

REVISED

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

January 27, 2006

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 27, 2006 at the at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chair Keogh called the meeting to order at 9:08 a.m.

SECTION 1: OPEN SESSION

1. a. ROLL CALL:

DIRECTORS PRESENT

Jan Beautz
Dene Bustichi (arrived after roll call)
Mike Keogh
Kirby Nicol
Emily Reilly
Mike Rotkin
Dale Skillicorn
Pat Spence
Mark Stone
Marcela Tavantzis

DIRECTORS ABSENT

Ex-Officio Wes Scott

STAFF PRESENT

Frank Cheng, MetroBase Project Manager
Mark Dorfman, Assistant General Manager
Terry Gale, IT Manager
Margaret Gallagher, District Counsel

Steve Paulson, Paratransit Administrator
Robyn Slater, Human Resources Manager
Judy Souza, Acting Operations Manager
Tom Stickel, Maintenance Manager

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

Genevieve Bookwalter, Santa Cruz Sentinel
Carolyn Derwing, UTU
Sandra Lipperd, UTU
Manny Martinez, PSA
Paul Marcelin-Sampson, MAC

Ian McFadden, SEA
Bonnie Morr, UTU
Will Regan, VMU
Amy Weiss, Spanish Interpreter
Robert Yount, MAC

b. CONSIDERATION OF:

1) ELECTION OF DIRECTORS TO SERVE AS BOARD OFFICERS

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- 2) ELECTIONS FOR APPOINTMENTS TO THE HIGHWAY 1 CONSTRUCTION AUTHORITY
- 3) ELECTIONS FOR THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION, AND
- 4) ELECTIONS FOR THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION TRANSPORTATION FUNDING TASK FORCE FOR 2006

Chair Keogh announced that he would take the elections out of order.

DIRECTOR BUSTICHI ARRIVED

ACTION: Reappoint Director Tavantzis to the HCA and reappoint Director Keogh to the HCA as the alternate

Director Tavantzis and Chair Keogh are appointed by unanimous vote with all Directors present

Director Spence volunteered to serve on the Regional Transportation Commission Transportation Funding Task Force, pending the times and locations of the meetings. Chair Keogh reported that since Director Spence volunteered to serve on the Funding Task Force, Mark Dorfman's name would be removed as a nominee.

ACTION: Appoint Director Spence to the Santa Cruz County Regional Transportation Funding Task Force as a member, and appoint Paul Marcelin-Sampson as a consumer

Director Spence and Mr. Marcelin-Sampson are appointed by unanimous vote with all Directors present

ACTION: Appoint Directors Spence, Tavantzis, and Keogh to the Santa Cruz County Regional Transportation Commission

Directors Spence, Tavantzis and Keogh are appointed by unanimous vote with all Directors present

ACTION: Appoint Directors Skillicorn, Bustichi and Rotkin as 1st, 2nd and 3rd Alternates to the Santa Cruz Regional Transportation Commission, Respectively

Directors Skillicorn, Bustichi and Rotkin are appointed by unanimous vote with all Directors present

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ACTION: Appoint Director Rotkin as Board Chair and Director Tavantzis as Vice-Chair

Directors Rotkin and Tavantzis are appointed by unanimous vote with all Directors present

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

Chair Rotkin thanked Mr. Keogh, the outgoing Chair, for his year of service during the past difficult year. Chair Rotkin stated that he would make himself available to receive input from the public, as well as METRO staff, in the coming year. Director Beautz thanked Mr. Keogh for putting in a lot of time, and for doing a good job in a difficult year.

ORAL AND WRITTEN COMMUNICATION

Written:

- | | | |
|----|--------------------------------|------------------|
| a. | Congresswoman Anna Eshoo | Re: Resolution |
| b. | Amy Weiss, Spanish Interpreter | Re: Holiday Card |

Chair Rotkin thanked Amy Weiss for sending the holiday card.

Oral:

Robert Yount of MAC reported that he is the new Chair of MAC, and Norm Hagen is the new Vice-Chair of MAC. Mr. Yount reported that MAC is three-fifths of the way through the ParaTransit Coordination Task Force recommendations. He reported that the California Air Resources Board recently declared environmental tobacco smoke as a toxic substance.

3. LABOR ORGANIZATION COMMUNICATIONS

Bonnie Morr, UTU, stated that she would like to comment on Item 5-13. Chair Rotkin stated that Item 5-13 would be pulled from the Consent Agenda.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

Revised Attachment "B" for Item #5-15 and written correspondence regarding Item #9 were distributed at today's meeting and attached to the file copy of these Minutes.

SECTION I:

OPEN SESSION:

REPLACE ITEM #1b

CONSIDERATION OF:

- 1) NOMINATION **ELECTION** OF DIRECTORS TO SERVE AS BOARD OFFICERS,

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- 2) ~~NOMINATIONS~~ **ELECTION** FOR APPOINTMENTS TO THE HIGHWAY 1 CONSTRUCTION AUTHORITY,
 - 3) ~~NOMINATIONS~~ **ELECTION** FOR APPOINTMENTS TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION, AND
 - 4) ~~NOMINATIONS~~ **ELECTION** FOR APPOINTMENTS TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION TRANSPORTATION FUNDING TASK FORCE FOR 2006
- (Replace original Staff Report with REVISED Staff Report)**

CONSENT AGENDA:

- INSERT ITEM #5-1** APPROVE REGULAR BOARD MEETING MINUTES OF OCTOBER 14 AND 28, 2005 AND SPECIAL MEETING MINUTES OF OCTOBER 11, 19, 26 AND 30, 2005
(Insert Minutes –the October 14, 2005 and October 28, 2005 Minutes will be included in the February 2006 Board Packet)
- ADD TO ITEM #5-3** ACCEPT AND FILE DECEMBER 2005 RIDERSHIP REPORT
(Page 1 will be distributed at the January 27, 2006 Board Meeting).
- REVISE ITEM #5-4** CONSIDERATION OF TORT CLAIMS: **DENY THE CLAIM OF CURTIS NATHAN, CLAIM #06-0001**; **DELETED: Action taken at the January 13, 2006 Board Meeting to DENY THE CLAIM OF NANCY ANECITO, CLAIM #05-0026**
(Insert New Claim)
- ADD TO ITEM #5-11** ACCEPT AND FILE METROBASE STATUS REPORT
(Insert ADDITIONAL Staff Report)
(Deleted: Will be included in the February 2006 Board Packet)
- ADD TO ITEM #5-13** CONSIDERATION OF FINANCIAL STATEMENTS AND REPORT OF INDEPENDENT AUDITOR FOR YEAR ENDING JUNE 30, 2005
(Insert Attachment “B”)
- DELETE ITEM #5-14** ACCEPT AND FILE CALL STOP AUDIT REPORT FOR THE PERIOD OF OCTOBER, NOVEMBER AND DECEMBER 2005
(Deleted: Will be included in the March 2006 Board Packet)
- ADD TO ITEM #5-15** CONSIDERATION OF APPROVAL OF BUYER RECLASSIFICATION TO INCLUDE TITLE CHANGE
(Revised Attachment “B” (2nd Revision) will be distributed at January 27, 2006 Board Meeting)
- DELETE ITEM #5-22** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN INDEMNITY AGREEMENT IN FAVOR OF THE CITY OF SANTA CRUZ REGARDING THE GARBAGE EQUIPMENT METRO RENTS FOR ITS FACILITIES
(Deleted: Action taken at the January 13, 2006 Board Meeting)
- ADD ITEM #5-24** **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A NEW LEASE AGREEMENT WITH WALID AND WINONA SUB LABAN DBA METROPOLITAN MARKET FOR MARKET SPACE AND RETAIL SPACE**

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(Insert Staff Report)

REGULAR AGENDA:

- DELETE ITEM #6** CONSIDERATION OF PRESENTATION BY URBITRAN ON THE BAY CORRIDOR FEASIBILITY ANALYSIS BUS RAPID TRANSIT PRELIMINARY CONCEPTUAL PLAN
(Deleted: Presentation took place at the January 13, 2006 Board Meeting)
- DELETE ITEM #8** CONSIDERATION OF **RESOLUTION** TO REVISE SANTA CRUZ METRO'S BYLAWS AND DIRECTOR'S CODE OF ETHICS TO INCORPORATE MODIFICATIONS REQUIRED BY NEW LEGISLATION (AB1234) WHICH BECAME EFFECTIVE JANUARY 1, 2006, REGARDING DIRECTOR'S COMPENSATION AND ETHICS REQUIREMENTS INCLUDING TRAINING
(Deleted: Will be included in the February 2006 Board Packet)
- ADD ITEM #11** CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO ISSUE A SOLE SOURCE CONTRACT WITH GIRO FOR HASTUS UPGRADE
(Insert Staff Report)

CONSENT AGENDA

- 5-1. APPROVE REGULAR BOARD MEETING MINUTES OF OCTOBER 14 AND 28, 2005 AND SPECIAL MEETING MINUTES OF OCTOBER 11,19, 26 AND 30, 2005
- 5-2. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF DECEMBER 2005
- 5-3. ACCEPT AND FILE DECEMBER 2005 RIDERSHIP REPORT (Page 1 will be included in the February 2006 packet)
- 5-4. CONSIDERATION OF TORT CLAIMS: DENY THE CLAIM OF CURTIS NATHAN, CLAIM #06-0001; DELETED: ACTION TAKEN AT THE JANUARY 13, 2006 BOARD MEETING TO DENY THE CLAIM OF NANCY ANECITO, CLAIM #05-0026
- 5-5. ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR JANUARY 18, 2006
- 5-6. ACCEPT AND FILE THE METRO ACCESSIBLE SERVICES TRANSIT FORUM (MASTF) AGENDA FOR JANUARY 19, 2006
- 5-7. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR SEPTEMBER 2005
- 5-8. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR SEPTEMBER 2005
- 5-9. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF OCTOBER 2005
- 5-10. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR THE MONTH OF NOVEMBER 2005
- 5-12. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE DECEMBER 2005 MEETING

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- 5-14 **DELETED: WILL BE INCLUDED IN THE MARCH 2006 BOARD PACKET (ACCEPT AND FILE CALL STOP AUDIT REPORT FOR THE PERIOD OF OCTOBER, NOVEMBER AND DECEMBER 2005)**
- 5-15 **CONSIDERATION OF APPROVAL OF DISTRICT BUYER RECLASSIFICATION TO INCLUDE TITLE CHANGE**
- 5-16 **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH THE LAW OFFICES OF MARIE F. SANG FOR LEGAL SERVICES IN THE AREA OF WORKERS COMPENSATION**
- 5-17 **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH EVERGREEN OIL, INC. FOR HAZARDOUS WASTE REMOVAL SERVICES**
- 5-18 **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH CRUZ CAR WASH FOR WASHING PARACRUZ VEHICLES**
- 5-19 **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH STEVE'S UNION FOR FUELING PARACRUZ VEHICLES**
- 5-20 **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH BROWN, ARMSTRONG, PAULDEN, MCCOWN, STARBUCK & KEETER ACCOUNTING CORPORATION FOR FINANCIAL AUDIT AND TAX SERVICES**
- 5-21 **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A LEASE ASSIGNMENT TRANSFERRING THE CURRENT RESTAURANT LEASE AT THE WATSONVILLE TRANSIT CENTER TO THE NEW RESTAURANT OWNERS**
- 5-22 **DELETED: ACTION TAKEN AT THE JANUARY 13, 2006 BOARD MEETING**
(CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN INDEMNITY AGREEMENT IN FAVOR OF THE CITY OF SANTA CRUZ REGARDING THE GARBAGE EQUIPMENT METRO RENTS FOR ITS FACILITIES)
- 5-23 **CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR FEDERAL LEGISLATIVE SERVICES**

Items #5-11, #5-13, and #5-24 were pulled from the Consent Agenda for discussion. Item #5-11 was moved to the Regular Agenda as #11a.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR TAVANTZIS

Director Tavantzis thanked METRO staff for the additional information relative to Item #5-15.

Approve the remainder of the Consent Agenda

Motion passed unanimously with all Directors present.

- 5-13 **CONSIDERATION OF FINANCIAL STATEMENTS AND REPORT OF INDEPENDENT AUDITOR FOR YEAR ENDING JUNE 30, 2005**

Bonnie Morr stated that she wants to move forward from the strike. She commented that communication is imperative and absolutely necessary. She distributed a letter that she wrote which is attached to the file copy of these Minutes that was addressed to the METRO Board and

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METRO Management regarding the audit. She stated that the UTU, as well as their attorneys, made several requests to receive the information contained in the audit during labor negotiations. She said neither the union nor their attorneys received the audit information. She stated that she was concerned about the audit, dated August 18, 2005 that is included in the January 2006 Board packet. She asked for documentation to substantiate the fact that the requested information was not available or ready for the union or their attorneys to use during labor negotiations. She stated that the past practice of the Union and the Finance Manager to meet and discuss the audit prior to the audit's release did not occur this time.

DIRECTION: CHAIR ROTKIN: This item shall appear on the next Board Agenda; and staff shall report to the Board at the next regular meeting to address the concerns expressed by Ms. Morr relative the August 18, 2005 audit.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR BEAUTZ

Formally accept the audited financial statements and reports prepared by the firm of Brown Armstrong, Certified Public Accountants, for the year ending June 30, 2005

Paul Marcelin-Sampson stated that the cost per hour, as listed at page 5-13.a7, indicates that the aggregate cost per hour two years ago was \$130.00, and last year it was approximately \$144.00. He said the aggregate cost per hour is an important indicator of future trends for METRO.

Motion passed unanimously with all Directors present.

5-24 CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A NEW LEASE AGREEMENT WITH WALID AND WINONA SUB LABAN, DBA METROPOLITAN MARKET FOR MARKET SPACE AND RETAIL SPACE

Director Spence recommended that the signage at the leased space to be limited to the name of the business and whether or not the business is open or closed. Director Spence reported that **she does not believe her wheelchair will fit within the Market's door and asked that it be checked and corrected if necessary.**

ACTION: MOTION: DIRECTOR SPENCE SECOND: DIRECTOR REILLY

Director Reilly thanked Director Spence for bringing the signage issue to the Board's attention. She commented that excessive signs are unattractive, as well as a security risk. She said it would be in everyone's best interest to limit the signage as recommended by Director Spence.

Authorize the General Manager to execute a new lease agreement with Walid and Winona Sub Laban, dba Metropolitan Market for market space and retail space. METRO staff shall take the necessary action to limit the signage at Metropolitan Market as recommended by Director Spence; and if necessary, to bring the matter back to the Board. Staff is directed to investigate whether or not METRO is meeting the law as it pertains to accessibility.

Motion passed unanimously with all Directors present.

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REGULAR AGENDA

9. **CONSIDERATION OF SUBMITTING A REQUEST THAT THE CALIFORNIA STATE LEGISLATURE AMEND THE METRO ENABLING STATUTE (SECTION 98000 ET. SEQ. OF THE CALIFORNIA PUBLIC UTILITIES CODE) TO PROVIDE FOR PROCEDURES FOR CITIZEN RECALL OF MEMBERS OF THE BOARD OF DIRECTORS**

