



**Minutes- Board of Directors**

**February 24, 2012**

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, February 24, 2012 at the Watsonville City Council Chambers, located at 275 Main Street in Watsonville, California.

Chair Robinson called the meeting to order at 9:04 a.m.

**SECTION 1: OPEN SESSION**

**1. ROLL CALL:**

**PRESENT**

- |                                   |                                     |
|-----------------------------------|-------------------------------------|
| Director Margarita Alejo          | <input checked="" type="checkbox"/> |
| Director Hilary Bryant            | <input checked="" type="checkbox"/> |
| Director Dene Bustichi            | <input type="checkbox"/>            |
| Director Daniel Dodge             | <input checked="" type="checkbox"/> |
| Director Ron Graves               | <input checked="" type="checkbox"/> |
| Director Michelle Hinkle          | <input checked="" type="checkbox"/> |
| Director Deborah Lane             | <input checked="" type="checkbox"/> |
| Director John Leopold             | <input checked="" type="checkbox"/> |
| Director Ellen Pirie              | <input type="checkbox"/>            |
| Director Lynn Robinson            | <input checked="" type="checkbox"/> |
| Director Mark Stone               | <input checked="" type="checkbox"/> |
| Ex-Officio Director Donna Blitzer | <input type="checkbox"/>            |

**STAFF PRESENT**

- Leslie R. White, General Manager
- Margaret Gallagher, District Counsel
- Frank Cheng, IT & MB Project Manager
- Ciro Aguirre, Operations Manager
- Erron Alvey, Purchasing Agent
- Anthony Tapiz, Administrative Svcs Coordinator
- Sherri Escobedo, Administrative Assistant

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

Will Regan, VMU	Carol Cole, family of Judy Souza
Eileen Wagley, SEA	Tonya Souza Large, family of Judy Souza
Bonnie Morr, UTU	Kaillyn Large, family of Judy Souza
Manny Martinez, PSA	Taylor Large, family of Judy Souza
Troy Souza, family of Judy Souza	Tony Souza, family of Judy Souza
Shirley Stroh, family of Judy Souza	Todd Souza, family of Judy Souza
Jordan & Cory Souza, family of Judy Souza	

**2. ORAL ANNOUNCEMENT: SPANISH LANGUAGE INTERPRETATION**

Amy Weiss announced that she was available for Spanish language interpretation.

**3. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS**

WRITTEN:

**a. CORRESPONDENCE REGARDING ACCEPTING THE Q-POD RESTRAINT SYSTEMS IN METRO BUSES**

Received from: John Daugherty, E&DTAC

**4. LABOR ORGANIZATION COMMUNICATIONS**

None.

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

Regular Agenda, Revised Disadvantaged Business Enterprises (DBE) Program Documents

**CONSENT AGENDA**

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

Submitted By: Angela, Aitken, Finance Manager

**6-2. CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM OF SAHAR TAGHVAEI, CLAIM #12-0003**

Submitted by: Margaret Gallagher, District Counsel

**6-3. ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR THE MONTH OF DECEMBER 2011**

Submitted by: Leslie R. White, General Manager

**6-4. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF DECEMBER 2011**

Presented by: April Warnock, Paratransit Superintendent

**6-5. ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR FEBRUARY 2012**

Presented by: Leslie R. White, General Manager

**6-6. ACCEPT AND FILE STATUS REPORTS OF PROPOSED FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES**

Presented by: Leslie R. White, General Manager

Leslie R. White, presented two resolutions for Board approval in support of Federal Legislation, S1813, Moving Ahead for Progress in the 21st Century. The second one (1) in strong opposition to HR7, the Surface Transportation Act.

**6-7. ACCEPT AND FILE ACCESSIBLE SERVICES REPORT FOR DECEMBER 2011**

Submitted by: John A. Daugherty, Accessible Services Coordinator

**6-8. CONSIDERATION OF AGREEMENT WITH THE SANTA CRUZ SEASIDE COMPANY FOR THE PROVISION OF LATE-NIGHT SERVICE**

Submitted by: Ciro Aguirre, Operations Manager

Director Dodge had a question about the route and times for this service. Ciro Aguirre stated that the route will start at the Boardwalk, go to METRO Center, and that the last bus leaves at 11:00 pm in front of the casino. Eduardo Montesino, UTU Local 123, confirmed that a route 71 bus is the one in front of the casino for this service.

**6-9. NOTIFICATION OF HIRING FLEET MECHANICS**

Submitted by: Robyn Slater, Human Resources Manager

**6-10. CONSIDERATION OF DECLARING TWO (2) NEW FLYER BUSES AND ONE (1) LOT OF SURPLUS PARTS FOR THE ABOVE LISTED VEHICLES AS EXCESS FOR PURPOSES OF DISPOSAL OR AUCTION**

Submitted by: Angela Aitken, Finance Manager

**6-11. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO SIGN A CONTRACT EXTENSION WITH BATTERIES, USA, INC. FOR FURNISHING HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES THROUGH MAY 28, 2012 FOR AN AMOUNT NOT TO EXCEED \$7000**

Submitted by: Erron Alvey, Purchasing Agent

**6-12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO SIGN A CONTRACT RENEWAL WITH MASTER CAR WASH FOR PARACRUZ VEHICLE WASHING SERVICES**

Submitted by: Erron Alvey, Purchasing Agent

**6-13. CONSIDERATION OF AWARD OF CONTRACT WITH TOYOTA MATERIAL HANDLING FOR PURCHASE OF AN ELECTRIC FORKLIFT FOR AN AMOUNT NOT TO EXCEED \$33,662.13**

Submitted by: Erron Alvey, Purchasing Agent

**6-14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO SIGN A CONTRACT EXTENSION WITH ANDREWS INTERNATIONAL, INC. FOR SECURITY GUARD SERVICES IN AN AMOUNT NOT TO EXCEED \$100,000**

Submitted by: Erron Alvey, Purchasing Agent

**ACTION: MOTION: DIRECTOR GRAVES SECOND: DIRECTOR HINKLE**

**Approve Consent Agenda as presented.**

**Motion passed unanimously with Directors Bustichi and Pirie being absent.**

**REGULAR AGENDA**

**7.0 PUBLIC HEARING ON THE PROPOSED SANTA CRUZ METRO DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM UPDATE AND CONSIDERATION OF IMPLEMENTATION OF THE UPDATED PROGRAM**

Leslie R White presented the staff report on the DBE Program. Mr. White explained that this is an update to the DBE Program due to litigations and/or circumstances, and that there were additional items in Small Business regulations that needed to be adopted and added. There was a discussion about the goals to be achieved and the best efforts of contractors to participate in DBE. Mr. White recommended the Board accept the update to the DBE Program.

Director Dodge asked what the Committee's responsibility was. Leslie R. White explained that the committee's responsibilities are to participate in the triennial goal, to make sure contractors are contacting subcontractors, to ensure the list of DBE's is being given to all bidders of contracts, to provide oversight. Director Dodge stated that his concern was low bids with cost overruns. Mr. White stated that when change orders do occur and they are over the threshold, the matter will come back to the Board for confirmation, but that METRO does have a process in place to make sure that doesn't happen including a thorough background check on Contractors.

CHAIR ROBINSON OPENED THE PUBLIC HEARING AT 9:16 A.M. CLOSED AT 9:17 A.M.  
No comments received from public.

**ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR GRAVES**

**Approve the adoption of the DBE Program Update.**

**Motion passed unanimously with Directors Bustichi, and Pirie being absent.**

**8.0 CONSIDERATION OF A POSTHUMOUS RESOLUTION OF APPRECIATION AND REMEMBRANCE FOR THE SERVICES OF JUDY K. SOUZA AS BASE SUPERINTENDENT FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Leslie R. White presented the staff report regarding Judy Souza's service to METRO. Mr. White also recommended that the new facility at Operations be named the Judy K. Souza Operations Facility in recognition of her remarkable achievement and excellent service to METRO.

**9.0 CONSIDERATION OF A RESOLUTION DEDICATING THE FUTURE METRO OPERATIONS FACILITY IN HONOR OF JUDY K. SOUZA**

Director Robinson read the resolutions.

**ACTION: MOTION: DIRECTOR STONE            SECOND: DIRECTOR HINKLE**

**Approve the Posthumous Resolution of Appreciation and Remembrance of Judy K. Souza, and the Resolution of Dedicating the Future METRO Operations Facility in Honor of Judy K. Souza**

**Motion passed unanimously with Directors Bustichi, and Pirie being absent.**

Public Comments were made by Troy Souza, Shirley Stroh, Carole Cole, Tonya Souza, Kaillyn Large, Troy Large, Tony Souza, Todd & Kelly Souza, Jordan & Cory Souza, all Family of Judy K. Souza, thanking the Board and METRO for recognizing Judy's service. There was also public comment from Bonnie Morr, UTU, Will Regan, VMU, Eileen Wagley, SEA, and Manny Martinez, PSA regarding Judy's service, support and dedication.

Director Dodge also thanked the family for being here, and stated how important it is to recognize community heroes, noting that Judy broke the barriers, empowered families, and changed people's lives.

Director Stone stated that he met Judy in 2003 and that she was a great point of reference for where METRO has come from and where we have to go, and that Judy shaped the heart of the district, and truly cared for METRO.

Director Leopold stated that METRO over its history has been a trailblazer, and that Judy was truly a trailblazer by opening up opportunities for women, and stated that he was honored to have her name as part of the district.

Director Robinson stated that this was a rare and wonderful thing to do, and that she was thrilled to be a part of it.

**10.     RESOLUTION OF APPRECIATION FOR THE SERVICES OF DONALD (NORM) HAGEN AS A MEMBER OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT BOARD OF DIRECTORS**

Director Robinson read the resolution.

**ACTION: MOTION: DIRECTOR DODGE            SECOND: DIRECTOR GRAVES**

**Approve the Resolution of Appreciation for the services of Donald (Norm) Hagen as a member of the Santa Cruz Metropolitan Transit Board of Directors**

**Motion passed unanimously with Directors Bustichi, and Pirie being absent.**

There was public comment from Eileen Wagley, SEA, Will Regan, VMU, and Bonnie Morr, UTU, thanking Mr. Hagen for his service and for his accessibility to METRO Staff.

Director Dodge thanked Mr. Hagen for his service, and said that Community members make Santa Cruz County special, and Norm was definitely an advocate for those who don't have a voice.

Director Bryant thanked Mr. Hagen for always being so helpful and welcoming.

Director Stone thanked Mr. Hagen for his service, and stated that he was a delight to work with.

Director Robinson stated that Mr. Hagen was a great mentor, and she is very appreciative of his service.

Donald Hagen then thanked the Board and METRO Staff, thanked Mark Stone & Tony Campos for appointing him and spoke briefly of his time on the Board, and the independence that the METRO system has given him.

**11. CONSIDERATION OF RESOLUTIONS OF APPRECIATION FOR THE SERVICES OF ASSEMBLYMAN LUIS ALEJO AND ASSEMBLYMAN BILL MONNING ON BEHALF OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT**

Director Robinson read the resolutions.

There was public comment from Will Regan, VMU, Manny Martinez, PSA, and Eduardo Montesino, UTU thanking them for the service and for being advocates for Santa Cruz County.

**ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR HINKLE**

**Approve the Resolutions of Appreciation for the services of Assemblyman Luis Alejo and Assemblyman Bill Monning on behalf of the Santa Cruz Metropolitan Transit District**

**Motion passed unanimously with Directors Bustichi, and Pirie being absent.**

Public Comment: Javier Gomez, representing Luis Alejo's office, thanked everyone for this recognition. Patrick Mulhearn, representing Bill Monning, stated that it was an honor to be a part of this endeavor and that they are enthusiastic fans of METRO and he thanked everyone for this honor.

Director Leopold expressed his appreciation to the assembly members and spoke about the importance of advocacy of our legislative delegation to make things happen.

Director Robinson stated that remembering back to her second year on the board, when public transportation funding was getting annihilated, and wondering why our political champions were going along with things that were really harmful to us and to the community as far as resources, and realizing that you have to step back and see that they are trying to do their best as well. Because of your advocacy we are now coming to this moment, where something phenomenol is happening that has been decades in the making, and we are so appreciative and grateful of their work.

**12. CONSIDERATION OF CONTINUING SPONSORSHIP OF LEADERSHIP SANTA CRUZ COUNTY IN ORDER TO PROVIDE EDUCATION ON TRANSPORTATION ISSUES, SERVICES, AND FACILITIES AND TO PROVIDE THE OPPORTUNITY FOR METRO STAFF TO PARTICIPATE IN THE PROGRAM**

Leslie R. White presented the staff report on Leadership Santa Cruz County. Mr. White recommended approval from the Board for the provision of buses for dates already set for March 30, April 13<sup>th</sup> and June 1<sup>st</sup> for Leadership Santa Cruz County Program.

Public Comment: None

**ACTION: MOTION: DIRECTOR BRYANT SECOND: DIRECTOR LEOPOLD**

**Approve the Sponsorship of Leadership Santa Cruz County in order to provide education on transportation issues, services, and facilities and to provide the opportunity for METRO staff to participate in the program**

**Motion passed unanimously with Directors Bustichi, and Pirie being absent.**

Director Dodge asked if there was METRO Staff as far as Transit Operators involved. Mr. White stated at this time only Administrative Staff, contractual and Management has participated, but METRO has not had Operators participate but it's an interesting prospect. Director Dodge stated that he thinks it would be good for Transit Operators to interact with other leaders in our community.

**13. CONSIDERATION OF AWARD OF CONTRACT WITH UNITED INDUSTRIES GROUP, INC. FOR PURCHASE OF A 15,000 GALLON VERTICAL LNG STORAGE TANK FOR AN AMOUNT NOT TO EXCEED \$311,731.00**

Frank Cheng presented the staff report. Mr. Cheng stated that METRO had received two bids for this project in November 2011 that was brought to the Board, however both of these bids were found to be unresponsive. METRO has now received one responsive bid to act upon. There was a discussion about the original estimate and the cost of this bid, since it seems higher than the original. Mr. Leslie R. White stated that it is somewhat higher. However since the original bids had language in the contracts that was not acceptable to METRO, a new RFP had been submitted and METRO found the new bid to be acceptable and it is still under the original budget amount set aside.

Public Comment: None

**ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR BRYANT**

**Approve the award of contract with United Industries Group, Inc. for the purchase of a 15,000 gallon vertical LNG Storage Tank for an amount not to exceed \$311,731.00**

**Motion passed unanimously with Directors Bustichi, and Pirie being absent.**

Director Hinkle left the room

**14. CONSIDERATION FO CONTRACT RENEWAL WITH NELLA OIL COMPANY, LLC DBA OLYMPIAN FOR OFF-SITE REFUELING OF PARACRUZ VEHICLE FOR AN AMOUNT NOT TO EXCEED \$250,000**

Erron Alvey presented the staff report indicating that this is one year contract renewal at a slightly higher cost due to the new Versa Shuttles which use a little more gas.

Public Comment: None

**ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR DODGE**

**Approve the contract renewal with Nella Oil Company, LLC DBA Olympian for off-site refueling of Paracruz Vehicles for an amount not to exceed \$250,000**

**Motion passed unanimously with Directors Bustichi, and Pirie being absent.**

Director Hinkle came back in the room.

- 15. CONSIDERATION OF AUTHORIZING:**
- 1.) THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH RNL DESIGN, INC. FOR AN AMOUNT NOT TO EXCEED \$800,000, AND FOR THE PERIOD OF TIME OF MARCH 1, 2012 THROUGH JUNE 30, 2015.**
  - 2.) THE GENERAL MANAGER TO ISSUE A REQUEST FOR PROPOSALS FOR CONSTRUCTION MANAGEMENT SERVICES.**
  - 3.) ESTABLISHMENT OF AN ADMINISTRATIVE SPECIALIST POSITION TO ASSIST THE PROJECT MANAGER IN RECORD KEEPING AND CONTRACTOR MONITORING.**
  - 4.) THE GENERAL MANAGER TO ISSUE AN INVITATION FOR BIDS (IFB) FOR THE CONSTRUCTION OF THE OPERATIONS BUILDING, PARKING STRUCTURE, BUS PARKING FACILITY AND DEMOLITION OF EXISTING OPERATIONS BUILDING.**

Mr. Leslie R. White presented the staff report and showed a picture of the future Operations Facility that was originally designed by RNL Design, Inc. There was a discussion about the budget and the funds available for this project, and an explanation about the staff requirements.

Comments from the Public: Eileen Wagley, SEIU, expressed her appreciation for the consideration of the staffing of the Administrative Specialist position.

Bonnie Morr, UTU, expressed her appreciation of this facility finally coming to fruition, and wanted to express as a reminder, that we use Labor Harmony, Project Labor Language, and prevailing wage languages. She also stated that she would like to see Local Subcontractors be included in this project, as well as Local Laborers.

Mr. White stated that there is a Labor Harmony provision and an Apprenticeship program that METRO worked through with the Billing & Trades Unions that is included in all contracts. METRO will also be emphasizing the DBE Program, and would like to see as much local participation as possible to stimulate the local economy.

Director Graves asked if this budget included a contingency fund. Mr. White explained that all the construction contracts include a contingency fund.

Director Robinson stated that METRO should have a representative attend the Harvey Park West Association Meeting to apprise them of the construction project.

**ACTION: MOTION: DIRECTOR STONE            SECOND: DIRECTOR BRYANT**

- 1. Approve the General Manager to execute a contract with RNL Design Inc. for an amount not to exceed \$800,000 and for the period of time of March 1, 2012 through June 30, 2015**
- 2. Approve the General Manager to issue a request for proposals for construction management services**
- 3. Approve the establishment of an Administrative Specialist position to assist the project manager in record keeping and contractor monitoring**
- 4. Approve the General Manager to issue an invitation for bids (ifb) for the construction of the operations building, parking structure, bus parking facility and demolition of existing operations building**

**Motion passed unanimously with Directors Bustichi, and Pirie being absent.**

**16.    PRESENTATION BY JOVENES SANOS ON HEALTHY VENDING FOOD CHOICES FOR WATSONVILLE TRANSIT CENTER VENDORS**

Director Dodge introduced the Jovenes Sanos group and they presented a video to raise awareness of Childhood Obesity and Diabetes especially in the Watsonville area.

Director Dodge explained that the reason he brought this group to the Board Meeting was to give awareness to the Jovenes Sanos group and to bring the attention of the Board to the food and vending machines that are currently in the Watsonville Transit Center. These machines currently contain a variety of candy, soda, and chips, as well as lottery ticket vending machines. Since we are in the process of revitalizing this center he would like to see some policies in place that would bring a more healthy choice of vending items for the public.

Director Robinson thanked the group for attending and stated that this is not an action item for the board.

There was a discussion between the Board Members to identify a task force or subcommittee to review policies and make recommendations to the staff regarding this matter.

**17.    ORAL ANNOUNCEMENT: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, MARCH 9, 2012 AT 8:30 A.M. AT THE WATSONVILLE CITY COUNCIL OFFICES LOCATED AT 275 MAIN STREET, IN WATSONVILLE**

Presented by:            Lynn Robinson, Chair

**18.    REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION**

**19.    ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION  
SECTION II: CLOSED SESSION**

**1. CONFERENCE WITH LABOR NEGOTIATOR**

(Pursuant to Government Code Section 54957.6)

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

1. Employee Organization: United Transportation Union  
(UTU), Local 23 Fixed Route
2. Employee Organization: United Transportation Union  
(UTU), Local 23 Paracruz
3. Employee Organization: Service Employees International Union  
(SEIU), Local 521

**SECTION III: RECONVENE TO OPEN SESSION**

**20. REPORT OF CLOSED SESSION**

**21. ADJOURNMENT**

ADJOURN TO THE NEXT REGULARLY SCHEDULED BOARD MEETING ON FRIDAY,  
MARCH 9, 2012 AT 8:30 A.M.

**ADJOURN**

There being no further business, Chair Robinson adjourned the meeting at 12:08 p.m.

Respectfully submitted.



SHERRI ESCOBEDO  
Administrative Assistant

