

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

**Minutes- Board of Directors**

**April 11, 2003**

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, April 11, 2003 at the City Hall Council Chambers, 809 Center Street, Santa Cruz, California.

Chairperson Reilly called the meeting to order at 9:05 a.m.

## **SECTION 1: OPEN SESSION**

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

#### **DIRECTORS PRESENT**

Sheryl Ainsworth (arrived after roll call)  
Jeff Almquist  
Jan Beautz (arrived after roll call)  
Michelle Hinkle  
Dennis Norton  
Emily Reilly  
Mike Rotkin  
Pat Spence  
Marcela Tavantzis

#### **DIRECTORS ABSENT**

Mike Keogh  
Ana Ventura Phares  
Ex-Officio Wes Scott

#### **STAFF PRESENT**

Bryant Baehr, Operations Manager  
Mark Dorfman, Asst. General Manager  
Mary Ferrick, Schedule Analyst  
Margaret Gallagher, District Counsel  
Harlan Glatt, Sr. Database Administrator

Ian McFadden, Transit Planner  
Elisabeth Ross, Finance Manager  
Robyn Slater, Interim H.R. Manager  
Tom Stickel, Fleet Maint. Manager

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

Jenna Glasky, SEA  
Manny Martinez, PSA  
Bonnie Morr, UTU

Jeff North, UTU  
Will Regan, VMU  
Amy Weiss, Spanish Translator

**Chairperson Reilly stated that Items #17 and 18 would be moved to the front of the agenda.**

**DIRECTOR AINSWORTH ARRIVED.**

## **2. ORAL AND WRITTEN COMMUNICATION**

### Written:

- |    |                                 |     |                    |
|----|---------------------------------|-----|--------------------|
| a. | Laurel Hamel                    | RE: | Service Reductions |
| b. | Sister Hyer, Dominican Hospital | RE: | Service Reductions |

### **DIRECTOR BEAUTZ ARRIVED.**

### Oral:

Brenda Moss, Executive Director of the Senior Network Services, spoke on behalf of seniors and those with disabilities regarding paratransit services. Ms. Moss asked that in future agendas that the issue of paratransit recertification and eligibility be addressed. She submitted a letter which was written from the Paratransit Administrator to an 87-year old man and asked that the Board consider these issues.

Lois Newstadt, Resource Counselor at the Seniors Network Services, spoke regarding the paratransit recertification process. She stated that she doesn't think the needs of the seniors are really being considered. She referred to those people with cognitive problems due to strokes and talked about a medical person being present during the recertification and appeals process.

Bonnie McDonald, Manager of the Linkages Program at the Seniors Network Services, stated that she spoke to a 40-year old man who suffered a stroke and has no right-side awareness who was denied paratransit service. She was informed that only 3% of riders are being denied, however, she asked if this includes people being limited to just medical rides since this gentleman wants to utilize paratransit service to get to Twin Lakes Church. She requested that the recertification process include someone with a medical background or include the person's doctor's report about his/her condition. She added that the Appeals Committee should not include METRO staff.

Linda Robinson, Program Coordinator, Long-Term Care Ombudsman, spoke regarding a person who has Multiple Sclerosis and uses an electric wheelchair. He told the paratransit people during the recertification process that sometimes he can use fixed route service. It was not taken into account that this person has fluctuating capacity in which at certain times he cannot ride fixed route. She stated that anyone in a Skilled Nursing facility should be allowed to ride. Staff should use a doctor's order as criteria for recertification. She asked the Board to look into doing on-site evaluations for the recertification process.

Chairperson Reilly asked staff to contact the advocates present today in order to obtain their feedback regarding the paratransit service and to advise the Board at the end of the month when this issue can be agendized. Director Rotkin asked that it be scheduled informally as a public hearing to receive public comment on this issue. He further requested that responses to those advocates present today be copied to the Board as well. Director Beautz asked that staff analyze the advocates' comments prior to returning to the Board.

Director Almquist stated that he and Director Beautz are on the Expenditure Committee of the Transportation Commission for items that might be covered for additional sales tax: one of

which could be paratransit for the disabled and elderly. He asked the advocates who spoke to the Board to focus on the Transportation Commission so their voices could be heard supporting the transportation sales tax which could be designated for expanded transit services for the elderly and disabled.

**3. LABOR ORGANIZATION COMMUNICATIONS**

Bonnie Morr reported that the UTU Seniors Dinner was a success with over 300 seniors attending. She thanked the Board for their support. Ms. Morr will work with Director Tavantzis on how this dinner can meet the needs of the whole county.

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

No questions or comments.

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

No questions or comments.

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

Margaret Gallagher distributed a revised staff report for Item #12.

**ITEMS #17 and #18 WERE TAKEN OUT OF ORDER.**

**16. CONSIDERATION OF AMENDING AWARD OF CONTRACT FOR RESIDENT BUS INSPECTOR SERVICES  
ACTION REQUIRED AT THE APRIL 11, 2003 BOARD MEETING**

**Summary:**

This item was on March agenda and action was taken but there was no “second” to the Motion. Therefore, this item needs to be approved again.

**ACTION: MOTION: DIRECTOR AINSWORTH SECOND: DIRECTOR ALMQUIST**

**Authorize the General Manager to amend the contract for resident bus inspection services with J & S Maintenance Professional Services, Inc. to increase the contract by an additional amount up to \$31,715.**

**Motion passed unanimously with Directors Keogh and Phares being absent.**

**18. CONSIDERATION OF RENEWAL OF EMPLOYMENT PRACTICES LIABILITY INSURANCE  
ACTION REQUIRED AT THE APRIL 11, 2003 BOARD MEETING**

**Summary:**

Elisabeth Ross reported that staff asked the Board for approval of this matter at its March meeting. Although a quote hadn't yet been received, staff anticipated it being \$60,000. However, the renewal premium is \$85,000 and the deductible was changed from \$25,000 to \$75,000. Terrorism coverage is being offered as an option; however, staff is not recommending this option.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR REILLY**

**Approve with increased limit and deductible but with no terrorism coverage.**

**Motion passed unanimously with Directors Keogh and Phares being absent.**

### **CONSENT AGENDA**

**7-1. APPROVE REGULAR BOARD MEETING MINUTES OF MARCH 14 AND MARCH 28, 2003**

No questions or comments.

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

No questions or comments.

**7-3. ACCEPT AND FILE MARCH 2003 RIDERSHIP REPORT**

No questions or comments.

**7-4. CONSIDERATION OF TORT CLAIMS: None**

**7-5. ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF APRIL 17, 2003 AND THE MINUTES OF THE MARCH 20, 2003 MEETING**

No questions or comments.

**7-6. ACCEPT AND FILE AGENDA FOR THE MUG COMMITTEE MEETING OF APRIL 16, 2003 AND THE MINUTES OF THE MARCH 19, 2003 MEETING**

No questions or comments.

**7-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR FEBRUARY 2003, APPROVAL OF BUDGET TRANSFERS**

No questions or comments.

**7-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR JANUARY 2003**

Director Tavantzis noted that there has been significant progress in the non-compliance areas of the contract. Bryant Baehr reported to Director Spence that the report back to the Board would include recertification and outreach updates. Mr. Dorfman reiterated that during the appeals process, individuals are given other transportation options in the community plus travel training brochures.

**7-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR FEBRUARY 2003**

Director Almquist acknowledged the higher ridership figures vs. figures from last year. Mr. White reported that VTA has given no indication that they are considering canceling the JPA for the Highway 17 service and that they will keep this service at the level required by METRO.

**7-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**

Director Norton requested figures on “cost per rider” on this service and on the Highway 17 service and was informed that Highway 17 is \$8.01 cost per rider and the UCSC information would be included in the fare increase staff report. He discussed school term service and was informed that there is approximately a 15% drop in total service during school closures. Mr. White added that staff could look up the percentage of service hours per day with and without school service.

**7-11. ACCEPT AND FILE METROBASE STATUS REPORT**

Mr. White reported that he built into the time line additional time to switch design teams. There is no change to the completion date of 2006. Director Rotkin asked that a bullet item be added to the staff report denoting the slippage in the timeline from the previous month. Mr. White further reported that the EIR passed its challenge period with no challenges.

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

Bryant Baehr explained that the call sheet given to the auditor for Route 54 was erroneous in that it listed two additional calls. The percentage of compliance was 91.3%. The operators responsible for not calling all of their stops are going through the Board-approved retraining/disciplinary process. Director Reilly asked that drivers be encouraged to bring up the reasons that they missed calling stops as soon as possible so the problem can be addressed. Margaret Gallagher added that the Call Stop Committee will be addressing the issue of what stops an operator should call in the case of the technology failing.

**REGULAR AGENDA**

**ITEM #13 WAS TAKEN OUT OF ORDER.**

**13. CONSIDERATION OF DETERMINATION OF PROPOSED FARE INCREASE FOR THE FIRST READING OF THE FARE ORDINANCE  
ACTION REQUIRED AT THE APRIL 11, 2003 BOARD MEETING**

**DIRECTOR AINSWORTH LEFT THE MEETING.**

**Summary:**

Mark Dorfman gave a presentation on the proposed fare increases. Staff is requesting direction from the Board as to which of the proposed fares it would like put into the Fare Ordinance. The first reading of the Fare Ordinance will take place at the April 25<sup>th</sup> Board meeting. The second reading will take place at the May 23<sup>rd</sup> Board meeting with implementation of these fares scheduled for July 1, 2003.

**Discussion:**

METRO acknowledges the senior discount at the age of 62 rather than 65 as federal law defines it. Staff is recommending no changes to the paratransit premium services. There was discussion regarding paratransit “will call” service and its expense. Director Tavantzis requested that staff work with dialysis clinics to discuss allowing sufficient time for appointments so paratransit riders will not be late to meet their return trip thereby requiring a second paratransit van to be sent out for their pickup. Director Rotkin asked staff to think about having some form of economic disadvantage for repeated lateness.

There was discussion regarding Cabrillo College and the discounted bus passes they continue to receive. There was also discussion on the Highway 17 Express and a possible increase in fares, if warranted, even though they were raised in February.

Staff is working with agencies to explore the option of selling monthly passes through the agencies whereby the individual could pay the agency on a weekly basis and the agency could use that weekly payment to fund the next month’s monthly passes.

**CHAIRPERSON REILLY OPENED THE MEETING TO PUBLIC COMMENT AT 10:59 A.M.**

Bonnie Sheller, Mental Health Network: Ms. Sheller stated that people on SSI will have their monthly amount cut by \$49 and if passes are raised to \$27 this would create a shortfall of \$62 each month to these individuals. Social service programs for mental health and alcohol and drug treatments are facing a 25% cut. Fare increases will deny the disabled community the ability to get around town.

**ACTION: MOTION: DIRECTOR ALMQUIST SECOND: DIRECTOR SPENCE**

**Continue the meeting until 12:00 noon.**

**Motion passed unanimously with Directors Ainsworth, Keogh and Phares being absent.**

Scott Bugental, E/D TAC: Mr. Bugental distributed a letter from E/D TAC regarding the fare increase and stated that these low-income people are facing a budget crisis as individuals. He hopes to mitigate these fare increases for seniors and the disabled by not increasing it so much more than the other increases. Mr. Bugental sent another letter regarding premium fares for paratransit and stated that missed trips are a different issue than premium fares. He asked that

the premium fares issue not be put into the Fare Ordinance at this time. He asked that staff work with the groups that represent these people and work with the dialysis center.

Michael Bradshaw, CCCIL: Mr. Bradshaw expressed concern that the proposed percentage increases, when applied to the seniors and disabled communities, calculate out to more of an increase for this particular group. He asked what percentage of the fares is in the 4 categories and what percentage of the riders are seniors and disabled? If 35% increase on the present day figures for these categories, how would that change our revenue figures – by a small or large percentage? Director Beutz asked that the cost-of living adjustments be included in the report to the Board.

Chad Freitas, Office of Student Affairs, Cabrillo College: Mr. Freitas spoke on behalf of Manual Osario of Cabrillo College who sent a message to Mark Dorfman expressing his interest in pursuing an equitable arrangement on the Cabrillo discount bus pass contract. He would like to come to an agreement to provide Cabrillo students with monthly passes at a discounted rate while keeping in mind the two separate campuses that Cabrillo currently has. Several directors expressed no interest in maintaining the current level of discount for Cabrillo when there has been no interest by Cabrillo of increasing the discounted rates through a contract.

Denise Hippert: Ms. Hippert is a Santa Cruz Gardens resident and has a daughter with Cerebral Palsy who utilizes both the fixed route and paratransit systems. Ms. Hippert's main reason for moving to this area was the bus access. She is more in favor of a fare increase than of service reduction which would also jeopardize her daughter Emily's paratransit service and would, therefore, eliminate Emily's social life.

#### **CHAIRPERSON REILLY CLOSED THE PUBLIC HEARING AT 11:11 A.M.**

Director Almquist requested a report back on adding premium charges for different services for paratransit so it would be effective July 1. Director Reilly directed staff to return to the Board with the 35% and 50% proposals.

**ACTION: MOTION: DIRECTOR ROTKIN                      SECOND:                      DIRECTOR BEAUTZ**

- 1) Adoption of resolution to make CEQA findings necessary to increase fares to make METRO exempt from CEQA regulations.**
- 2) Eliminate Cabrillo College contract by end of this semester and re-emphasize that METRO would be interested in working out an institutional fare arrangement to provide passes to their students.**
- 3) Publish the following information allowing METRO to act on any of these: 35% fare increase with a “stepped” impact on Senior and Disabled fares, a 50% increase with deep discounts for monthly passes and a “stepped” impact on Seniors & Disabled fares, and a 50% level with the deep discount on monthly passes.**
- 4) Show what the impact would be for “stepping” the increase for Senior and Disabled riders.**

- 5) **Proposal for premium fares on the paratransit service that might be implementable by July for “will call” premium possibility and fare if second van is required to be dispatched because of a missed trip.**
- 6) **Present plan to get METRO to 25% recovery rate over five-year period.**
- 7) **Clarify what the CPI figure is from 1990 figure rather than 1993.**
- 8) **Policy set that in “out” years METRO needs to obtain a 25% recovery. It will be policy in the future to move to CPI levels in increments.**

Director Tavantzis discussed a single fare for seniors/disabled of \$.40 - \$.60 = 50% increase. She suggested that staff doesn't treat the seniors/disabled categories as straight percentage until they are caught up. Only go up \$.05 a year instead of \$.10 a year. She added that the number of passengers that are senior/disabled and how this would impact amount of money we would need to raise would be a determining factor.

**Motion passed by unanimous roll call vote in lieu of a roll call vote with Directors Ainsworth, Keogh and Phares being absent.**

**CHAIRPERSON REILLY LEFT THE MEETING. DIRECTOR ALMQUIST ASSUMED THE CHAIR POSITION AT THIS TIME.**

**ITEM #12 WAS TAKEN OUT OF ORDER.**

**12. CONSIDERATION OF CALL STOP COMMITTEE RECOMMENDATIONS REGARDING FREQUENCY OF CALL STOP AND IMPLEMENTATION SCHEDULE – INTERIM REPORT**

**Summary:**

Margaret Gallagher distributed a revised staff report due to erroneously omitting two members of the Call Stop Committee from the original staff report. Ms. Gallagher reported that METRO spent over \$1.2 million on the talking bus equipment. She reviewed the progress of the Call Stop Committee in determining which stops would be called. She read the recommendations made to the Board, which are attached to the staff report with clarification that No. 5, the definition of a major intersection, would be restudied by the Call Stop Committee.

**Discussion:**

Bonnie Morr stated that a motion was made by the Committee to survey the public on their opinion of all the stops being called on the route that was programmed as a test. She added that there are issues on upcoming Call Stop Committee agendas where she feels the UTU members would have a conflict with the Committee and should be under “meet and confer” or under “negotiations. In lieu of UTU members voting on these issues, she asked if two Board members would like to join the committee as voting members, with UTU sitting as advisory or support members only. She feels additional input is needed regarding cognitive disabilities and

whether there is too much dialog on the bus thereby causing confusion for the cognitively disabled passengers.

Ms. Gallagher addressed the issue of receiving public input and stated that she would return to the Committee to clarify if they want to conduct a survey and will report back to the Board.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ**

**While in the implementation process direct Committee to discuss and make a recommendation regarding the survey of the general public and their concerns of any downside of announcing every stop plus any other input about the process.**

**Motion passed unanimously with Directors Ainsworth, Keogh, Phares and Reilly being absent.**

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ**

**Move Items 9, 14, 15 and 16 to the Consent Agenda.**

**Motion passed unanimously with Directors Ainsworth, Keogh, Phares and Reilly being absent.**

8. **PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**  
**THIS PRESENTATION WILL TAKE PLACE AT THE APRIL 25, 2003 BOARD MEETING**

9. **CONSIDERATION OF RENEWAL OF CONTRACT WITH NATIONWIDE AUCTION FOR AUCTION SERVICES**

10. **ACCEPT INPUT REGARDING THE PROPOSED SERVICE REDUCTIONS**

**DISCUSSION:**

Director Almquist asked staff for information of whether there could be a policy to provide paratransit service to routes that run at least nine months out of the year. Ian McFadden explained the alternatives for getting to the Stroke Center. Director Beautz asked for ridership figures on the route that serves Santa Cruz Gardens. Mr. McFadden further explained that by revising the Route 53, it would serve the Santa Cruz Gardens area every other hour. Ms. Gallagher commented that all public input and responses to them are included as an attachment to the staff report and can also be found on the METRO website or by calling Dale Carr.

**Public Comment:**

**Denise Hippert:** Ms. Hippert requested that bus service to her neighborhood continues at least every other hour. She also commented on paratransit riders who miss their return trip due to being late out of a medical appointment. She asked that METRO work with these people to help them to reschedule correctly.

11. **CONSIDERATION OF RECOMMENDATION OF THE CALL STOP COMMITTEE TO APPOINT JOHN DAUGHERTY, METRO ACCESSIBLE SERVICE COORDINATOR, TO THE CALL STOP COMMITTEE WILL BE PRESENTED FOR CONSIDERATION AT THE APRIL 25, 2003 BOARD MEETING**
  
14. A. **CONSIDERATION OF APPROVING THE TRANSFER OF THE LEASE AGREEMENT WITH MATISSE SELMAN D.B.A. SUSHI NOW, TO EULALIO ABREGO, D.B.A. EL DANDY TAQUERIA, FOR THE KIOSK SPACE AT THE SANTA CRUZ METRO CENTER, EFFECTIVE MAY 1, 2003**
  
- B. **CONSIDERATION OF REQUEST OF EULALIO ABREGO FOR TWO MONTHS INITIAL FREE RENT**
  
15. **CONSIDERATION OF AGREEMENT WITH THE SANTA CRUZ SEASIDE COMPANY FOR THE PROVISION OF LATE-NIGHT SERVICE**
  
16. **CONSIDERATION OF RECOMMENDATION TO APPROVE ASSESSMENT FOR COOPERATIVE RETAIL MANAGEMENT DISTRICT**
  
19. **REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION:** District Counsel

Margaret Gallagher reported that the Board would discuss the case of Carrie Weech Rose v. METRO. She asked that the case of Parker v. METRO be added to the Closed Session Agenda.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR BEAUTZ**

**Make the necessary findings to add Parker v. METRO to the Closed Session agenda for today's meeting.**

**Motion passed unanimously with Directors Ainsworth, Keogh, Phares and Reilly being absent.**

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

None

## **SECTION II: CLOSED SESSION**

Director Almquist adjourned to Closed Session at 12:07 p.m. and reconvened to Open Session at 12:14 p.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**21. REPORT OF CLOSED SESSION**

There was nothing to report at this time.

**ADJOURN**

There being no further business, Director Almquist adjourned the meeting at 12:14 p.m.

Respectfully submitted.

Dale Carr

Administrative Services Coordinator