Les White provided an overview of the current legislation relative to METRO Board appointments. He stated that the County of Santa Cruz sent a letter to indicate that they would like to change the legislation to allow for recall of METRO board members. He explained that the METRO Board is currently able to recall a Board member for cause, as opposed to a Board member being recalled by their appointing body. He recommended that the METRO Board direct staff to develop language to reflect their sentiments relative to recall procedures. Mr. White referenced a letter from the City of Scotts Valley that states they are not in favor of the County's proposal, but they would like METRO to explore the recall issue. He referenced letters from METRO to the Board of Supervisors, a letter from the Board of Supervisors in acknowledgement of METRO's letter, as well as letters from various municipalities in support of the projects and the programs that METRO is currently promoting in the legislature. Director Skillicorn reported that the Watsonville City Council unanimously voted to oppose the County's proposal. He said a letter to that effect was in the process of being written and should be received by METRO by January 30, 2006. Director Reilly reported that the City of Santa Cruz continued the item to allow for prior review of the letter by the public. Director Tavantzis expressed her views relative to the cost of performing a special election, as well as her views relative to the reasons for recalling a Board member. Director Bustichi expressed his views relative to the recall parameters. Chair Rotkin provided his insight into various agencies' past recall efforts. Director Beautz stated that she is in favor of the staff recommendations. Directors expressed their views relative to whether Board members or the public should have recall power. Director Nichol stated he is in favor of the staff recommendation. Ian McFadden asked that the Board look at incorporating Santa Cruz metro under the jurisdiction of PERB. Bonnie Morr recommended that the METRO Board recall procedure be a public process. Paul Marcelin-Sampson asked the Board to consider a restricted scope for removal for cause. He asked that the Board consider restricting recall elections to consolidated elections.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR BUSTICHI

Authorize the General Manager and District Counsel to prepare language that would amend Section 98000 et. seq. of the California Public Utilities Code to provide for procedures for citizen recall of Members of the Board of Directors and to authorize the submission of the amendatory language to the California State Legislature for consideration

Director Spence thanked the Board of Supervisors for re-appointing her to the METRO Board. Director Rotkin expressed his views relative to public support of the transit system.

Motion passed unanimously with all Directors present.

10. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR SEPTEMBER 2005

Les White reported that this item was moved from the Consent Agenda at the request of Director Reilly. He reported ridership in November of last year was the highest ever, in spite of service interruptions due to the strike. The November weekly ridership was the highest since 2001, averaging 778 passengers per weekday; and the Saturday ridership for November was the highest ever, at 298 passengers. He reported that the Capitol Corridor Joint Powers Authority, which represents Amtrak, CalTrans, Valley Transportation Authority, and METRO is a success story. CalTrans is using the Joint Powers Authority arrangement as a model for Southern California service plans. He reported that METRO will travel to Sacramento to talk about procuring additional equipment to make the Joint Powers arrangement more successful. He detailed the quick track, computerized AMTRAK ticketing machine that will be available at Pacific Station in Santa Cruz. People will be able to access the ticketing machine to purchase tickets to anywhere in the United States that AMTRAK travels. He said plans are underway to ask AMTRAK for permission to add a ticketing machine at the Scotts Valley Transit Center. Director Spence asked whether the Highway 17 Express could use the park and ride at Paul Sweet Road as a starting and ending point. Mr. White explained that there are no plans to provide that service. He said better bus connections to and from the park and ride will be realized once the Highway 1 auxiliary lanes are constructed.

ACTION: MOTION: DIRECTOR REILLY SECOND: CHAIR ROTKIN

Accept and file Highway 17 Status Report for September 2005

Motion passed unanimously with all Directors present.

11. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO ISSUE A SOLE SOURCE CONTRACT WITH GIRO, INC. FOR THE HASTUS UPGRADE

Mark Dorfman asked that the Board authorize the General Manager to purchase Hastus 2006 software upgrade in the amount of \$131,000.00, in accordance with the procurement by non-competitive proposals requirement under the Federal Transit Circular 4220.1e. He stated it's in the District's best interest to upgrade the software. He reported that Giro is crediting the District for work they've already performed. This would be a capital purchase, and funds are available for the purchase. Carolyn Derwing of UTU asked if the price includes the scaling or run cut module of the software, or if it includes the dispatch software. Mr. Dorfman reported that it includes the run cut and the Minibus. Director Tavantzis asked for clarification as to what the \$131,000.00 includes. Mr. Dorfman reported that IT would request upgrades for their use, separately. Mr. Dorfman reported that the funds are available in the capital reserve account.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN

Authorize the General Manager to issue a contract with Giro, Inc. for the purchase of the Hastus 2006 Upgrade

Motion passed unanimously with all Directors present.

11.a ACCEPT AND FILE METROBASE STATUS REPORT

Les White reported that this item was pulled from the Consent Agenda to discuss and provide new information. Frank Cheng reported that concrete piles would be driven down into the ground to stabilize the construction. He said the pile-driving project would be completed in two stages. The first stage would be 15 piles, beginning on approximately February 20, 2006, for 7 to 15 days. The second stage would be 115 piles, to begin approximately March 20, 2005, for approximately 12 to 15 weeks. Director Reilly suggested that METRO contact the City of Santa Cruz to alert the City of the project, and to give them time to prepare to answer questions and telephone calls from the public. She detailed the City's past practices for providing public awareness of projects that are similar to MetroBase. Director Rotkin requested an update on the CNG fueling and bus project. Les White reported that 8 CNG buses, which are 40-foot New Flyers, numbered 2201 through 2208, are dedicated CNG. He said the trolley replica is also a dedicated CNG bus. He reported that Mark Dorfman and Tom Stickel would travel to New Flyer in Winnipeg for a pre-production meeting, where two more dedicated CNG buses are on order. He said those buses are in production and they will be ready for service by fall of 2006. Mr. White reported that at least 5 buses would be converted this year. He reported that during calendar year 2006 there will be 10 dedicated CNG buses plus the trolley, plus an additional 5 bus conversions from diesel to CNG should funds become available. He said METRO would continue to convert the remainder of the 40 diesel buses, and all future bus purchases would be CNG. He explained the logic of the current slow-fill nighttime fueling process. He detailed the 6-minute per bus fill process that will be implemented after the contractor installs the equipment that is currently on-site. He stated that in November, when the 6-minute fill process will be operational, then the ten station slow-fill CNG station will become available for use by other local governments.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR BEAUTZ

Accept and file the MetroBase Status Report

Motion passed unanimously with all Directors present.

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

Chair Rotkin advised that the Board would be discussing with its Property Negotiator regarding the price and terms of property located at 1217 River Street in Santa Cruz. He said the Board would be discussing labor negotiations for unrepresented employees and for SEIU Local 415 with its Labor Negotiator as well.

13. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

Bonnie Morr asked for clarification of items that were discussed in closed session from the January 13, 2006 Board meeting, relative to UTU IWC matters. Chair Rotkin asked Ms. Morr if

she would be willing to discuss her concerns with Ms. Gallagher privately. Ms. Morr said that would be fine.

SECTION II: CLOSED SESSION

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Pursuant to Government Code Section 54956.8)

Property: 1217 River Street, Santa Cruz, California
APN 008-013-07

Negotiating parties: Leslie R. White, General Manager, for SCMTD
Dennis Stewart, Property Owner

Under Negotiation: Price and Terms of Payment

2. CONFERENCE WITH LABOR NEGOTIATOR
(Pursuant to Government Code Section 54957.6)

b. Agency Negotiator: Leslie R. White, General Manager

a. Unrepresented Employees: METRO Managers
(General Manager, Assistant General Manager,
MetroBase Project Manager, District Counsel,
Finance Manager, Assistant Finance Manager,
Human Resources Manager, Human Resources
Assistant Manager, IT Manager, Senior Database
Administrator, Maintenance Manager, Operations
Manager, Base Superintendent, Paratransit
Administrator, Paratransit Superintendent)

b. Employee Organization: Service Employees International Union
(SEIU), Local 415

Chair Rotkin adjourned to Closed Session at 10:31 a.m. and reconvened to Open Session at 11:58 p.m.

SECTION III: RECONVENE TO OPEN SESSION

6. REPORT OF CLOSED SESSION

Chair Rotkin stated the Board took no reportable action.

ADJOURN

There being no further business, Chair Rotkin adjourned the meeting at 12:00 p.m.

Respectfully submitted,

DEBI PRINCE
Administrative Assistant