

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**March 8, 2002**

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, March 8, 2002 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice-Chairperson Reilly called the meeting to order at 9:07 a.m.

### **SECTION 1: OPEN SESSION**

#### **1. ROLL CALL:**

##### **DIRECTORS PRESENT**

Jeff Almquist  
Tim Fitzmaurice  
Michelle Hinkle  
Mike Keogh  
Christopher Krohn  
Emily Reilly  
Pat Spence

##### **DIRECTORS ABSENT**

Sheryl Ainsworth (arrived at 9:12)  
Jan Beautz  
Dennis Norton  
Ana Ventura Phares  
Ex-Officio Mike Rotkin

##### **STAFF PRESENT**

Bryant Baehr, Operations Manager  
Kim Chin, Planning & Marketing Manager  
John Daugherty, Access. Svcs. Coord.  
Mark Dorfman, Asst. General Manager  
Terry Gale, IT Manager  
Margaret Gallagher, District Counsel  
Harlan Glatt, Sr. Database Administrator

Tom Hiltner, Grants/Legis. Analyst  
David Konno, Fac. Maint. Manager  
Ian McFadden, Transit Planner  
Elisabeth Ross, Finance Manager  
Judy Souza, Base Superintendent  
Tom Stickel, Fleet Maint. Manager

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

April Axton, Lift Line  
Jim Bosso, S. C. Transportation  
Scott Bugental, Seniors Council  
Richard Camperud, Courtesy Cab  
Linda Clayton, SEA  
Mary Ferrick, PSA  
Kasandra Fox, MASTF  
Deborah Lane, MASTF

Jeff LeBlanc, Rider  
Steve Marcus, UTU  
Bonnie Morr, UTU  
Carolyn O'Donnell, TMA  
Steve Paulsen, UTU  
Will Regan, VMU  
Sam Storey, Community Bridges  
Linda Wilshusen, SCCRTC

**2. ORAL AND WRITTEN COMMUNICATION**

Oral:

Mark Dorfman reported that Staff received a fax from ATC requesting that they be allowed to withdraw their proposal on the paratransit contract. He is requested that this matter be agendized today for the Board to take immediate action. The current paratransit contract expires on June 30, 2002.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR FITZMAURICE**

**Add this item to the agenda because since the agenda was posted, this item has come to the attention of the Board of Directors and there is a need to take immediate action.**

**Motion passed unanimously.**

**ACTION: MOTION: DIRECTOR KEOGH SECOND: DIRECTOR HINKLE**

**Accept the letter from ATC and allow them to withdraw.**

It was clarified that ATC's conflict with this contract proposal is that ATC is now a part of National Express, which owns MultiSystems, the firm who assisted with preparation of the specifications. A copy of ATC's letter will be attached to the Minutes.

Director Spence stated that it is her hope that all negative feelings are eliminated and that all parties will concentrate on the quality of service to the rider. Mark Dorfman assured the Board that staff would provide a staff report with a proposed course of action at the March 15, 2002 Board meeting.

**Motion passed unanimously.**

Michael Bradshaw, Educator and Advocate for the Central Coast Center for Independent Living (CCCIL) submitted a letter prepared by Elizabeth Sparks regarding the award of the paratransit contract. A copy of this letter will be attached to the Minutes.

Written:

- |    |                                     |                        |
|----|-------------------------------------|------------------------|
| a. | Carol Bullard                       | RE: Paratransit        |
| b. | April Axton*                        | RE: Bikes Inside Buses |
| c. | Scott Bugental, E&D TAC             | RE: Bikes Inside Buses |
| d. | Donald/Edith Edwards                | RE: Paratransit        |
| e. | Deborah Lane/Kasandra Fox,<br>MASTF | RE: Bikes Inside Buses |
| f. | Richard Bayne, Lift Line            | RE: Paratransit        |
| g. | Ted Clausen                         | RE: Paratransit        |

\*It was clarified that April Axton was speaking for herself and not on behalf of Lift Line. Sam Storey added that Ms. Axton's letter does not reflect his views of bikes inside buses. Director Reilly requested that Ms. Axton's letter be passed on to the MASTF Committee.

**3. LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr of UTU asked that the Board direct staff to research the ability of bringing the paratransit service in-house. This would allow the District to have control of the funding, continuity of service, and handling of money. Mark Dorfman added that this issue would be brought back to the Board as part of the staff report.

Will Regan of VMU asked that the Board make thoughtful decisions regarding employee lay-offs and how this would affect service to the community.

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

Nothing to report at this time.

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

Deborah Lane, Chair of the MASTF Committee, echoed Director Spence's sentiments about putting negative feelings aside in order to best serve the community. She further stated that the MASTF committee would continue to support whomever is chosen to provide service to the paratransit consumers.

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

None

**CONSENT AGENDA**

**7-1. APPROVE REGULAR BOARD MEETING MINUTES OF 2/8/02 and 2/15/02**

John Daugherty stated that in the Minutes of 2/8/02, Margaret Gallagher stated "she spoke with FTA's chief counsel's office who provided her with information that goes to the intent of the writers of the regulation regarding the major transfer point issue." Mr. Daugherty added that Ms. Gallagher also stated at the 2/8/02 meeting that the current regulations are broader than the intent provided by her initial contact person. Ms. Gallagher will listen to this tape.

**7-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**

No questions or comments.

**7-3. ACCEPT AND FILE FEBRUARY RIDERSHIP REPORT**

No questions or comments.

**7-4. CONSIDERATION OF TORT CLAIMS: Deny the claim of: Mercury Insurance Company; Deny parts of proposed claim of Deborah Lane & Joshua Loya**

No questions or comments.

**7-5. ACCEPT AND FILE MINUTES OF MASTF COMMITTEE MEETING OF 2/14/02**

No questions or comments.

**7-6. ACCEPT AND FILE MINUTES OF MUG COMMITTEE MEETING OF 2/13/02**

No questions or comments.

**7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR JANUARY 2002 AND APPROVAL OF BUDGET TRANSFERS**

No questions or comments.

**7-8. ACCEPT AND FILE STATUS REPORT ON ADA PARATRANSIT PROGRAM FOR JANUARY 2002**

No questions or comments.

**7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JANUARY 2002**

No questions or comments.

**7-11. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**

No questions or comments.

**7-12. ACCEPT AND FILE STATUS REPORT ON CALL STOP ISSUE PROGRESS**

No questions or comments.

**7-13. CONSIDERATION OF APPROVAL OF RENEWAL OF EMPLOYMENT PRACTICES LIABILITY INSURANCE**

No questions or comments.

**7-14. CONSIDERATION OF AMENDING MISSION LINEN & UNIFORM SERVICE CONTRACT**

No questions or comments.

**7-15. CONSIDERATION OF WHETHER IT IS IN THE BEST INTERESTS OF SANTA CRUZ METROPOLITAN TRANSIT DISTRICT TO SELL THE PROPERTY LOCATED AT 617 REDWOOD DRIVE, FELTON, CALIFORNIA, AND ALLOW A COMPETITIVE PROCESS FOR ITS SALE**

Nancy Wright, resident of Redwood Drive, lives across the street from the property in question and has seen this property deteriorate over time. Several other neighbors were also present. Ms. Wright asked that METRO restore the property to the condition it was in when METRO took ownership. She also suggested that METRO ensure that the buyer of this property maintain it. The main concern is that a buyer will park cars on this lot. Director Almquist requested that District Counsel look at the conditions of the sale to take into consideration as to whether any buyer has legitimate interests in the property.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR FITZMAURICE**

**Continue for one month so District Counsel can look at the conditions that can be put on the purchase of this property and to determine whether the bidding pool can be limited to prospective buyers with legitimate interests.**

It was stated that slivers of property should be offered to the adjoining property owners.

**Motion passed unanimously.**

**7-16. CONSIDERATION OF AMENDING DAY WIRELESS SYSTEMS CONTRACT**

No questions or comments.

**REGULAR AGENDA**

**8. CONSIDERATION OF PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

Longevity awards will be distributed at the March 15, 2002 Board meeting.

**9. CONSIDERATION OF APPROVAL OF FY 02-03 PRELIMINARY LINE ITEM BUDGET FOR REVIEW AND CLAIMS PURPOSES**

**Summary:**

Elisabeth Ross asked the Board to approve the preliminary line item budget for FY 02/03 in order for staff to submit the application for TDA funds to the Transportation Commission before the deadline.

The deficit is \$3.4 million comparing revenues to expenses. Revenues for next year will be flat based on the economy and farebox revenues. Recommendations were to take \$1.2 million out of reserves, \$1 million out of service reductions, and \$1.4 million out of reductions from support personnel and other expenses from the operating budget. Staff is also looking at a reduction of

approximately 35 positions and proposing that these positions are not funded for the upcoming year, in addition to looking at early retirement incentives, vacant positions and reassigning staff.

**Discussion:**

For the April Board meeting, staff will: 1) report on the status of all actions to date on the maintenance facilities in terms of the financial report, EIR, preliminary architecture and status of temporary natural gas facilities; 2) give breakdown of earmarked funds and METRO's contribution that has to be available, plus status of "drop dead" dates of when funds need to be spent. Director Keogh also requested information on grant and match funds in one document.

Director Fitzmaurice requested further information on implications of staff reductions, specific numbers and positions. Mark Dorfman explained that the purpose of this budget is for putting together an STA/TDA claim, and that more detailed information would be coming as staff gets further into the budget process. Two budget workshops will be held with the unions; these meetings will be open to the Board. Charts denoting the sales tax can be displayed at the March 15, 2002 Board meeting. There was discussion regarding liability insurance for lawsuits against the District and deductible amounts. Ms. Ross will bring back information on all reserve funds.

**10. CONSIDERATION OF RESOLUTIONS AUTHORIZING SUBMITTAL OF FY 2003 STATE TRANSIT ASSISTANCE (STA) AND TRANSPORTATION DEVELOPMENT ACT (TDA) CLAIMS**

**Summary:**

Mark Dorfman reported that this item is why the budget was presented to the Board at this time. These TDA funds would be used for operating costs. The STA funds are for capital improvements only.

**11. CONSIDERATION OF CALL STOP AUDIT REPORT AND PROPOSED ACTION PLAN**

**Summary:**

Bryant Baehr stated that the bus operators went through call stop refresher training in December 2001. Mr. Martinez, who has done work with VTA and other districts, performed an audit of call stop procedures from January 22 to February 14, 2002. His findings reflected a compliance rate of 71%. Staff is proposing that the Board consider conducting compliance audits throughout the year and to authorize staff to produce a disciplinary structure for lack of compliance. Mr. Baehr will bring back a revised call stop policy to the March 15, 2002 Board meeting.

**Discussion:**

Director Almquist confirmed with staff that once a specific bus operator is identified as being non-compliant, the audit would be shifted from being random to focusing on the specific operator. A report on how to deal with specific operators will be brought back to the Board at the March 15, 2002 meeting. Director Fitzmaurice requested a policy that allows

managers/Directors to make bus operators understand that calling stops is part of their job and which allows managers/Directors to look for situations where drivers do not think it is part of their job.

There was discussion regarding understanding the operator when he/she calls out English or Spanish-named stops and also the audibility of the stops being called. John Daugherty pointed out that stops must be called out in a way for passengers to both hear and understand what is being called. Mr. Daugherty referred to the Call Stop Policy in the agenda packet and asked if customer service reports would be used as survey data. He also stated that the law does not state that passengers need to be in the front of the bus for announcements to be heard. John Daugherty will provide a list of his questions to Bryant Baehr who will incorporate the answers into his report back to the Board. Bonnie Morr reiterated that some buses do not have microphones; 40 out of 120 vehicles currently have microphones. She added that she is working closely with Bryant Baehr and she is trying to create a system of discipline that is already in the UTU contract.

**12. CONSIDERATION TO USE FEDERAL GRANTS PROGRAMMED FOR PURCHASE OF BUSES TO INSTEAD PURCHASE TALKING BUS SYSTEM**

**Summary:**

Mark Dorfman reported that staff can make a request to the federal government to move some of the funding budgeted for new bus purchases to another line item which then could be used to accelerate the purchase of the talking bus system. A recommendation to purchase Highway 17 buses is scheduled to be brought to the March 15<sup>th</sup> Board meeting. Two responses were received from the Request for Proposals. Bids for the low-floor buses will be brought to the Board in April and will determine the number of buses that will be purchased. Staff may order two less buses and retrofit the existing fleet with the talking bus technology, which would include speakers on all existing buses. When the Highway 17 and low-floor buses are delivered, all buses would be equipped with the talking bus system and would include a programming station, which staff would then use to update the announcements.

**Discussion:**

Director Keogh requested a fleet status report on the following: ages of vehicles, miles, current and anticipated purchases which ties back into his concern about utilizing reserves to help balance next year's budget. His concern is refitting for CNG. Mr. Dorfman stated that staff will address this at the March 15, 2002 Board meeting.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR KROHN**

**Move Items 9, 10, 13, 14, 15, 17 to the Consent Agenda for the 3/15/02 Board meeting.**

Before moving Item #13 to the Consent Agenda, Directors Spence and Krohn inquired as to the price of diesel fuel.

**Motion passed unanimously.**

**13. CONSIDERATION OF ELIMINATING BIO-DIESEL AS A FUELING OPTION FOR FY 02/03**

Moved to the Consent Agenda as Item #7-18.

**14. CONSIDERATION OF ADDITIONAL SERVICE TO THE 100-YEAR CELEBRATION OF BIG BASIN STATE PARK**

Moved to the Consent Agenda as Item #7-19.

**15. CONSIDERATION OF SECURITY ISSUES AT THE WATSONVILLE TRANSIT CENTER**

Moved to the Consent Agenda as Item #7-20.

**16. CONSIDERATION OF RESULTS OF 2000 CENSUS AND COUNTY CLERK'S NOTIFICATION OF A NEED FOR BOARD OF DIRECTOR REAPPORTIONMENT**

**Summary:**

Margaret Gallagher reported that Richard Bedal supplied her with census figures received from the Public Works Dept. and from the website for the cities of Watsonville and Santa Cruz. Margaret also retrieved additional figures from the website. Attachment C of the staff report shows how other transit district Boards are selected.

**Discussion:**

Director Reilly confirmed with counsel that METRO is bound by the latest official census numbers. In lieu of this restriction, Staff could request legislative changes to the Enabling Statute. This change could take place when current terms of the Directors in question are completed. Director Almquist expressed his hope that the City of Santa Cruz representatives would devise a plan that is acceptable. There was discussion of the difficulty in changing the enabling statute and Linda Wilshusen added that at this point in time, it would need to be tacked onto an existing bill. Jeff LeBlanc reminded the Board that the last time the statute changed was in the mid-90's for the qualification of residence issue. Director Reilly inquired as to how many Board members could meet outside of an official meeting to discuss this.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR KEOGH**

**Continue this item for one month.**

**Motion passed unanimously.**

**17. CONSIDERATION OF AWARD OF CONTRACT FOR FURNISHING FASTENERS AND ELECTRICAL TERMINALS**

Moved to the Consent Agenda as Item #7-21.



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

Margaret Gallagher reported that UTU labor negotiations and the claim of Deborah Lane/Joshua Loya would be discussed.

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

Bryant Baehr distributed binder for the UTU discussion and collected them afterwards.

**SECTION II: CLOSED SESSION**

Vice Chairperson Reilly adjourned to Closed Session at 10:45 a.m. and reconvened to Open Session at 11:37 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**20. REPORT OF CLOSED SESSION**

Margaret Gallagher stated that there was nothing to report.

**ADJOURN**

here being no further business, Vice-Chairperson Reilly adjourned the meeting at 11:37 a.m.

Respectfully submitted.

DALE CARR  
Administrative Services Coordinator