

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

July 14, 2006

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, July 14, 2006 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Chair Rotkin called the meeting to order at 9:03 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz (arrived after roll call)
Dene Bustichi (arrived after roll call)
Mike Keogh
Kirby Nicol
Emily Reilly
Mike Rotkin
Dale Skillicorn
Pat Spence
Mark Stone

DIRECTORS ABSENT

Michelle Hinkle
Marcela Tavantzis
Ex-Officio Wes Scott

STAFF PRESENT

Ciro Agguire, Operations Manager
Frank Cheng, MetroBase Project Manager
Mark Dorfman, Assistant General Manager
Mary Ferrick, Base Superintendent
Margaret Gallagher, District Counsel

Steve Paulson, Paratransit Administrator
Robyn Slater, Human Resources Manager
Tom Stickel, Maintenance Manager
Les White, General Manager

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

Carolyn Derwing, UTU
Ian McFadden, Transit Planner
Paul Marcelin-Sampson, MAC
Manny Martinez, PSA
Rachel Moriconi, SCCRTC
Bonnie Morr, UTU

Gerry Pole, ParaCruz User
Will Regan, VMU
Pat Rodriguez, First Alarm Security
April Warnock, ParaCruz
Bob Yount, MAC

DIRECTORS BEAUTZ AND BUSTICHI ARRIVED

2. ORAL AND WRITTEN COMMUNICATION

Written:
None.

Oral:

Bob Yount, MAC, reported that he had attended the Capitola City Council meeting last night to ask that they ban smoking in Capitola. Mr. Yount stated that the Surgeon General has released a report determining that there is no risk-free level of exposure to second hand smoke and that MAC will be continuing to discuss METRO's smoking policy.

Gerry Pole, ParaCruz User, stated that if you join an organization for an hour, a day, a week, or indefinitely, they should know who you are, where you came from and where you might go with them. Mr. Pole asked the Board to castigate its villains and said he was here to try to make an evolution out of this organization. Mr. Pole recalled an altercation with a ParaCruz dispatcher when he had left his wallet on a ParaCruz van twice and the Dispatcher subsequently called Mr. Pole to say they had the wallet and for him to come and get it. Mr. Pole expected that ParaCruz would use two of his ParaCruz tickets to deliver the wallet to his home, but he was told he had to come and get it.

Mr. Pole reported that he had also experienced four instances that ParaCruz drivers had not waited for him because of their strict schedules, and that he was left one time by a driver because he had too many shopping bags, but subsequently picked up by another driver who combined his bags so they all fit into two, which is the maximum allowed by ParaCruz.

Mr. Pole offered himself as an advisor to teach METRO's troops better communication skills. Mr. Pole stated that he would like to make constructive remarks at the next Board meeting, told the Board of some of his life experiences and asked if the Board would like to hear the story of his life.

Chair Rotkin advised Mr. Pole that his time was up today and that there would be a time limit of three minutes for his comments at the next Board meeting. Chair Rotkin explained to Mr. Pole that he should file formal complaints with METRO Customer Service regarding any bad experiences he has with METRO service rather than addressing the Board as his first step. Mr. Pole stated that he can't complain because April Warnock had written him a "stinking" letter. Mr. Pole continued to speak repeatedly while Chair Rotkin repeatedly thanked him for his comments and told him his time was up.

Paul Marcelin-Sampson reported that the Sentinel had run an article on Bob Yount's smoking issue and stated that METRO is lucky to have him working on this.

Chair Rotkin clarified that he owes UC an apology for a letter he recently sent regarding METRO's opposition to UC raising their bus pass rates because he has since learned that UCSC has charged Staff and Faculty for bus passes for the past twenty years.

3. LABOR ORGANIZATION COMMUNICATIONS

None.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

A Revised page #5-5.1 and Staff Reports for Items #17 and #21 were distributed at today's meeting.

CONSENT AGENDA

5-1. APPROVE REGULAR BOARD MEETING MINUTES MAY 12 & 26 AND JUNE 9 & 23, 2006

June Minutes will be included in the July 28, 2006 Board Packet.
No questions or comments.

5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF JUNE 2006

No questions or comments.

5-3. ACCEPT AND FILE JUNE 2006 RIDERSHIP REPORT

Pages 1 & 4 of the Ridership Report will be included in the July 28, 2006 Board Packet.
No questions or comments.

5-4. CONSIDERATION OF TORT CLAIMS: DENY THE CLAIM OF JASON SOUZA, CLAIM #06-0015

No questions or comments.

5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JULY 19, 2006 AND MINUTES OF MAY 17, 2006

Discussion:

Director Spence asked if Matthew Melzer was no longer a MAC member. Les White replied affirmatively, which is why he is listed as a visitor in the May MAC Minutes.

5-6. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR APRIL 2006 AND APPROVAL OF BUDGET TRANSFERS

Will be included in the July 28, 2006 Board Packet.

Director Beautz asked why the Board did not have this report yet. Les White replied that it has taken longer than usual due to vacancies and Staff turnover.

5-7. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR APRIL 2006

No questions or comments.

5-8. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF APRIL 2006

No questions or comments.

5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR MONTH OF MAYL 2006

Will be included in the July 28, 2006 Board Packet.
No questions or comments.

5-10. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE JUNE 2006 MEETING(S)

Will be included in the August Board Packet.
No questions or comments.

5-11. ACCEPT AND FILE METROBASE STATUS REPORT

No questions or comments.

5-12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A RENEWAL OF CONTRACT WITH DEVCO OIL FOR DIESEL AND GASOLINE FUELS

No questions or comments.

5-13. ACCEPT AND FILE CALL STOP AUDIT REPORT FOR THE PERIOD OF APRIL, MAY & JUNE 2006

Director Spence asked if there was some way to designate if a call was missed due to a mechanical issue. Margaret Gallagher replied that could be included in future reports.

5-14. CONSIDERATION OF RENEWAL OF LIABILITY AND PHYSICAL DAMAGE INSURANCE COVERAGE WITH CALTIP FOR FY 06-07

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR NICOL

Authorize payment to the California Transit Insurance Pool (CalTIP) in the amount of \$505,295.00 for participation in the FY 06-07 liability and physical damage insurance coverage program

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

5-15. CONSIDERATION OF RESOLUTION RATIFYING ACTIONS OF THE GENERAL MANAGER IN REQUESTING THE SCCRTC AND THE CALIFORNIA TRANSPORTATION COMMISSION TO PROGRAM AND ALLOCATE FUNDS TO METRO CAPITAL PROJECTS FOR BUS CONVERSIONS, BUS REPLACEMENT, AND METROBASE FUNDING IN THE 2006 – 2008 STIP

Summary:

Les White reported that METRO has requested the SCCRTC and the CTC to program \$12,000,000 in surplus Public Transit Account (PTA) eligible STIP funds for METRO's diesel engine conversion project and two bus replacement projects and to reprogram \$1,137,000 for the MetroBase project in Regional Surface Transportation Program funds with PTA eligible STIP funds for FY 2006 – 2008. These projects are included in the Capital Priority List previously adopted by the Board and the CTC will be considering the request at its July 19th meeting.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

This presentation will take place at the July 28, 2006 Board meeting.

7. CONSIDERATION OF SERVICE REVISIONS FOR FALL 2006

Summary:

Ian McFadden gave a brief synopsis of the proposed changes to routes 3, 7N/68N, 16, 19, Hwy 17, 53, 54, 66, 68, 69, 71 and 91. The estimated cost for this proposal is \$1,950.00 annually.

Discussion:

There was a discussion about the time between the effective date of service changes and when bus stop decals and *Headways* are updated. Ian McFadden stated that notification fliers are used in buses and changes are listed inside the cover of *Headways*. Chair Rotkin suggested asking that the *Sentinel* publish the changes ahead of time, maybe in the "Street Smarts" section.

Bonnie Morr, UTU, pointed out that there should be a statement made that times are approximate and that there may be delays due to construction.

Paul Marcelin-Sampson spoke about better connections on Hwy 17.

8. **CONSIDERATION OF ADOPTING AN ANNUAL DISADVANTAGED BUSINESS ENTERPRISE (DBE) PARTICIPATION RATE FOR FEDERALLY-FUNDED PROCUREMENTS IN 2007**

Discussion:

Chair Rotkin asked why METRO's DBE participation rate had been much higher in the past. Mark Dorfman reported that the formula for calculating the annual DBE goal is determined at the Federal and State level and that there are not many DBE firms to draw from in the Santa Cruz market area. Another major impact is that a decision to have a "race-neutral" program was made by Caltrans in May 2006 based on the Ninth Circuit of Appeals ruling in April 2006, which eliminates incentives for DBEs in contracts.

Chair Rotkin asked if METRO publishes anything regarding if its goals are met or not. Mark Dorfman replied that the DBE Program Goals are published and reports are made quarterly to the FTA and the State, which can be included in future Board Packets.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR ROTKIN

Move this Item to the Consent Agenda

Motion passed unanimously with Directors Hinkle and Tavantzis being absent

9. **CONSIDERATION OF RESPONSIVE COMMENTS TO DEPARTMENT OF TRANSPORTATION'S (DOT) NOTICE OF PROPOSED RULEMAKING DATED FEBRUARY 27, 2006 RE REQUEST FOR COMMENTS ON OTHER ISSUES**

Will be included in the July 28, 2006 Board Packet.
No questions or comments.

10. **CONSIDERATION OF RESPONSE TO RECOMMENDATIONS OF THE PARATRANSIT COORDINATION TASK FORCE**

Will be included in the July 28, 2006 Board Packet.
No questions or comments.

11. **CONSIDERATION OF THE CREATION OF THE POSITION OF FINANCE MANAGER DESIGNATE FOR THE PERIOD OF SEPTEMBER 1, 2006 THROUGH DECEMBER 31, 2006**

ACTION: MOTION: DIRECTOR NICOL SECOND: DIRECTOR KEOGH

Move this Item to the Consent Agenda

Discussion:

There was a discussion about the difficulty of recruiting for this type of a position and the necessity to look outside of the transit industry.

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

12. CONSIDERATION OF APPROVAL OF INCREASED RATES FOR ADVERTISEMENTS ON METRO BUSES

Summary:

Mark Dorfman reported that the existing advertising rates have been in effect for close to two years and that Staff is recommending increasing the King size by 15%, increasing the Tails by 10%, and no increase in the Queens with the ability to trade Queen size bus advertising space with other media outlets that would advertise METRO's services, notices, etc.

Discussion:

There was a discussion about different types of advertising METRO could do in the media to promote its services and notify the public of upcoming changes.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN

Approve the increased Bus Advertising Rates as shown in Attachment "B" and authorize Staff to establish an advertising trade-out program for Queen Size Display Ads on a space available basis

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

13. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR EMPLOYER PAID FAMILY VISION INSURANCE COVERAGE

Summary:

Tom Stickel reported that the current contract expires this month. Four proposals were received and reviewed by an evaluation committee comprised of District Staff and representatives from both unions. The committee recommends that the Board award the contract to Vision Service Plan, which is the current vendor who has provided very good service.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR REILLY

Authorize the General Manager to execute a contract for employer paid family vision insurance coverage with Vision Service Plan

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR REPLACEMENT VEHICLE FOR TRANSIT SUPERVISORS

Summary:

Tom Stickel reported that the vehicle to be replaced has 210,000 miles on it.

Discussion:

Director Reilly asked if a hybrid replacement vehicle was considered. Mr. Stickel replied not in this case, based on pricing and that a hybrid vehicle would be too small.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR BEAUTZ

Authorize the General Manager to execute a contract for the purchase of one each sport utility vehicle with North Bay Ford

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

15. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR SERVICE TRUCK FOR FLEET MAINTENANCE

Summary:

Tom Stickel reported that vehicle to be replaced is a 1985 diesel powered shop truck, which is too old to retrofit with a new engine and the rest of the vehicle is worn out as well.

ACTION: MOTION: DIRECTOR SKILLICORN SECOND: DIRECTOR REILLY

Move this Item to the Consent Agenda

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

16. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR HEAVY DUTY BRAKE DRUMS

Summary:

Tom Stickel reported that this is a volume purchase agreement through the Regional Transit Coordinating Council (RTCC) which combines annual quantities from several participating transit agencies in order to obtain the best prices.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR SKILLICORN

Move this Item to the Consent Agenda

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

17. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A TWO-MONTH CONTRACT EXTENSION WITH CABRILLO COLLEGE FOR TRANSIT SERVICE**

Summary:

Mark Dorfman reported that this is an extension through August 31, 2006 in order to provide additional time to negotiate a new contract with Cabrillo to bring it into parity with the UCSC service contract.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR STONE

Authorize the General Manager to execute a contract extension through August 31, 2006 with Cabrillo College for Transit Service

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

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

Margaret Gallagher reported that that the Board would have a conference with its Labor Negotiators regarding SEIU, Local 415, and UTU, Local 23, ParaCruz Division; and that the Board would have a conference with its Real Property Negotiators regarding the price and terms of payment of property located at 25 Sakata Lane in Watsonville.

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

None.

SECTION II: CLOSED SESSION

Chair Rotkin adjourned to Closed Session at 10:25 a.m. and reconvened to Open Session at 11:45 a.m.

SECTION III: RECONVENE TO OPEN SESSION

20. **REPORT OF CLOSED SESSION**

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

21. **CONSIDERATION OF APPROVAL OF A THREE-YEAR MEMORANDUM OF UNDERSTANDING BETWEEN SEIU, LOCAL 415 AND SANTA CRUZ METRO**

Summary:

Robyn Slater reported that METRO and SEIU, Local 415 met and negotiated regarding certain items of their MOU and based on those negotiations, were able to reach tentative agreement

including 2% salary increase each of the three years of the agreement, an agreement that the employees will pay the 8% employee contribution rate to CalPERS Retirement while METRO is agreeing to pay the uncapped Employer's contribution rate. Additionally, METRO will contribute 95% towards HMO medical premium costs. Staff is recommending the Board approve the three-year tentative agreement.

Margaret Gallagher added that the SEIU membership has voted on and ratified this tentative agreement.

Discussion:

Ian McFadden, Manny Martinez and Will Regan of the SEIU negotiating team thanked the Board and the METRO negotiating team and stated that the negotiations were conducted in a professional, constructive manner.

ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR ROTKIN

Approve the three-year Memorandum of Understanding (MOU) between the Service Employees' International Union, Local 415 (SEIU) and the Santa Cruz METRO

Motion passed unanimously with Directors Hinkle and Tavantzis being absent.

ADJOURN

There being no further business, Chair Rotkin adjourned the meeting at 11:47 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator