

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

January 14, 2005

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 14, 2005 at the District's Administrative Office, 370 Encinal Street, Santa Cruz, CA.

Vice Chair Keogh called the meeting to order at 9:01 a.m.

## SECTION 1: OPEN SESSION

Vice Chair Keogh introduced Director Dene Bustichi, who was appointed by the Scotts Valley City Council to replace Director Sheryl Ainsworth.

### 1. ROLL CALL:

#### DIRECTORS PRESENT

Jan Beautz (arrived after roll call)  
Dene Bustichi  
Michelle Hinkle  
Mike Keogh  
Dennis Norton  
Emily Reilly  
Mike Rotkin  
Dale Skillicorn  
Pat Spence  
Mark Stone  
Marcela Tavantzis  
Ex-Officio Wes Scott

#### DIRECTORS ABSENT

#### STAFF PRESENT

Bryant Baehr, Operations Manager	Elisabeth Ross, Finance Manager
Frank Cheng, MetroBase Project Manager	Robyn Slater, Human Resources Manager
Mark Dorfman, Assistant General Manager	Judy Souza, Base Superintendent
Margaret Gallagher, District Counsel	Tom Stickel, Fleet Maintenance Manager
Steve Paulson, Paratransit Administrator	Les White, General Manager

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

Jeff Le Blanc, MASTF  
Gary Klemz, SEIU  
Sandra Lipperd, UTU  
Ian McFadden, SEA

Jeff North, UTU  
Tegan Speiser, SCCRTC  
Bob Yount, MAC/MASTF/E&D TAC

**2. ORAL AND WRITTEN COMMUNICATION**

Written:

None

Oral:

Les White announced that the MetroBase Building Breaking Ceremony would take place today at 12:00 p.m. at 1122 River Street, the former Tool Shed property. Vice Chair Keogh announced that the Board would try to adjourn by 11:30.

**DIRECTOR ROTKIN ARRIVED AT THIS TIME**

**3. LABOR ORGANIZATION COMMUNICATIONS**

Sandra Lipperd, UTU, asked for a timeline regarding the RFP for testing and determining the appropriate Talking Bus volume level. Jeff North, UTU Vice Chair, read a letter from UTU Chair, Bonnie Morr thanking Vice Chair Keogh for his apology at the December 10, 2004 meeting. The letter is attached to these minutes.

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

None

**CONSENT AGENDA**

**5-1. APPROVE REGULAR BOARD MEETING MINUTES OF DECEMBER 10 AND DECEMBER 17, 2004**

Director Reilly commented that the minutes were very clear and well written

**5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS**

No questions or comments.

**5-3. ACCEPT AND FILE DECEMBER 2004 RIDERSHIP REPORT**

Page 1 of the Ridership Report will be included in the January 28, 2005 Board Packet.

**5-4. CONSIDERATION OF TORT CLAIMS:**

No questions or comments.

**5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JANUARY 19, 2005 AND MINUTES OF NOVEMBER 17, 2004**

Director Keogh asked about the attendance and Jeff Le Blanc replied that it was good. Director Spence suggested that MAC meetings be listed in the newspaper.

**5-6. ACCEPT AND FILE THE MASTF COMMITTEE MINUTES OF DECEMBER 16, 2004**

The Minutes will be included in the January 28, 2005 Board Packet.

**5-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR NOVEMBER 2004 AND CONSIDERATION OF BUDGET TRANSFERS**

Director Rotkin commented that the report was very clear.

**5-8. ACCEPT AND FILE PARACRUZ STATUS REPORT FOR OCTOBER 2004**

No questions or comments.

**5-9. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR OCTOBER AND NOVEMBER 2004**

Director Tavantzis commented that it was nice to see ridership up.

**5-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**

No questions or comments.

**5-11. ACCEPT AND FILE METROBASE STATUS REPORT**

Will be included in the January 28, 2005 Board Packet.

**5-12. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE DECEMBER MEETING**

No questions or comments.

**5-13. ACCEPT AND FILE NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION REGARDING THE WORKERS COMPENSATION CLAIM OF GUILLERMO CHAVEZ**

No questions or comments.

**5-14. REVIEW AND ACCEPT SANTA CRUZ METRO BYLAWS AS MODIFIED REGARDING SECTIONS 6.01 (ELECTION OF PRESIDING OFFICERS) AND 14.02 (APPOINTMENT OF SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION REPRESENTATIVES)**

No questions or comments.

**REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

This presentation will take place at the January 28, 2005 Board Meeting.

**7. CONSIDERATION OF RECEIPT OF REPORT REGARDING THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION'S PARATRANSIT COORDINATION TASK FORCE (PCTF) AND DRAFT MINUTES OF DECEMBER 15, 2004**

Director Spence reported that she had not attended the last meeting at the Loudon Nelson Center.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR TAVANTZIS**

**Move Item #7 to the Consent Agenda**

**Motion passed with Director Spence opposed and Director Beautz being absent.**

**8. CONSIDERATION OF STATUS OF REPORT ON POSSIBLE PARACRUZ REPORTING FORMATS**

Will be included in the January 28, 2005 Board Packet.

**9. CONSIDERATION OF AWARD OF CONTRACT FOR THIRD PARTY ADMINISTRATION OF WORKERS COMPENSATION CLAIMS**

Will be included in the January 28, 2005 Board Packet.

**Discussion:**

Director Norton commented that the City of Capitola's rates have gone up 40%, almost \$400,000. Director Norton requested information regarding the District's current workers compensation and long term disability rates and utilization and how they compare to other similar agencies.

**DIRECTOR BEAUTZ ARRIVED AT THIS TIME**

**10. CONSIDERATION OF RENEWAL OF CONTRACT FOR HAZARDOUS WASTE REMOVAL SERVICES**

**Summary:**

Tom Stickel reported that the District has a contract with Evergreen Oil for hazardous waste disposal, which expires at the end of this month. Evergreen Oil has indicated that they are interested in extending the contract term through January 31, 2006 under the same terms and conditions.

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

**Authorize the General Manager to enter into a one-year contract extension with Evergreen Oil, Inc. for hazardous waste removal services under the same terms and conditions.**

**Motion passed unanimously.**

**11. CONSIDERATION OF RENEWAL OF CONTRACT FOR FINANCIAL AUDIT AND TAX SERVICES**

Tom Stickel reported that this is another renewal. Elisabeth Ross reported that the District is happy with the services received from this company.

**12. CONSIDERATION OF AWARD OF CONTRACT FOR PURCHASE OF VEHICLES**

**Summary:**

Tom Stickel reported that purchasing through the State Procurement Process allows for better pricing. The two hybrid sedans would be gas/electric and the bi-fuel pickup truck would be gas/CNG.

**13. CONSIDERATION OF AWARD OF CONTRACT FOR PURCHASE OF LUBRICATION PRODUCTS**

**Summary:**

Tom Stickel reported the District participates in the Regional Transit Coordinating Council (RTCC) cooperative purchasing agreements, which offers volume discounts for commodities that are commonly used by RTCC member agencies. Mr. Stickel pointed out an error on page 2 of the Staff Report under Financial Considerations. The annual estimated budget for the two-year contract is \$30,000 rather than \$10,000, projecting \$28,000 this year and \$32,000 next year.

**ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HINKLE**

**Move Items #11, #12 and #13 to the Consent Agenda.**

**14. CONSIDERATION OF A RESOLUTION AUTHORIZING AN APPLICATION TO CALTRANS FOR FY 2005 RURAL OPERATING ASSISTANCE**

**Summary:**

Mark Dorfman reported that each year, the FTA apportions federal funds through the state to assist public transit operators in non-urbanized areas. This year, Caltrans has apportioned \$65,475 to Santa Cruz County.

**15. CONSIDERATION OF CALL STOP AUDIT REPORT**

**Summary:**

Bryant Baehr reported that this is a quarterly report covering October through December 2004. Most of the 36 stops not called were the result of one bus operator, who has been put into the disciplinary program for failure to call stops on Route 35.

Director Rotkin suggested moving this Item to Closed Session as potential litigation. Margaret Gallagher responded that the agenda had already been posted and it would be placed on the January 28, 2005 Closed Session Agenda.

**16. CONSIDERATION OF NOMINATION OF DIRECTORS TO SERVE AS BOARD OFFICERS FOR 2005, AND NOMINATIONS FOR APPOINTMENTS TO THE HIGHWAY 1 CONSTRUCTION AUTHORITY AND TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR 2005**

Nominations for office of Chair and Vice Chair of the Board:

Director Keogh as Chair  
Director Rotkin as Vice Chair

Nominations to the Highway 1 Construction Authority:

Primary: Reappoint Director Tavantzis  
Alternate: Reappoint Director Keogh

Nominations to the Regional Transportation Commission:

Primary: Directors Keogh, Reilly, Spence, Tavantzis  
Alternates: Directors Bustichi, Keogh, Reilly, Skillicorn

Margaret Gallagher reported that the nominations would remain open right up to the actual vote on January 28<sup>th</sup> and that the Board Officers would be elected immediately after Roll Call.

Jeff Le Blanc commented that, as a rider, he would like to see more advocacy supporting transit from the appointees on the RTC.

Ian McFadden, SEA, reported that he found it very frustrating to watch the RTC be torn between the Hwy and Rail. He hopes the HCA representatives will fight for more funding than Measure J would have provided and feels the Rail and Hwy projects would take away every dollar that should be going to transit.

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

Margaret Gallagher reported that the Board would discuss with their Legal Counsel the Workers Compensation case of Frank Sloan; the case of Fredy Castillo, the case of SCMTD v. Yvonne Aiassa Humphrey and a discussion with Labor Negotiator, Les White regarding SEIU.

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

None.

**SECTION II: CLOSED SESSION**

Vice Chair Keogh adjourned to Closed Session at 10:06.m. and reconvened to Open Session at 10:55 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**19. REPORT OF CLOSED SESSION**

Margaret Gallagher reported that the Board voted on the claim of Frank Sloan and unanimously approved a settlement of \$49,370.00 in a full Compromise and Release.

**ADJOURN**

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

Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator