

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

January 23, 2009

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 9, 2009 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, California.

With the Office of Board Chair currently vacant, Vice Chair Bustichi called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1a. ROLL CALL:

DIRECTORS PRESENT

Dene Bustichi
Ron Graves
Donald Hagen
Michelle Hinkle
Mike Rotkin
Ellen Pirie
Lynn Robinson
Dale Skillicorn
Pat Spence
Mark Stone
Marcela Tavantzis

DIRECTORS ABSENT

Ex-Officio Donna Blitzer

STAFF PRESENT

Ciro Aguirre, Operations Manager
Angela Aitken, Finance Manager
Frank Cheng, MetroBase Project Manager
Mary Ferrick, Fixed Route Superintendent
Margaret Gallagher, District Counsel

Shona Harper, Asst. Paratransit Superintendent
Debbie Kinslow, Asst Finance Manager
Robyn Slater, Human Resources Manager
April Warnock, Paratransit Superintendent
Les White, General Manager

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

Teresa Larkin, First Alarm
Manny Martinez, PSA
Eduardo Montesino, UTU
Cece Pinheiro, SPIN

Will Regan, VMU
Emily Reilly, Former Director
Amy Weiss, Spanish Interpreter

ITEM #8 WAS TAKEN OUT OF ORDER

8. CONSIDERATION OF APPROVAL OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF EMILY REILLY AS A MEMBER OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

The Board, staff, and union representatives thanked Former Director Emily Reilly for her years of service and her dedication, leadership, and fairness on the METRO Board and throughout the community. Ms. Reilly stated how much she enjoyed serving on the METRO Board and thanked everyone and wished them all the best of luck and also urged METRO to keep the Pacific Station Project alive as a priority.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR STONE

Adopt Resolution of Appreciation for the services of Emily Reilly as a member of the Board of Directors of the Santa Cruz Metropolitan Transit District

Motion passed unanimously with all Directors present.

Vice Chair Bustichi took a brief recess at 9:20 a.m. and reconvened to Open Session at 9:35 a.m.

1b. CONSIDERATION OF:

- 1) NOMINATION AND ELECTION OF DIRECTORS TO SERVE AS BOARD OFFICERS,**
- 2) NOMINATION AND ELECTION FOR APPOINTMENTS TO THE HIGHWAY 1 CONSTRUCTION AUTHORITY,**
- 3) NOMINATION AND ELECTION FOR APPOINTMENTS TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR 2009**

Director Stone nominated Vice Chair Bustichi as Chair. Vice Chair Bustichi nominated the following slate below for the positions of Board Vice Chair, HCA and RTC representatives. There were no additional nominations. Nominations were closed and the following elections and appointments were made:

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

- 1) Elect Director Bustichi as Board Chair.
Elect Director Pirie as Board Vice Chair.**
- 2) Re-appoint Director Tavantzis as the HCA representative.
Appoint Director Rotkin to the HCA as the alternate.**
- 3) Re-appoint Directors Spence, Tavantzis, and Bustichi to the RTC.
Re-appoint Directors Skillicorn, Hagen, and Hinkle as 1st, 2nd and 3rd RTC alternates, respectively.**

Motion passed unanimously with all Directors present.

Newly elected Chair Bustichi presided over the remainder of the meeting.

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 DECEMBER 2008**
- 5-2. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR NOVEMBER 2008**
- 5-3. **CONSIDERATION OF TORT CLAIMS: None**
- 5-4. **ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JANUARY 21, 2009 AND MINUTES OF NOVEMBER 19, 2008**
- 5-5. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH SC FUELS FOR DELIVERY OF CARB ULTRA LOW SULFUR DIESEL FUEL**
- 5-6. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH FIRST CAPITOL AUCTION, INC. FOR PUBLIC AUCTION SERVICES**
- 5-7. **CONSIDERATION OF RESOLUTION DESIGNATING ASSISTANT FINANCE MANAGER TO CALTIP BOARD OF DIRECTORS AND MANAGER OF OPERATIONS AS DESIGNATED ALTERNATE**
- 5-8. **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH SUE CLARKE FOR CONTINUING TO AUDIT THE TALKING BUSES EXTERNAL ANNOUNCEMENTS AT THE BART CAVALLARO TRANSIT CENTER**
- 5-9. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF OCTOBER 2008**
- 5-10. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR SEPTEMBER & OCTOBER 2008**
- 5-11. **ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FOR APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE DECEMBER 2008 MEETING(S)**
- 5-14. **CONSIDERATION OF SERVICE REVISIONS FOR SPRING 2009**

5-15. APPROVE REGULAR BOARD MEETING MINUTES OF DECEMBER 12 & 19, 2008

Les White requested that Items #5-12 and #5-13 be deferred to February in order to give staff time to resolve questions regarding the baseline used for the Consumer Price Index (CPI).

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HINKLE

Defer Items #5-12 and #5-13 to February 2009 and approve remainder of the Consent Agenda

Regarding Item #5-9, Director Spence requested that the monthly ParaCruz Operations Status Reports include eligibility certification data going forward.

Motion passed unanimously with all Directors present.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS: None

7. PUBLIC HEARING: CONSIDERATION OF ADOPTING A PROGRAM OF PROJECTS FOR FY 2009 FEDERAL FUNDING ASSISTANCE AND ADOPTING A RESOLUTION AUTHORIZING THE APPLICATION AND EXECUTION OF GRANTS FOR FY 2009 FUNDS

Summary:

Angela Aitken explained that the current FTA apportionment provides funding only for the partial fiscal year from October 1, 2008 through March 6, 2009. Because Congress did not yet pass legislation to fund the Department of Transportation in FY09, it enacted and the President signed the Continuing Appropriations Act, 2009 to fund transportation programs at the same level as in FY08 until a new budget is passed, or until March 6, 2009 at the latest. The amount of FTA funds in the current apportionment for the §5307 Urbanized Area Formula program represents approximately 43% of the amount anticipated for FY09 if it continues to be funded at the same level.

Ms. Aitken stated that if the proposed Program of Projects is adopted by the Board today, METRO staff will submit applications for \$1,883,357 in FTA §5307 Program funds which have been allocated to METRO in the amounts of \$1,542,399 for FY09 urban operating assistance and \$340,958 in construction funds for MetroBase and \$170,894 in FTA §5311 Program funds for rural operating assistance which has been allocated to METRO by Caltrans.

Les White added that there currently is no Appropriations Bill and METRO's budget is calculated on funding levels contained in the Authorizing Bill, SAFETEA-LU, which is an increase over last year and it is anticipated that FY09 levels will be at least the same or higher. By applying for funding now, METRO can draw down cash earlier than waiting for the entire appropriations process. When the FTA provides the Final FY09 apportionments, METRO will amend the Program of Projects to add the remaining funding assistance for FY09.

CHAIR BUSTICHI OPENED THE PUBLIC HEARING AT 9:45 A.M.

There were no public comments.

CHAIR BUSTICHI CLOSED THE PUBLIC HEARING AT 9:45 A.M.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HAGEN

Adopt a Program of Projects for FY09 Federal Funding Assistance and adopt a Resolution authorizing applications to Caltrans and FTA for FY09 Federal Funds

Motion passed unanimously with all Directors present.

9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH ANDREWS INTERNATIONAL FOR SECURITY GUARD SERVICES

Summary:

Angela Aitken and Ciro Aguirre reported that in January 2007, METRO awarded a security contract to NCLN20. In August 2008, that vendor was no longer able to provide services to METRO and the contract was temporarily assumed by National Security Industries while METRO solicited proposals from qualified firms for a new contract.

The top five rated firms were interviewed and staff recommends that the contract be awarded to Andrews international, Inc.

Discussion:

Chair Bustichi asked if Andrews would retain the current employees, as National had. Mr. Aguirre replied that METRO has requested that the current lieutenant remain and that his staffing recommendations are honored. Director Rotkin asked about a local office. Mr. Aguirre replied that Andrews has a local office in Santa Clara and are currently working towards establishing a Santa Cruz location.

Director Tavantzis expressed concern that this is not a local firm and that for \$329,000 per year she urged staff to encourage the hiring of local employees to the extent possible.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR ROBINSON

Authorize the General Manager to execute a three-year base contract (with 2 option years) with Andrews International, Inc. to provide security guard services

Motion passed unanimously with all Directors present.

10. ACCEPT AND FILE REPORT ON SANTA CRUZ METRO BEING AWARDED THE FIRST ANNUAL DISABILITY SERVICE PROVIDER AWARD BY SPECIAL PARENTS INFORMATION NETWORK (SPIN) IN 2008

Summary:

Margaret Gallagher reported that in August of 2008 METRO was awarded the first annual Disability Service Provider Award by the Special Parents Information Network (SPIN), which is a non-profit parent-to-parent support and information network serving families of children with special needs.

Ms. Gallagher introduced the Executive Director of SPIN, Cece Pinheiro, who spoke about the organization and the award that METRO won. Ms. Pinheiro also distributed SPIN brochures and a fundraiser flier, which are attached to the file copy of these minutes.

11. CONSIDERATION OF APPROVAL OF A PRIORITIZED LIST OF PROJECTS TO SUBMIT TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR POTENTIAL ECONOMIC STIMULUS PROJECTS

Summary:

Angela Aitken reported that the Santa Cruz County Regional Transportation Commission issued a call for a prioritized list of projects to be considered for potential Economic Stimulus Projects. Ms. Aitken explained that the top 5 projects listed on Attachment "A" are projects that can be implemented within 180 days and the projects listed below have a longer time-line.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR STONE

Approve the prioritized list of projects as presented to submit to the Santa Cruz County Regional Transportation Commission for potential Economic Stimulus Projects

Motion passed unanimously with all Directors present.

12. CONSIDERATION OF AUTHORIZATION OF A PROVISIONAL LEAD MECHANIC POSITION FOR A MAXIMUM OF TWO YEARS OR UNTIL THE SECOND PHASE OF THE METROBASE MAINTENANCE FACILITY IS COMPLETE

Summary:

Robyn Slater reported that the Fleet Maintenance Department is currently working out of two sites which are expected to be combined by the beginning of 2010. Based on past practice, there is a Lead Mechanic at each site for each shift, six positions total and one resigned in May 2008. This position was unfunded for FY 09. After meeting with the union, it was determined that the Lead Mechanic position would be filled on a temporary basis until the two sites are combined. This will require a side agreement that has been developed by METRO and the union because METRO's Personnel Rules & Regulations state that a temporary appointment can only last six months.

When the sites are consolidated, METRO and the union will meet and confer again to determine the number of Lead Mechanic positions to be funded.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR PIRIE

Authorize the hiring of a Provisional Lead Mechanic for a maximum of two years or until the second phase of the Maintenance Facility is complete

Motion passed unanimously with all Directors present.

13. **ORAL ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR FEBRUARY 27, 2009 – WATSONVILLE CITY COUNCIL CHAMBERS, 275 MAIN STREET, WATSONVILLE**

Chair Bustichi announced that the February 27, 2009 Board Meeting would be held at the Watsonville City Council Chambers, 275 Main Street, Watsonville, CA.

ADJOURN

There being no further business, Chair Bustichi adjourned the meeting at 10:23 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator