

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

February 13, 2009

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, February 13, 2009 at the District's Administrative Office located at 370 Encinal Street in Santa Cruz, California.

Vice Chair Pirie called the meeting to order at 9:00 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

Dene Bustichi
Ron Graves
Donald Hagen
Michelle Hinkle
Ellen Pirie
Mike Rotkin
Dale Skillicorn
Pat Spence
Mark Stone
Marcela Tavantzis
Ex-Officio Donna Blitzer (arrived after roll call)

DIRECTORS ABSENT

Lynn Robinson

STAFF PRESENT

Ciro Aguirre, Operations Manager
Angela Aitken, Finance Manager
Frank Cheng, MetroBase Project Manager
Mary Ferrick, Fixed Route Superintendent
Terry Gale, IT Manager
Margaret Gallagher, District Counsel

Shona Harper, Asst Paratransit Superintendent
Debbie Kinslow, Asst Finance Manager
Robyn Slater, Human Resources Manager
April Warnock, Paratransit Superintendent
Les White, General Manager

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

Mark Hansen, Mechanic II

Shawn O'Donnell, Fleet Maint. Supervisor

2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS

Written:

None.

Oral:

None.

3. **LABOR ORGANIZATION COMMUNICATIONS**

None.

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

None.

CONSENT AGENDA

5-1. **ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF JANUARY 2009**

No questions or comments.

5-2. **ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR DECEMBER 2008**

5-3. **CONSIDERATION OF TORT CLAIMS: None**

No questions or comments.

5-4. **ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR FEBRUARY 18, 2009 AND MINUTES OF DECEMBER 16, 2008**

No questions or comments.

5-5. **ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF NOVEMBER 2008**

No questions or comments.

5-6. **ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR NOVEMBER & DECEMBER 2008**

No questions or comments.

5-7. **ACCEPT AND FILE NOVEMBER & DECEMBER 2008 RIDERSHIP REPORT**

No questions or comments.

5-8. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR THE MONTHS OF NOVEMBER & DECEMBER 2008

No questions or comments.

5-9. ACCEPT AND FILE METROBASE PROJECT STATUS REPORT

No questions or comments.

5-10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH CRUZ CAR WASH FOR PARACRUZ VEHICLE WASHING SERVICES

No questions or comments.

5-11. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH STEVE'S UNION FOR PARACRUZ VEHICLE FUELING SERVICES

No questions or comments.

5-12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT RENEWAL WITH DIXON AND SON TIRES, INC. FOR PURCHASE OF REVENUE AND NON-REVENUE TIRES

Director Tavantzis thanked staff for reworking this contract.

5-13. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXTEND THE CONTRACT WITH PAT PIRAS CONSULTING FOR REVIEW OF THE ADA PARATRANSIT ELIGIBILITY PROCESS

No questions or comments.

5-14. CONSIDERATION OF A RESOLUTION AUTHORIZING TWO NEW SIGNERS ON THE DEPOSIT ACCOUNT FOR THE ADMINISTRATION OF APPROVED WORKERS' COMPENSATION CLAIMS WITH COMERICA BANK

No questions or comments.

5-15. CONSIDERATION OF AN AGREEMENT WITH SANTA CRUZ SEASIDE COMPANY FOR THE PROVISION OF LATE NIGHT SERVICE

No questions or comments.

5-16. CONSIDERATION OF RECLASSIFICATION OF SENIOR ACCOUNTING TECHNICIAN TO PURCHASING ASSISTANT

Director Spence pointed out an error in Staff Report in the first sentence under Discussion where it says “SEIU Local 23”, which should be “SEIU Local 521”.

5-17. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT AMENDMENT FOR A CHANGE ORDER IN THE AMOUNT OF NOT-TO-EXCEED \$2,688.70 FROM JOS. J. ALBANESE TO PROVIDE ADDITIONAL FUNDS TO THE DEMOLITION CONTRACT TO ACCOMMODATE COSTS RELATING TO UNFORESEEN SOILS CONDITION CAUSED BY THE WET WEATHER CONDITIONS

No questions or comments.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS:

This presentation will take place at the February 27, 2009 Board meeting.

7. PUBLIC HEARING: CONSIDERATION OF ADOPTION OF THE FY 2008 – FY 2012 SHORT RANGE TRANSIT PLAN

Public Hearing will take place at the February 27, 2009 Board Meeting.

Summary:

Angela Aitken reported that this is the final version of the SRTP that includes revisions requested by the Board to reflect that the trunk and feeder concept not be pursued within the five-year planning horizon of the SRTP and that no revisions be made to the current service delivery model. At the request of the Board, the final version also includes new information on the requirements necessary to successfully implement a trunk and feeder service option. These revisions and new information are contained in Chapter 7: Addendum.

Les White stated that METRO is not in a position to add service and will be lucky to maintain its current service level for the next few years. Mr. White explained the significant impacts on METRO of the proposed state budget, which completely eliminates all public transit funding from the State of California for the next 5 years. METRO will be requesting that the CARB regulations be relaxed to not require METRO to convert its entire fleet to CNG by 2012. This would allow METRO to continue to operate diesel buses, otherwise METRO will be required to stop operating the remaining 30 diesel buses which will result in a 38% service reduction and the lay off of approximately 40% of METRO’s workforce in the Fall of 2012.

Discussion:

There was a discussion about informing the public of the impact of the proposed state budget on METRO.

Director Spence noted that there were still several errors in the final SRTP that may reflect badly on METRO. Les White suggested that the Board let staff know of any errors and staff could add an errata page because the consultants, Wilbur Smith Associates, have exhausted the grant funding for this project and do not intend to correct their errors unless they are paid by METRO.

8. CONSIDERATION OF APPROVAL OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF KIRBY NICOL AS A MEMBER OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

This presentation will take place at the February 27, 2009 Board meeting.

9. CONSIDERATION OF DECLINING JOB ACCESS REVERSE COMMUTE GRANT FUNDING

Angela Aitken reported that in October 2008, Caltrans awarded a grant to METRO in \$44,166 in JARC funds with a required local match to operate new transit service for one year assisting low-income workers commuting from Watsonville to employment centers in Capitola and Santa Cruz.

Staff recommends declining the grant and not implementing new service because METRO would be unable to sustain it at the end of one year due to lack of funds.

10. CONSIDERATION OF PROVIDING DIRECTION TO METRO STAFF REGARDING A BUS STOP BENCH AND/OR SHELTER DONATION PROGRAM INCLUDING ALLOWING DONORS TO PLACE THEIR NAMES OR BUSINESS LOGOS ON THE DONATED FACILITIES

Summary:

Margaret Gallagher reported that the Board was being asked for input today and if the Board was interested in pursuing a donation program, staff could develop a proposed program for the Board's consideration and adoption at a later date.

Ms. Gallagher reported that an inquiry had been received by a member of the public asking if an individual or organization paid the costs of a bus bench and/or shelter could their name or logo be placed on the facility to identify them as a donor.

Discussion:

Input from Board Members included that it should be limited to business or individual's names and not be any form of advertising; METRO should receive the funds prior to installation of a bench or shelter; a rate package could be developed outlining what a donor would receive for a fee; perhaps have a preference for local donors to show engagement in the community.

Regarding the installation and upkeep, Mark Hansen, Mechanic II, suggested that Facilities Maintenance could install and maintain engravings created in-house to keep the costs down.

Shawn O'Donnell, Fleet Maintenance Supervisor, suggested naming the program "Adopt a Stop".

11. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH JACIBO ENTERPRISES, LLC FOR REDESIGN AND IMPLEMENTATION OF METRO'S WEB SITE

Summary:

Angela Aitken reported that METRO requires the services of a web site design firm to re-design METRO's website to be ADA compliant, bilingual, database driven, more user-friendly, accessible and organized.

METRO has budgeted \$75,000 to incorporate all of the different components of the web site redesign project.

Staff is recommending that a contract be established with Jabico Enterprises, LLC for web site re-design and implementation services for an amount not to exceed \$43,100.

Discussion:

Director Rotkin agreed that METRO's web site needs updating, but why not use students?

Terry Gale replied that the contractor needs experience in specific areas including ADA compliance, bilingual, engine-driven database, and must be maintainable into the future.

Les White added that it is understandable that people may question this expenditure in lieu of service improvements, but this is a one-time investment that will benefit METRO over the long term while service improvements are on-going expenses.

ACTION: MOTION: DIRECTOR SKILLICORN SECOND: DIRECTOR ROTKIN

Authorize the General Manager to execute a contract with Jabico Enterprises, LLC for web site re-design and implementation services for an amount not to exceed \$43,100.

Approve the following contract change order procedures that will apply to this contract:

- 1. For any change order request from the contractor that exceeds \$25,000, staff will review and present to the Board of Directors for approval.**
- 2. For any change order request from the contractor that is less than \$25,000, staff will review and approval of the change order will require approval from the following personnel:
Leslie R. White, General Manager
Terry Gale, Information Technology Manager
Frank Cheng, MetroBase Project Manager**
- 3. Staff shall report every month to the Board of Directors on all change orders processed for this contract.**

Discussion:

There was a discussion about the change order procedure.

Vice Chair Bustichi stated that he does not support spending \$43,000 on website improvements after just hearing about the state budget impacts on METRO. Angela Aitken replied that this will take the burden off METRO's overworked IT Department and METRO's website will be ADA compliant.

Director Rotkin suggested the following amendment, which was accepted by the maker of the motion:

Approve the following contract change order procedures that will apply to this contract:

1. For any change order request from the contractor that exceeds ~~\$25,000~~ \$10,000, staff will review and present to the Board of Directors for approval.
2. For any change order request from the contractor that is less than ~~\$25,000~~ \$10,000, staff will review and approval of the change order will require approval from the following personnel:

After further discussion of the change order procedure, Director Tavantzis suggested the following amendment, which was accepted by the maker and the second and the following complete motion was voted upon:

ACTION: MOTION: DIRECTOR SKILLICORN SECOND: DIRECTOR ROTKIN

Authorize the General Manager to execute a contract with Jabico Enterprises, LLC for web site re-design and implementation services for an amount not to exceed \$43,100.

Approve the following contract change order procedures that will apply to this contract:

1. For any single or cumulative change order request(s) from the contractor that exceeds ~~\$25,000~~ \$10,000, staff will review and present to the Board of Directors for approval.
2. For any single or cumulative change order request(s) from the contractor that is less than ~~\$25,000~~ \$10,000, staff will review and approval of the change order will require approval from the following personnel:
Leslie R. White, General Manager
Terry Gale, Information Technology Manager
Frank Cheng, MetroBase Project Manager
3. Staff shall report every month to the Board of Directors on all change orders processed for this contract.

Motion passed with Director Bustichi voting No, Director Graves abstaining, and Director Robinson being absent.

12. **ORAL ANNOUNCEMENT: NOTIFICATION OF MEETING LOCATION FOR FEBRUARY 27, 2009 – WATSONVILLE CITY COUNCIL CHAMBERS, 275 MAIN STREET, WATSONVILLE**

Vice Chair Pirie announced that the February 27, 2009 Board meeting would be held at the Watsonville City Council Chambers.

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

Margaret Gallagher reported that the Board would have a conference with its Legal Counsel regarding the Existing Litigation claim of Kimberly Hodge.

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

None.

SECTION II: CLOSED SESSION

Vice Chair Pirie adjourned to Closed Session at 10:14 a.m. and reconvened to Open Session at 10:16 a.m.

SECTION III: RECONVENE TO OPEN SESSION

15. **REPORT OF CLOSED SESSION**

Margaret Gallagher reported that the Board took no reportable action in Closed Session.

ADJOURN

There being no further business, Vice Chair Pirie adjourned the meeting at 10:16 a.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator