

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

February 8, 2008

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, February 8, 2008 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice Chair Bustichi called the meeting to order at 9:00 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz
Dene Bustichi
Donald Hagen
Michelle Hinkle
Kirby Nicol
Emily Reilly
Mike Rotkin
Dale Skillicorn
Pat Spence
Mark Stone
Marcela Tavantzis
Ex-Officio Donna Blitzer

DIRECTORS ABSENT

None

STAFF PRESENT

Ciro Aguirre, Operations Manager
Angela Aitken, Finance Manager
Wally Brondstatter, Acting Paratransit Super.
Frank Cheng, MetroBase Project Manager
Mark Dorfman, Assistant General Manager
Mary Ferrick, Fixed Route Superintendent

Margaret Gallagher, District Counsel
Debbie Kinslow, Asst Finance Manager
Robyn Slater, Human Resources Manager
Tom Stickel, Maintenance Manager
April Warnock, Acting Asst. Paratransit Super.
Les White, General Manager

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

Ceil Cirillo, City of Santa Cruz RDA
Pat Hoban, Weber-Hayes
Bonnie Lipscomb, City of Santa Cruz RDA

Janet Naito, Dept. of Toxic Substance Control
Bob Yount, MAC

2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS

Written:

None.

Oral:

None.

3. LABOR ORGANIZATION COMMUNICATIONS

None.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

None.

CONSENT AGENDA

5-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF JANUARY 2008

No questions or comments.

5-2. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR DECEMBER 2007

No questions or comments.

**5-3. CONSIDERATION OF TORT CLAIMS:
DENY THE CLAIM OF STEPHEN SULLIVAN, CLAIM #08-0004;
DENY THE CLAIM OF JAMES W. TAYLOR, CLAIM #087-0006**

No questions or comments.

5-4. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR FEBRUARY 20, 2008 AND MINUTES OF DECEMBER 19, 2007

Director Spence inquired about the status of the MAC brochures and requested that copies be placed in the various City Council Chambers, the Stroke Center, and other locations that would attract potential MAC members. Mark Dorfman replied that the brochures are in layout now with the graphic arts firm and he expects to see a draft soon.

5-5. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF NOVEMBER 2007

No questions or comments.

5-6. ACCEPT AND FILE METROBASE PROJECT STATUS REPORT

No questions or comments.

5-7. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH TELEPATH CORPORATION FOR RADIO MAINTENANCE AND REPAIR SERVICES**

No questions or comments.

5-8. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH THE LAW OFFICES OF MARIE F. SANG FOR LEGAL SERVICES IN THE AREA OF WORKER'S COMPENSATION**

No questions or comments.

5-9. **CONSIDERATION OF AUTHORIZING THE DISPOSAL OF ONE HASLER POSTAGE MAILING MACHINE**

No questions or comments.

REGULAR AGENDA

6. **PRESENTATION OF EMPLOYEE LONGEVITY AWARDS:**

This presentation will take place at the February 22, 2008 Board meeting.

7. **PUBLIC HEARING CONSIDERATION OF ADOPTING A PROGRAM OF PROJECTS FOR FTA URBAN AND RURAL OPERATING ASSISTANCE AND ADOPTING A RESOLUTION AUTHORIZING THE APPLICATION AND EXECUTION OF A GRANT FOR FTA RURAL OPERATING ASSISTANCE FOR FY 2008**

Public Hearing will be held at the February 22, 2008 Board Meeting.
No questions or comments.

8. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH PG&E FOR SUPPLEMENTAL CNG FUELING**

Summary:

Tom Stickel reported that METRO needs more fueling capacity to accommodate the number of completed repower conversion buses because the fueling time required to refuel 23 CNG buses is exceeding the capacities of the current slow fill station.

The supplemental CNG fueling and compression capabilities offered by PG&E would make possible the fueling of the CNG fleet, until the anticipated opening of the LCNG Service Facility.

Les White added that the construction contractor was initially prepared to turn over the LCNG Station in mid January, however, the supplier of the off-load pumps recalled their product, which METRO indicated to the contracted was an unacceptable delay. METRO has told the contractor that implementing this PG&E contract will not be necessary if the Fueling Station is online by

February 15th. However, if METRO if the Fueling Station is not fully operational by that date, this contract will be implemented and the contractor will be responsible for all costs associated with this supplemental fueling.

ACTION: MOTION: DIRECTOR STONE SECOND: DIRECTOR ROTKIN

Authorize the General Manager to execute a contract with Pacific Gas & Electric for Supplemental Compressed Natural Gas (CNG) Fueling Services

Motion passed unanimously with all Directors present.

CLOSED SESSION WAS TAKEN OUT OF ORDER

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

Margaret Gallagher reported that the Board would have a conference with its Labor Negotiators regarding UTU, Local 23, Fixed Route; a conference with its Property Negotiators regarding property located at 425 Front Street, Santa Cruz; and a conference with its Legal Counsel regarding one case of Existing Litigation regarding SCMTD vs. Transportation Realty Income Partners L.P, Greyhound Lines, et al.

12. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None.

SECTION II: CLOSED SESSION

Vice Chair Bustichi adjourned to Closed Session at 9:14 a.m. and reconvened to Open Session at 10:44 a.m.

SECTION III: RECONVENE TO OPEN SESSION

13. REPORT OF CLOSED SESSION

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

9. CONSIDERATION OF FILING A NOTICE OF INTENT FOR PACIFIC STATION RENOVATION PROJECT WITH THE DEPARTMENT OF TOXIC SUBSTANCE CONTROL AND OF PROVIDING DIRECTION TO DISTRICT COUNSEL FOR THE PREPARATION OF A PURCHASE AGREEMENT FOR THE PROPERTY LOCATED AT 425 FRONT STREET, SANTA CRUZ

Summary:

Les White updated the Board on the Pacific Station Redevelopment Project and the necessary contamination cleanup of the property. The issue that has become of great concern is that if METRO follows the City Redevelopment Agency's recommendation and submits a Notice of

Intent in conjunction with Greyhound's cleanup application and thereby combine the Greyhound and current METRO Center parcels into one project with a single remediation plan to be submitted to the DTSC, METRO will be exposed to potential cleanup liability before key decisions with respect to the scope of this project have been made.

Mr. White explained that METRO staff recommends that the Greyhound and current METRO Center parcels not be combined, that Greyhound be requested to file an application for the cleanup of the Greyhound property only, and that environmental activities for the current METRO Center parcel be placed on hold until there is a determination of the overall project scope, which will determine the level of required contamination cleanup.

Further, staff recommends that the Board direct District Counsel to prepare a purchase agreement for the Greyhound property that identifies that the funding provided in the negotiated purchase price shall be used to pay for all expenses related to contamination remediation on that property to the level required for project uses as determined by METRO.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR SKILLICORN

Defer action regarding filing a Notice of Intent for the METRO Center Property portion of the Pacific Station Redevelopment Project with the Department of Toxic Substance Control and direct District Counsel to prepare a Purchase Agreement for the property located at 425 Front Street, Santa Cruz, that provides for the remediation of soil contamination on that property to the level required for project uses as determined by METRO

Motion passed unanimously with all Directors present.

10. ORAL ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR FEBRUARY 22, 2008 – NEW WATSONVILLE CITY COUNCIL CHAMBERS, 275 MAIN STREET, WATSONVILLE

Vice Chair Bustichi announced that the February 22, 2008 Board meeting will be held at the **OLD** Watsonville City Council Chambers at 250 Main Street because the new facility is not available yet.

ADJOURN

There being no further business, Vice Chair Bustichi adjourned the meeting at 10:57 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator