



BOARD OF DIRECTORS

Minutes- Board of Directors

June 24, 2011

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District was held on Friday, June 24, 2011 at the Santa Cruz City Council Chambers, located at 809 Center Street in Santa Cruz, California.

Chair Pirie called the meeting to order at 9:05 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Margarita Alejo – arrived after roll call
Dene Bustichi
Daniel Dodge – arrived after roll call
Michelle Hinkle
Ron Graves
John Leopold –arrived after roll call
Mark Stone
Ellen Pirie
Lynn Robinson

DIRECTORS ABSENT

Hilary Bryant
Donald Hagen
Ex-Officio Donna Blitzer

STAFF PRESENT

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| Angela Aitken, Acting AGM/Finance Manager | Debbie Kinslow, Asst Finance Manager |
| Bob Cotter, Maintenance Manager | David Moreau, Asst Paratransit Superintendent |
| Frank Cheng, MB Project Manager | Robyn Slater, Human Resources Manager |
| Mary Ferrick, Fixed Route Superintendent | April Warnock, Paratransit Superintendent |
| Margaret Gallagher, District Counsel | Leslie R. White, General Manager |

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

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|------------------------|------------------|
| Veronica Elsea, E&DTAC | |
| Manny Martinez, PSA | Bonnie Morr, UTU |
| Ahmad , Transform | |

2. ORAL ANNOUNCEMENT: AMY WEISS WILL BE AVAILABLE FOR SPANISH LANGUAGE INTERPRETATION DURING "ORAL COMMUNICATIONS" AND FOR ANY OTHER AGENDA ITEM FOR WHICH THESE SERVICES ARE NEEDED

3-1. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS

Written:

a. Alvina Fuentes Cathrena Strates re: Support for Santa Cruz METRO

Oral:

Veronica Elsea, Chair of the E&D TAC Pedestrian Safety Workgroup, wanted to announce the public outreach campaign on sidewalk maintenance for Summer 2011, which was a result of the report on Improving Sidewalk Accessibility in Santa Cruz County. Ms. Elsey outlined the four messages of the campaign, said that METRO riders and drivers are a good group to enlist for reporting sidewalk concerns. Ms. Elsey referred to the RTC website for more information.

Lisa, a caretaker for a ParaCruz client named Richard, recounted the experience of using METRO, and said that she was grateful that the cuts to the fall schedule would not impact Richard's routine.

4. LABOR ORGANIZATION COMMUNICATIONS

None.

5. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

Leslie R. White noted that there was supplement for item #12, and also a revision page for item #6-9.

CONSENT AGENDA

6-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF APRIL 2011

6-2. MONTHLY BUDGET STATUS REPORTS FOR APRIL 2011 AND APPROVAL OF BUDGET TRANSFERS

6-3. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF APRIL 2011

6-4. ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR APRIL 2011

6-5. ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR JUNE 2011

6-6. ACCEPT AND FILE STATUS REPORT OF FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES

6-7. CONSIDERATION OF AWARD TO CONTRACT WITH AAA FENCE COMPANY, INC FOR PERIMETER FENCING INTALLATION AT THE FLEET MAINTENANCE BUILDING LOCATED AT 138 GOLF CLUB DRIVE FOR AN AMOUNT NOT TO EXCEED \$24,745.00 AND APPROVAL OF CONTRACT CHANGE ORDER PROCEDURES

6-8. CONSIDERATION OF A CHANGE ORDER FOR NORTH STAR INC., PURCHASE ORDER IN THE AMOUNT OF \$45,000 FOR THE LCNG FUELING STATION

6-9. CONSIDERATION OF AWARD TO PURCHASE WARRANTY PROTECTION WITH CUMMINS WEST, INC.

- 6-10. CONSIDERATION OF AMENDING THE CONTRACT WITH TIRE DISTRIBUTION SERVICES (TDS) TO INCLUDE TIRES FOR THE PARACRUZ FLEET FOR A TOTAL ADDITIONAL AMOUNT NOT TO EXCEED \$5,375**
- 6-11. RENEWAL OF LIABILITY AND VEHICLE PHYSICAL DAMAGE INSURANCE PROGRAM COVERAGE WITH CALTIP FOR FY12**
- 6-12. CONSIDERATION OF RESPONSES TO THE RECOMMENDATIONS CONTAINED IN THE TRIENNIAL PERFORMANCE AUDIT CONDUCTED BY LSC TRANSPORTATION CONSULTANTS, INC. ON BEHALF OF THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION**

Chair Pirie moved item #6-8 to the Regular Agenda as item# 14-1.

ACTION: MOTION: DIRECTOR GRAVES SECOND: DIRECTOR STONE

Approve the Consent Agenda as amended.

Motion passed unanimously with Directors Alejo, Bryant, Dodge, Hagen and Leopold being absent.

REGULAR AGENDA

7. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

The Board of Directors presented Certificates of Appreciation and 10 Year Service Pins for the completion of 10 years of service between 2001 and 2011 to: Jose Nanez, Bus Operator; Manuel Nieto, Bus Operator; Salvador Tolentino, Custodial Service Worker I; Donald Atwell, Bus Operator; Michael Booton, Transit Supervisor; John Gose, Bus Operator; Kenneth Tichenor, Bus Operator; Rickey Kale, Bus Operator; and Jeffrey Zenker, Bus Operator.

8. PUBLIC HEARING: RECEIVE PUBLIC COMMENTS ON SANTA CRUZ METRO'S PROPOSED DISADVANTAGED BUSINESS ENTERPRISE (DBE) GOAL OF 1.54% FOR FEDERAL FISCAL YEARS 2012-2014 (FFY12-FFY14). CONSIDERATION OF ADOPTING A FFY12-FFY14 GOAL OF 1.54% FOR DBE PARTICIPATION IN FEDERALLY ASSISTED PROCUREMENTS

CHAIR PIRIE OPENED THE PUBLIC HEARING – 9:20 A.M.

CHAIR PIRIE CLOSED THE PUBLIC HEARING – 9:21 A.M.

No comments received.

There was no discussion.

ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR STONE

Adopt a FFY12-FFY14 Goal of 1.54% for DBE participation in federally assisted procurements.

Motion passed unanimously with Directors Alejo, Bryant, Dodge, Hagen and Leopold being absent.

9. CONSIDERATION OF APPROVAL OF THE PROPOSED METRO FIXED ROUTE SERVICE REDUCTIONS FOR FALL 2011

Summary:

Ciro Aguirre and Carolyn Derwing presented the proposed fixed route service reductions for Fall 2011.

DIRECTORS ALEJO AND DODGE ARRIVED.

Discussion:

Directors Pirie, Robinson, Stone, Dodge, Hinkle, and Alejo thanked staff for their efforts. Bonnie Morr, UTU, pointed out that the loss of the Route 10 will result in increased passenger loads, and that modifications made by the City of Santa Cruz make Route 19 more difficult.

DIRECTOR LEOPOLD ARRIVED.

ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR ROBINSON

Approve of the proposed METRO Fixed Route service reductions for Fall 2011.

Motion passed unanimously with Directors Bryant and Hagen being absent.

10. PUBLIC HEARING: ADOPTION OF THE FY12 FINAL BUDGET

Summary:

Angela Aitken said that the budget was balanced, and presented the staff report. Director Leopold thanked staff and cautioned vigilance.

CHAIR PIRIE OPENED THE PUBLIC HEARING – 9:45 A.M.

Bonnie Morr, UTU, stated that she had concerns about the budget, and promised to stay diligent.

CHAIR PIRIE CLOSED THE PUBLIC HEARING – 9:49 A.M.

Discussion:

There was a discussion about which jobs were being unfunded. Director Bustichi thanked staff for their efforts.

ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR ROBINSON

Adopt the FY12 Final Budget.

Motion passed unanimously with Directors Bryant and Hagen being absent.

11. CONSIDERATION OF AMENDING SANTA CRUZ METRO’S FARE ORDINANCE 84-2-1 WITH SUBSEQUENT RESOLUTION AND REGULATION TO INCLUDE INCREASED FARES, NEW BUS PASSES, AND SMART CARD FARE MEDIA.

Summary:

Angela Aitken said that the proposed amendments to METRO’s Fare Ordinance were being presented for a First Reading.

Discussion:

There was a discussion about the uses and capabilities of Smart Cards. Director Stone asked if users would be able to check Smart Card balances online. Leslie R. White suggested that it should be looked into. Bonnie Morr, UTU, asked about a pass for Cabrillo College students. Ms. Morr said that there were problems with the new system and that no one had yet talked to drivers about the Smart Cards. Leslie R. White said that it was hoped that the proximity card would speed up the boarding times. Director Pirie asked if Cabrillo College could take advantage of the bulk rate for passes. Leslie R. White said that they could. Director Leopold expressed his wish that the District would be able to work with Cabrillo College in the future on a bus pass.

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR STONE

Accept and file comments received during First Reading of the proposed amendments to METRO’s Fare Ordinance.

Motion passed unanimously with Directors Bryant and Hagen being absent.

12. CONSIDERATION OF APPROVAL OF SANTA CRUZ METRO BECOMING A PARTNER IN THE “INVEST IN TRANSIT” CAMPAIGN IN SUPPORT OF THE NON-PROFIT TRANSFORM’S STATEWIDE AND REGIONAL EFFORTS TO SIGNIFICANTLY INCREASE FUNDING FOR PUBLIC TRANSIT IN CALIFORNIA

Summary:

Leslie R. White introduced Ahmad Chapman from Transform. Mr. Chapman detailed the activities of Transform, described the Invest in Transit Campaign, and said that the two goals for the campaign are greater funding and greater local control for local transit. Mr. Chapman said Invest in Transit will help meet the goals of AB32 and SB375, but can not move forward on implementing policies for those goals without transit as a basis for the system, and he invited METRO to join.

Discussion:

Bonnie Morr said she had heard only good things about Transform and she was interested in becoming a participant.

ACTION: MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR LEOPOLD

Approve METRO’s partnership with the “Invest in Transit” campaign in support of statewide and regional efforts to significantly increase funding for public transit in California.

Motion passed unanimously with Directors Bryant and Hagen being absent.

13. CONSIDER APPROVAL OF CLASS SPECIFICATION CHANGE FROM SENIOR ACCOUNTING TECHNICIAN TO PAYROLL ACCOUNTING SUPPORT SPECIALIST

Summary:

Robyn Slater said that in December of 2010, the incumbent Senior Accounting Technician requested a review of the position so that it might reflect her job description more specifically. Ms. Slater said that the Union had been consulted, and a wage survey conducted showed that there would be no change wage. Bonnie Morr pointed out that the document erroneously referred to UTU.

ACTION: MOTION: DIRECTOR ROBINSON SECOND: DIRECTOR BUSTICHI

Approve a class specification change from Senior Accounting Technician to Payroll Accounting Support Specialist.

Motion passed unanimously with Directors Bryant and Hagen being absent.

14. CONSIDERATION OF THE RECOMMENDATION FROM THE METRO ADVISORY COMMITTEE TO MOVE THE LOCATION OF THE FIRST BOARD MEETING OF THE MONTH FROM THE CURRENT 110 VERNON LOCATION TO A LOCATION THAT IS MORE ACCESSIBLE BY PUBLIC TRANSPORTATION SERVICE

Summary:

Leslie R. White said that MAC had made a suggestion for a more accessible meeting venue for the first Board meeting of the month, possible in light of proposed service reductions to Route #4.

Discussion:

There was a discussion about whether the recommendation was still valid, since the proposed cuts for Route #4 never materialized.

ACTION: MOTION: DIRECTOR STONE SECOND: DIRECTOR LEOPOLD

Direct staff to consult with MAC to see if recommendation is still valid.

Motion passed unanimously with Directors Bryant and Hagen being absent.

14.1 CONSIDERATION OF A CHANGE ORDER FOR NORTH STAR INC., PURCHASE ORDER IN THE AMOUNT OF \$45,000 FOR THE LCNG FUELING STATION

Chair Pirie asked what the contract entailed, and why the item was on the agenda. Leslie R. White said that change order was to cover the costs of replacement parts, which were not included in the original contract. Director Graves opined that METRO had bought a “pig in a poke.”

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR BUSTICHI

Authorize a change order for the North Star Inc., Purchase Order in the amount of \$45,000 for the LCNG Fueling Station.

Motion passed with Director Graves voting no, and Directors Bryant and Hagen being absent.

15. **ORAL ANNOUNCEMENT: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, AUGUST 12, 2011 AT 8:30 A.M. AT THE SANTA CRUZ METRO ADMINISTRATIVE OFFICES LOCATED AT 110 VERNON STREET, SANTA CRUZ**

16. **REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION: District Counsel**
Margaret Gallagher stated that the Board of Directors would have a conference with Labor Negotiators Robyn Slater, Angela Aitken, Ciro Aguirre, and Mary Ferrick. Ms. Gallagher said that the Employee Organizations are the United Transportation Union (UTU), Local 23 (Fixed Route). Ms. Gallagher said that the Board would also have a conference with legal counsel regarding the existing litigation of Mario De La Garza v. Santa Cruz METRO, Joseph Blair v. Santa Cruz METRO, and Commerce West Insurance Company, Subrogating for Vince Tabula and Erika Guido v. Santa Cruz METRO.

17. **ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION**
Bonnie Morr, UTU, apologized for a misunderstanding at the last Board meeting. Ms. Morr announced that UTU Local 23 had ratified a one-year contract extension by a vote of 77 in favor and 73 opposed. Ms. Morr said that her members were not happy, and she noted that during a labor dispute in 2005 SEIU took a 3% raise. Ms. Morr said that Union-encouraged retirements have resulted in a savings of \$1.2 million. Ms. Morr noted that almost half of her membership voted against the extension and to go back into negotiations because they saw that monies were being found, sales tax had gone up, and diesel tax went up. Ms. Morr said that UTU 23 is accepting a one-year freeze as agreed to, and she said that she and her members do not forget easily and were not going away because they believed that the transit system would continue.

Ms. Morr requested the support of the Board for an existing legal matter.

Chair Pirie asked Bonnie Morr to convey the appreciation of the Board to her membership for their help during these difficult financial times, and said that the Board was disappointed that SEIU did not agree to waive their 3% raise. Bonnie Morr said that SEIU was entitled to their 3% raise, but that she would have loved to see management take a leadership role like Leslie R. White.

SECTION II: CLOSED SESSION

1. **CONFERENCE WITH LABOR NEGOTIATORS**
(Pursuant to Government Code Section 54957.6)
 - a) Agency Negotiators: Robyn Slater, Human Resources Manager; Angela Aitken, Acting Assistant General Manager/Finance Manager; Ciro Aguirre, Operations Manager; and Mary Ferrick, Fixed Route Superintendent
 1. Employee Organizations: United Transportation Union (UTU), Local 23 (Fixed Route)

2. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**
(Pursuant to Government Code Section 54956.9)
 - a) Name of Case: Mario De La Garza v. Santa Cruz METRO
(Before the Superior Court of Santa Cruz County)

- b) Name of Case: Joseph Blair v. Santa Cruz METRO
(Before the Superior Court of Santa Cruz County)
- c) Name of Case: Commerce West Insurance Company, Subrogating for Vince
Tabula and Erika Guido v. Santa Cruz METRO

SECTION III: RECONVENE TO OPEN SESSION

18. REPORT OF CLOSED SESSION

Margaret Gallagher stated that the Board of Directors had unanimously approved the one-year extension of the MOU with UTU Local 23 with Directors Bryant and Hagen being absent.

ADJOURN

There being no further business, Chair Pirie adjourned the meeting at 11:06 a.m.

Respectfully submitted,



ANTHONY TAPIZ
Administrative Services Coordinator