regarding the possibility of initiation of litigation in both the Jade Rich and the Lorraine Pyne cases. The conference with Legal Counsel regarding existing litigation with Bruce Gabriel would not be discussed, as there will not be a quorum.

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

None

**SECTION II: CLOSED SESSION**

Acting Chairperson Beautz adjourned to Closed Session at 11:20 a.m. and reconvened to Open Session at 11:40 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**23. REPORT OF CLOSED SESSION**

Margaret Gallagher reported that the Board authorized commencement of litigation in the Bonanno case with METRO participating in a Friends of the Court letter. She further reported that there was no resolution in two of the existing litigation cases and a possible resolution in the real estate case, however, an agreement would need to be signed by the other party prior to announcing its outcome.

**ADJOURN**

There being no further business, Acting Chairperson Beautz adjourned the meeting at 11:43 a.m.

Respectfully submitted,

DALE CARR  
Administrative Services Coordinator

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