



A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, April 27, 2012 at the Santa Cruz City Council Chambers, located at 809 Center Street in Santa Cruz, California.

Chair Robinson called the meeting to order at 9:03 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 checked="" 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

Angela Aitken, Finance Manager
Margaret Gallagher, District Counsel

Anthony Tapiz, Administrative Svcs Coordinator
Leslie R. White, General Manager

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

Jeff North	David Moreau
Robert Cotter	Mary Ferrick
Ciro Aguirre	Debbie Kinslow
Erich Friedrich	Patricia Aviles
	Tove Beatty

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

None.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

None.

CONSENT AGENDA

5-1. ACCEPT AND FILE MINUTES FROM THE METRO ADVISORY COMMITTEE MEETINGS OF DECEMBER 21, 2011 AND FEBRUARY 15, 2012

5-2. ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR APRIL 2012

5-3. ACCEPT AND FILE STATUS REPORTS OF PROPOSED FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES

Item 5-3 was removed and placed on the Regular Agenda as item 7-1.

5-4. ACCEPT AND FILE MONTHLY METRO PARACRUZ OPERATIONS STATUS REPORT– FEBRUARY 2012

5-5. ACCEPT AND FILE MONTHLY ACCESSIBLE SERVICES REPORT FOR FEBRUARY 2012

5-6. CONSIDERATION OF AWARD OF CONTRACT WITH SANTA CRUZ TRANSPORTATION, LLC FOR SUPPLEMENTAL PARATRANSIT SERVICES FOR AN AMOUNT NOT TO EXCEED \$850,000

5-7. CONSIDERATION OF AWARD OF CONTRACT with MANSFIELD OIL COMPANY FOR PURCHASE AND DELIVERY OF CARB ULTRA-LOW SULFUR DIESEL FUEL FOR AN AMOUNT NOT TO EXCEED \$1,185,000

5-8. NOTIFICATION OF ACTION TAKEN IN CLOSED SESSION

Item #5-3 was removed and placed on the Regular Agenda as item #7-1.

ACTION: MOTION: DIRECTOR BRYANT SECOND: DIRECTOR LEOPOLD

Approve Consent Agenda as amended.

Motion passed unanimously with Director Pirie being absent.

REGULAR AGENDA

6. CONSIDERATION TO ADOPT SMART CARD POLICY AND MODIFY RESOLUTION NO. 97-3-1 TO REVISE RULES AND REGULATIONS WHICH GOVERNS APPLICATION OF FARE ORDINANCE NO. 84-2-1 TO IMPLEMENT THE SMART CARD PROGRAM

Ciro Aguirre and Erich Friedrich presented the Staff Report via Powerpoint. There was a discussion regarding the Smart Card Program.

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR HINKLE

Adopt Smart Card policy and modify Resolution no. 97-3-1 to revise rules and regulations which governs application of Fare Ordinance no. 84-2-1 to implement the Smart Card program.

Motion passed unanimously with Director Pirie being absent.

7. CONSIDERATION OF THE STATUS OF A CONTRACT WITH A LABORATORY THAT IS NEEDED TO COMPLY WITH THE FEDERAL TRANSIT ADMINISTRATION'S DRUG AND ALCOHOL TESTING PROGRAM

Margaret Gallagher presented the Staff Report. There was a discussion about compliance with the Federal Transportation Administration's (FTA) Drug and Alcohol testing program, indemnification clauses, and the FTA's procurement policies.

Ms. Gallagher said that METRO is searching for laboratory to test drug samples in order to comply with the FTA Drug and Alcohol program. Ms. Gallagher said that at issue was whether FTA procurement requirements are mandatory, whether the testing companies can be indemnified, and if METRO will indemnify the testing companies. Ms. Gallagher said that an FTA attorney advised documentation of all good faith efforts to comply with the requirement. Ms. Gallagher recommended moving forward with a contract for drug testing services that includes the provision for indemnification that the testing companies require.

ACTION: MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR HINKLE

Direct staff to secure a contract for drug testing services that includes a provision for indemnification, as required by the testing companies.

Motion passed unanimously with Director Pirie being absent.

7-1. ACCEPT AND FILE STATUS REPORTS OF PROPOSED FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES

Vice Chair Dodge, Director Bustichi, and Leslie R. White spoke about their experiences at the 2012 APTA Spring Legislative Conference. Tove Beatty presented the Staff Report.

NO ACTION TAKEN.

8. ORAL ANNOUNCEMENT

The next regularly scheduled Board meeting will be held Friday, May 11, 2012 at 8:30 a.m. at the Santa Cruz METRO Administration Offices located at 110 Vernon Street, in Santa Cruz

9. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION

Margaret Gallagher said that the Board of Directors will have a conference regarding the existing litigation of Mario de la Garza v. Santa Cruz METRO and Goodwill Industries v. Santa Cruz METRO; and a conference with its Labor Negotiators regarding UTU Local 23 - Fixed Route, SEIU, and UTU Local 23 – ParaCruz.

10. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

Eduardo Montesino, UTU, thanked the Board and staff.

SECTION II: CLOSED SESSION

SECTION III: RECONVENE TO OPEN SESSION

20. REPORT OF CLOSED SESSION

Margaret Gallagher stated that there were no reportable actions taken in Closed Session.

21. ADJOURNMENT

There being no further business, Chair Robinson adjourned the meeting at 11:15 a.m. to the next regularly scheduled Board Meeting on Friday, May 11, 2012.

Respectfully submitted,



ANTHONY TAPIZ
Administrative Services Coordinator