

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

September 10, 2004

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A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, September 10, 2004 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**

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

#### **DIRECTORS PRESENT**

Jan Beautz (arrived after roll call)  
Michelle Hinkle  
Mike Keogh  
Emily Reilly  
Dale Skillicorn  
Pat Spence  
Mark Stone  
Marcela Tavantzis

#### **DIRECTORS ABSENT**

Sheryl Ainsworth  
Dennis Norton  
Mike Rotkin  
Ex-Officio Wes Scott

#### **STAFF PRESENT**

Bryant Baehr, Operations Manager  
Frank Cheng, MetroBase Project Manager  
Mark Dorfman, Assistant General Manager  
Margaret Gallagher, District Counsel  
Elisabeth Ross, Finance Manager

Robyn Slater, Human Resources Manager  
Judy Souza, Base Superintendent  
Tom Stickel, Fleet Maint. Manager  
Les White, General Manager

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

Jeff Le Blanc, MASTF  
Paul Marcelin-Sampson

Bonnie Morr, UTU  
Bob Yount, MASTF

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

#### **Oral:**

None

#### **Written:**

a. Will Regan, VMU

RE: Bart Cavallaro

3. **LABOR ORGANIZATION COMMUNICATIONS**

None.

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

None.

**CONSENT AGENDA**

5-1. **APPROVE REGULAR BOARD MEETING MINUTES OF AUGUST 13 AND AUGUST 27, 2004 AND THE SPECIAL MEETING MINUTES OF AUGUST 13, 2004**

The August 27, 2004 Minutes will be presented for consideration at the September 24, 2004 Board Meeting

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

No questions or comments.

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

Page 1 of the Ridership Report will be presented for consideration at the September 24, 2004 Board Meeting

5-4. **CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM ENTIRELY OF JOSE SAAVEDRA, CLAIM # 04-0016**

No questions or comments.

5-5. **ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR SEPTEMBER 22, 2004 AND MINUTES OF JULY 21, 004**

Les White reported that the September 15<sup>th</sup> MAC meeting had been rescheduled to September 22<sup>nd</sup> in observance of Rosh Hashanah.

5-6. **ACCEPT AND FILE AGENDA FOR THE MASTF COMMITTEE MEETING OF SEPTEMBER 16, 2004 AND THE MINUTES OF THE AUGUST 19, 2004 MEETING**

Documentation will be presented for consideration at the September 24, 2004 Board Meeting

5-7. **ACCEPT AND FILE PARACRUZ STATUS REPORT FOR JUNE 2004**

No questions or comments.

5-8. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY 2004**

Documentation will be presented for consideration at the September 24, 2004 Board Meeting

**5-9. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE**

No questions or comments.

**5-10. ACCEPT AND FILE METROBASE STATUS REPORT**

No questions or comments.

**5-11. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE JULY MEETING**

Director Tavantzis expressed concern that she had not been called to attend as an alternate due to Director Reilly's absence. Director Reilly responded that she thought she would be able to attend but had the dates mixed up and was unable to attend when she realized it was the day of the meeting.

**5-12. CONSIDERATION OF CONTRACT RENEWAL WITH DEVCO OIL FOR DISTRICT FUEL REQUIREMENTS**

Tom Stickel reported that the District had requested and received a reduction in price due to the current financial situation.

**5-13. CONSIDERATION OF CONTRACT RENEWAL WITH CLAREMONT BEHAVIORAL SERVICES FOR EMPLOYEE ASSISTANCE PROGRAM**

Tom Stickel reported that this was a simple renewal of an existing contract.

Director Keogh announced that Items # 5-14, 5-15 and 5-16 need to be acted upon today and that Board had the choice of acting upon Item # 5-19 today or deferring it to the September 24, 2004 meeting to be televised.

**5-14. CONSIDERATION OF ADOPTING A RESOLUTION ESTABLISHING A PETTY CASH FUND FOR THE PARACRUZ FACILITY**

Action required at the September 10, 2004 Board Meeting.

**ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR REILLY**

**Adopt a Resolution establishing a Petty Cash fund for the ParaCruz Facility.**

**Motion passed by unanimous affirmative voice vote in lieu of a roll call vote with Directors Ainsworth, Beautz, Norton and Rotkin being absent**

**5-15. CONSIDERATION OF APPROVAL OF CALPERS RESOLUTIONS TO FIX AND SET THE DISTRICT'S MEDICAL PREMIUM CONTRIBUTION RATES**

Action required at the September 10, 2004 Board Meeting.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR TAVANTZIS**

**Adopt Resolutions to fix and set the District's Medical premium contribution rates.**

**Motion passed by unanimous voice vote in lieu of a roll call vote with Directors Ainsworth, Beautz, Norton and Rotkin being absent**

**5-16. CONSIDERATION OF MODIFICATION TO CURRENT CLASS SPECIFICATION (JOB DESCRIPTION) OF THE PARTS CLERK TO REPLACE THE CLASS B DRIVER'S LICENSE REQUIREMENT WITH A CLASS C DRIVER'S LICENSE REQUIREMENT**

No questions or comments.

**5-17. CONSIDERATION OF APPROVAL OF PARATRANSIT CLASS SPECIFICATIONS (JOB DESCRIPTIONS) FOR PARATRANSIT OPERATOR, RESERVATIONIST, DISPATCH/ SCHEDULER, RESERVATION/SCHEDULING COORDINATOR, TRAINING AND ROAD RESPONSE COORDNATOR, MECHANIC II, AND SUPERINTENDENT**

Action required at the September 10, 2004 Board Meeting.

**ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR SKILLICORN**

**Discussion:**

Les White reported that he had just received suggested revisions from Director Spence, which are attached to these minutes. Discussion included incorporating Director Spence's ideas as long as it could be done easily and did not require UTU Labor Negotiations to be reopened.

**Approve Paratransit Class Specifications (Job Descriptions) for Paratransit Operator, Reservationist, Dispatch/ Scheduler, Reservation/Scheduling Coordinator, Training and Road Response Coordinator, Mechanic II, and Superintendent, incorporating Director Spence's suggestions contingent on UTU's approval; and adding the physical requirements to the Reservationist/Scheduling Coordinator.**

**Direction:**

- Add the physical requirements to the Reservationist/Scheduling Coordinator position and note in the current employee's file that these requirements are "Post Hire".
- Add "Preferred Bilingual" to Paratransit Operator description for future hires.
- Include in the Paratransit Coordination Task Force report everything we are doing or intend to do regarding ParaCruz going forward.

Director Keogh added the following friendly amendment, accepted by the maker and the second of the motion:

**If there are any problems with the legality of any of the language in Director Spence's suggestions, the Board will not accept that language.**

**Motion passed by unanimous voice vote in lieu of a roll call vote with Directors Ainsworth, Beautz, Norton and Rotkin being absent**

**5-18. NOTIFICATION OF ACTIONS TAKEN IN CLOSED SESSION REGARDING THE SETTLEMENT WITH GUILLERMO CHAVEZ**

No questions or comments.

**5-19. CONSIDERATION OF A RESOLUTION OF APPRECIATION AND REMEMBRANCE FOR THE SERVICES OF BART CAVALLARO AS A MEMBER OF THE BOARD OF DIRECTORS FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

**ACTION: MOTION: DIRECTOR HINKLE SECOND: DIRECTOR SKILLICORN**

**Move Item # 5-19 to the Regular Agenda for the September 24, 2004 Board Meeting.**

**Direction:**

- Staff to contact the Cavallaro family to notify them of the Resolution of Appreciation being given at the September 24, 2004 Board meeting.

**Motion passed unanimously with Directors Ainsworth, Beautz, Norton and Rotkin being absent.**

**REGULAR AGENDA**

**6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS**

This presentation will take place at the September 24, 2004 Board Meeting.

**7. CONSIDERATION OF RECEIPT OF THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION'S PARATRANSIT COORDINATION TASK FORCE (PCTF) AND DRAFT MINUTES OF AUGUST 18, 2004**

**Summary:**

Director Spence clarified the funding source for out of area trips and offered to email some information to the Board.

Paul Marcelin-Sampson said he would also forward information by email to the Board

**8. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT TO PURCHASE A VERTICAL LNG STORAGE TANK FOR AN LCNG FUELING STATION FOR THE METROBASE PROJECT**

Action required at the September 10, 2004 Board Meeting

**DIRECTOR SPENCE LEFT THE ROOM AT THIS TIME**

**Summary:**

Frank Cheng reported that in order to assure completion of the MetroBase Fueling Station on time, METRO is proposing to purchase fueling station components prior to awarding the General Construction Contract.

An Invitation For Bids went out on July 22, 2004 and two responses were received on August 23, 2004. METRO has completed the Cost/Price Analysis necessary to meet federal requirements and determined that the price is justified.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR SKILLICORN**

**Authorizing the General Manager to execute a contract to purchase a Vertical LNG Storage Tank for the LCNG Fueling Station for the MetroBase project**

**Motion passed unanimously with Directors Ainsworth, Beautz, Norton, Rotkin and Spence being absent.**

**9. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT TO PURCHASE TWO PRESSURE VESSEL ASSEMBLIES FOR THE LCNG FUELING STATION FOR THE METROBASE PROJECT**

Action required at the September 10, 2004 Board Meeting

**Summary:**

Frank Cheng reported that one bid was received on August 23, 2004 and that METRO has completed the Cost/Price Analysis necessary to meet federal requirements and determined that the price is justified.

**ACTION: MOTION: DIRECTOR SKILLICORN SECOND: DIRECTOR REILLY**

**Authorizing the General Manager to execute a contract to purchase two Pressure Vessel Assemblies for the LCNG Fueling Station for the MetroBase project.**

**Motion passed unanimously with Directors Ainsworth, Beautz, Norton, Rotkin and Spence being absent.**

**10. CONSIDERATION OF AWARD OF CONTRACT FOR GOODWILL LOSS APPRAISAL SERVICES FOR METROBASE PROPERTIES**

**Summary:**

Tom Stickel reported that the District has adopted a "Resolution of Necessity" in order to initiate eminent domain proceedings to acquire property located at 120 Golf Club Drive and has purchase 1122 River Street. In order to evaluate potential loss of goodwill claims, the District requested proposals from qualified goodwill appraisers.

**DIRECTOR SPENCE RETURNED AT THIS TIME**

A five-member evaluation committee comprised of District Staff and Marty Ackerman of the Redevelopment Agency reviewed and evaluated the proposals.

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR HINKLE**

**Authorizing the General Manager to execute a contract for Goodwill Appraisal Services for the MetroBase properties.**

**Motion passed unanimously with Directors Ainsworth, Beautz, Norton, and Rotkin being absent.**

**11. CONSIDERATION OF AWARD OF CONTRACT FOR SUPPLEMENTAL PARATRANSIT SERVICES**

Documentation will be presented for consideration at the September 24, 2004 Board Meeting

**12. CONSIDERATION OF APPROVAL OF RESOLUTION TO MODIFY SANTA CRUZ METRO'S BYLAWS INCLUDING:**

**A. CLARIFYING THAT APPOINTEES TO THE METROS ADVISORY COMMITTEE (MAC) SERVE AT THE PLEASURE OF THE BOARD OF DIRECTORS; AND**

**B. ADDING RULES OF PROCEDURE FOR BOARD MEETINGS, SELECTING REPRESENTATIVES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION, SETTING TIME LIMITS FOR TESTIMONY ON AGENDA ITEMS AND OTHER CHANGES**

**Discussion:**

Paul Marcelin-Sampson said he was impressed with the proposed language on both 12A and 12B.

Regarding 12A, Bonnie Morr pointed out that the 6<sup>th</sup> bullet under Summary of Issues was incorrect. She clarified that her position was not specific to MAC or any other group and mentioned the Watsonville City Council Code of Ethics. Director Tavantzis offered to forward this to Margaret Gallagher. Ms. Gallagher will bring revised language back to the next Board meeting.

Jeff Le Blanc made remarks to the Board, which are attached to these minutes, regarding the letter to the Board from the UTU Chair dated April 19, 2004.

**13. CONSIDERATION OF APPOINTING A PERMANENT METRO ADVISORY COMMITTEE (MAC) REPRESENTATIVE TO THE PARATRANSIT COORDINATION TASK FORCE (PCTF)**

Documentation will be presented for consideration at the August 27, 2004 Board Meeting.

**DIRECTOR BEAUTZ ARRIVED AT THIS TIME**

**14. CONSIDERATION OF APPOINTMENT OF DIRECTORS TO THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION (SCCIC)**

**Summary:**

Elisabeth Ross reported that the SCCIC is an independent non-profit organization established in 1986 by the Transit District to assist the District in financial transactions. The District Board is the appointing authority for the Board of Directors of the SCCIC.

Due to the expiration of the terms of the current Directors, the District Board must now consider reappointment of current Directors or appointment of new Directors to the SCCIC Board.

Ms. Ross also reported that more would be required of appointees in this term if the District participates in bond financing as a funding mechanism for MetroBase.

**15. CONSIDERATION OF PARACRUZ TRANSITION STATUS REPORT**

Documentation will be presented for consideration at the September 24, 2004 Board Meeting

**16. CONSIDERATION OF AUTHORIZING THE GENERAL MANGER TO EXECUTE AN AMENDMENT TO THE RNL DESIGN CONTRACT FOR ARCHITECTURAL/ENGINEERING SERVICES FOR THE METROBASE PROJECT**

**ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR TAVANTZIS**

**Move this item to the Consent Agenda for the September 24, 2004 Board Meeting.**

**Motion passed unanimously with Directors Ainsworth, Norton, and Rotkin being absent.**

**17. CONSIDERATION OF APPROVAL OF 40 YEAR LEASE WITH THE CITY OF SANTA CRUZ FOR PROPERTY NEEDED FOR THE METROBASE PROJECT**

Documentation will be presented for consideration at the September 24, 2004 Board Meeting.

**18. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A LEASE AGREEMENT WITH IULIANO 1977 TRUST FOR PROPERTY LOCATED AT 111 DUBOIS STREET FOR METROBASE PROJECT**

Documentation will be presented for consideration at the September 24, 2004 Board Meeting

**19. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A SUBLEASE AGREEMENT WITH FREDERICK ELECTRONICS (PLANTRONICS) FOR PROPERTY LOCATED AT 375 ENCINAL STREET FOR METROBASE PROJECT TO ASSIGN THE PROPERTY TO A TOOL SHED**



Documentation will be presented for consideration at the September 24, 2004 Board Meeting

**20. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A LEASE AMENDMENT WITH THE SCOTTS VALLEY TRANSIT CENTER TENANT TO EXTEND THE TERM, INCLUDE JANITORIAL DUTIES AND PROVIDE FOR THE REPAYMENT OF A PG&E BILL**

**Summary:**

Margaret Gallagher reported that this lease amendment would facilitate the Blue Dolphin to continue as a tenant. Les White reported that the Blue Dolphin's business has decreased by 25% due to the fact that the Hwy 17 now goes downtown, and not as many people have to drive to Scotts Valley. The Blue Dolphin has also requested the janitorial contract.

The Blue Dolphin has requested monthly payments of \$75 towards the \$2,178.95 it owes the District for the balance of a utility bill

Director Tavantzis suggested that the Blue Dolphin pay \$75 per month rather than forgiving their utility bill.

Paul Marcelin-Sampson suggested bartering weekend hours towards the utility bill.

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

Margaret Gallagher reported that the Board would discuss the Worker's Compensation case of Sonia McClure and the civil action of Freddy Castillo.

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

None.

**SECTION II: CLOSED SESSION**

Vice Chair Keogh adjourned to Closed Session at 10:15 a.m. and reconvened to Open Session at 10:45 a.m.

**SECTION III: RECONVENE TO OPEN SESSION**

**23. REPORT OF CLOSED SESSION**

Margaret Gallagher had nothing to report at this time.

**ADJOURN**

There being no further business, Vice Chair Keogh adjourned the meeting at 10:45 a.m.

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Respectfully submitted,

CINDI THOMAS  
Administrative Services Coordinator