



**BOARD OF DIRECTORS REGULAR MEETING AGENDA
JANUARY 14, 2011
SANTA CRUZ CONFERENCE ROOM
110 VERNON STREET
SANTA CRUZ, CALIFORNIA
9:30 a.m. – 11:00 a.m.**

**THE BOARD MEETING AGENDA PACKET CAN BE FOUND ONLINE AT
WWW.SCMTD.COM OR AT SANTA CRUZ METRO'S ADMINISTRATIVE
OFFICES LOCATED AT 110 VERNON STREET, SANTA CRUZ, CA**

NOTE: THE BOARD CHAIR MAY TAKE ITEMS OUT OF ORDER

SECTION I: OPEN SESSION - 9:30 a.m.

1. ROLL CALL
2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS
 - a. Vince Waskell, Valley Women's Club Re: Bus stop
3. LABOR ORGANIZATION COMMUNICATIONS
4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

CONSENT AGENDA

- 5-1. CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM OF HELEN BRADLEY, #10-0039

REGULAR AGENDA

6. CONSIDERATION OF:
 - 1) NOMINATION OF DIRECTORS TO SERVE AS BOARD OFFICERS
 - 2) NOMINATIONS FOR APPOINTMENTS TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR 2011Presented by: Leslie R. White, General Manager
7. CONSIDERATION OF THE RESOURCE ALLOCATION PRESENTATION AND DISCUSSION OF THE REVISED PROJECTED FY11 AND FY12 BUDGETS
Presented By: Angela Aitken, Acting Assistant General Manager and Finance Manager

8. **ORAL ANNOUNCEMENT:** THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, JANUARY 28, 2011 AT 9:00 A.M. AT THE SANTA CRUZ CITY COUNCIL CHAMBERS LOCATED AT 809 CENTER STREET, IN SANTA CRUZ
Presented By: Chair Pirie
9. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION: District Counsel
10. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

SECTION II: CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
(Pursuant to Government Code Section 54956.9)
 - a. Name of Case: Nesly Pacheco vs. Santa Cruz Metro, Case No. 169031
(Before the Superior Court of Santa Cruz)

SECTION III: RECONVENE TO OPEN SESSION

11. REPORT OF CLOSED SESSION

ADJOURN

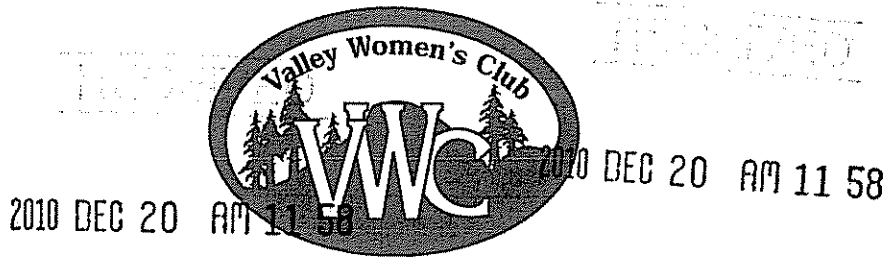
NOTICE TO PUBLIC

Members of the public may address the Board of Directors on a topic not on the agenda but within the jurisdiction of the Board of Directors or on the consent agenda by approaching the Board during consideration of Agenda Item #3 “Oral and Written Communications”, under Section I. Presentations will be limited in time in accordance with District Resolution 69-2-1.

When addressing the Board, the individual may, but is not required to, provide his/her name and address in an audible tone for the record.

Members of the public may address the Board of Directors on a topic on the agenda by approaching the Board immediately after presentation of the staff report but before the Board of Directors’ deliberation on the topic to be addressed. Presentations will be limited in time in accordance with District Resolution 69-2-1.

The Santa Cruz Metropolitan Transit District does not discriminate on the basis of disability. The Santa Cruz Conference Room is located in an accessible facility. Any person who requires an accommodation or an auxiliary aid or service to participate in the meeting, please contact Tony Tapiz, Administrative Services Coordinator, at 831-426-6080 as soon as possible in advance of the Board of Directors meeting. Hearing impaired individuals should call 711 for assistance in contacting METRO regarding special requirements to participate in the Board meeting.



P O. Box 574 • Ben Lomond, CA 95005
831-338-1728 • www.vwcweb.org

Jim Mueller, Operations Manager
& SLV Water District Board of Directors
13060 Hwy 9
Boulder Creek, CA 95006

December 13, 2010

Re: Negative Declaration for New Campus

Dear Mr. Mueller and Members of the Board,

We are writing to express our concerns regarding the requirement to install a bus stop as a part of your exciting new Campus Development Project, as described in the Initial Study and the Negative Declaration. There are fundamental economic, environmental and social problems with a bus stop at that location.

We strongly question a bus stop's necessity there, with other stops so close by (within 180 feet), especially since it is so expensive - causing a significant burden to the customers whose fees fund the Water District that could be put to better use. In addition, the bus stop would require the destruction of two magnificent walnut trees that provide a beautiful shady entrance to Boulder Creek. Finally, judging from the other bus stops in the town, the neighborhood will have to contend with even more noise and litter, which is already a significant issue there.

We request that the bus stop be omitted from the plans based on those factors.

Sincerely,


Vince Waskell, President

Cc: Supervisor Mark Stone; Samantha Hart, Planning Department; Board of Directors, METRO.

GOVERNMENT TORT CLAIM

RECOMMENDED ACTION

TO: Board of Directors

FROM: District Counsel

RE: Claim of: Bradley, Helen O.
Date of Incident: 12/20/10

Received: 12/30/10 Claim #: 10-0039
Occurrence Report No.: SC 12-10-15

In regard to the above-referenced Claim, this is to recommend that the Board of Directors take the following action:

- 1. Reject the claim entirely.
- 2. Deny the application to file a late claim.
- 3. Grant the application to file a late claim.
- 4. Reject the claim as untimely filed.
- 5. Reject the claim as insufficient.
- 6. Allow the claim in full.
- 7. Allow the claim in part, in the amount of \$_____ and reject the balance.

By Margaret Gallagher
Margaret Gallagher
DISTRICT COUNSEL

Date: 1-5-11

I, Tony Tapiz, do hereby attest that the above Claim was duly presented to and the recommendations were approved by the Santa Cruz Metropolitan Transit District's Board of Directors at the meeting of January 14, 2011.

By _____
Tony Tapiz
RECORDING SECRETARY

Date: _____

MG/lg
Attachment(s)



✓

Santa Cruz Metropolitan Transit District
110 Vernon Street
Santa Cruz, CA 95060

CLAIM FOR DAMAGES

(Pursuant to Section 910 et Seq., Government Code)

Claim # 10-0039
(To be completed by METRO staff)

Please Print or Type:

The name and post office address of the claimant:

Claimant's Legal First Name: HELEN O. [REDACTED]

Claimant's Legal Last Name: BRADLEY

Address to which notices are to be sent: [REDACTED]

Telephone (Home): [REDACTED]

Telephone (Business/Cell): [REDACTED]

Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA), a new federal law that became effective January 1, 2009, requires that the Santa Cruz Metropolitan Transit District report specific information about Medicare beneficiaries who have other insurance coverage. This reporting is to assist Centers for Medicare and Medicaid Services and other insurance plans to properly coordinate payment of benefits among plans so that (your) claims are paid promptly and correctly. We are asking you to answer the following questions so that we may comply with this law.

Are you presently, or have you ever been, enrolled in Medicare Part A or B? Yes or No

IF YES, please provide the following information:

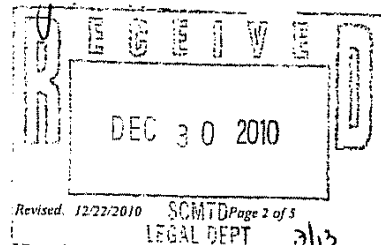
Medicare Claim Number: _____

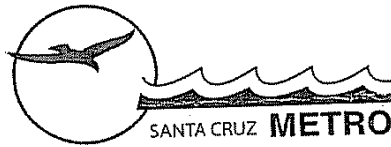
Date of Birth: _____

Social Security Number: _____

Gender: M or F

Black American





Claimant Name: Helena Bradley

CLAIM FOR DAMAGES

The date, place and other circumstances of the occurrence or transaction that gave rise to the claim asserted:

Date of Incident/Accident: 12/18/10

Time of Incident/Accident: 12:12 PM AM PM

Location of Incident/Accident:

Street/City: Capitola Ca - Capitola Mall
Outside when you catch the bus

A general description of the indebtedness, obligation, injury, damage or loss incurred so far as it may be known at the at the time of presentation of the claim. Please state the known facts surrounding the loss and use additional paper if needed.

my son (Clarence) and I (Helena Bradley) was sitting down on the bus stop waiting for the 6PM - But the 6b pulled up so my son asked the driver about his route and the driver said he came out on 7th Ave + Capitola Rd by the liquor store, so my son said liquor store that is far from mother to walk, we never got up off the bench. so the next thing I notice was the driver was on the phone and he was laughing, so I said to my son he is on the phone.

Cont

so we (my son and I) continue to laugh and
talk. next thing I know we looked up
and security (2) and (1) police women wa
standing there saying they got a call
from metro saying there was to people
intoxicated waiting on the bus, they
had to say (Black) because they
walked straight up to us. I looked and
I said to the man I haven't had a
drink in 16 years. I know I was
drunk. and I know my son was not
he proceeded to say we could
not ever ride metro again I was
shock so I got up (stood up) and
said to the security I'm getting on
the Bus you'd are crazy. I haven't
done anything wrong. So the secur
said I'll call metro police so I can
call them the next thing I know he
come 4 or 5 cars of police and the dog
I'm afraid of Dogs period I know he
I only like Fish + Birds no 4 legged
animals period. So I was nearly
out of my mind by now. Blood pressure
Sugar was up. police said I Don't see any
thing wrong. So a head get on the Bus

so by the time I get Home, ST
was all over for me. I had to go
to the hospital the paramic lady
Megan took my Blood Pressure it
was 274 they rush me to Watowide
Hospital where they had to work
fast to get my Blood pressure down
I could have had a Stroke, I
have to take a lot of pills anyway
I was accused of something I
was not. I Dont appreciate the
way the prime did me, and pray
He doesnt do anyone else like that
I guess something was wrong with
him a Bad Have Day.

Helen Budge
()



Claimant Name: Helen Bradley

CLAIM FOR DAMAGES

The name or names of the METRO employee or employees causing the injury, damage, or loss, if known:

Unknown - Never ~~met~~ ^{met} with this driver before

If the claim totals less than \$10,000, the amount claimed as of the date of the presentation of the claim: _____

If the amount exceeds \$10,000, this claim would be: Less than \$25,000 (Limited Civil Case) More than \$25,000

Claimant: Helen O. Bradley
Signature/Print Name

Date: 12/28/10

Attorney or Representative: _____
Signature/Print Name

Date: _____

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: January 14, 2011

TO: Board of Directors

FROM: Leslie R. White, General Manager

SUBJECT: **CONSIDERATION OF NOMINATION OF DIRECTORS TO SERVE AS BOARD OFFICERS, NOMINATIONS FOR MEMBERSHIP ON THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION, AND ELIMINATION OF THE NOMINATION FOR A REPRESENTATIVE AND ALTERNATE TO THE HIGHWAY 1 CONSTRUCTION AUTHORITY,**

I. RECOMMENDED ACTION

That the Board of Directors identify nominees from the Board to be considered for election to the positions Board Chair, Vice Chair, Representatives and Alternates for the Santa Cruz County Regional Transportation Commission, and consider the elimination of the Representative and Alternate to the Highway 1 Construction Authority.

II. SUMMARY OF ISSUES

- Article 6 of the METRO Bylaws provides that the Board of Directors shall annually nominate members to be considered for election to the positions of Chair and Vice Chair.
- In the past the Board of Directors has nominated members to be considered for election to the positions of Representative and Alternate on the Board of Directors of the Highway 1 Construction Authority (HCA). However, the HCA has not meet in over a year and the Board may want to consider the elimination of this appointment.
- In order to maintain representation on the Santa Cruz County Regional Transportation Commission (SCCRTC) it is necessary that the Board of Directors nominate members to be considered for election to the three positions and three alternate positions that are provided for METRO.
- Currently elections for the positions referenced in this Staff Report are scheduled to be held at the January 24, 2011 Board of Directors meeting.

III. DISCUSSION

The terms of the officers and appointees of the Board of Directors in the positions of Chair, Vice Chair, HCA appointee, and SCCRTC appointees expire in January 2011. The METRO Bylaws provide that the Board of Directors shall identify nominees to be considered for election to the positions herein referenced.

Staff recommends that the Board of Directors identify members to be nominees for the positions of Chair, Vice Chair, and SCCRTC appointees and alternates. Staff also recommends that the Board consider the elimination of the appointment of a Representative and Alternate to the Highway 1 Construction Authority (HCA) in light of the lack of meetings of the HCA. The election of nominees to the referenced offices is scheduled to be held on January 24, 2011.

IV. FINANCIAL CONSIDERATIONS

Funding support for the positions identified in this Staff Report is contained in the adopted METRO FY 2011 Operating Budget.

V. ATTACHMENTS

Attachment A: Current METRO Board Officers and Appointees

Attachment A
SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

2010 Board Officers and Appointments

Chair
Ellen Pirie

Vice Chair
Lynn Robinson

HCA Representative
Marcela Tavantzis

HCA Alternate
Mike Rotkin

SCCRTC Representatives
Dene Bustichi
Ron Graves
Marcela Tavantzis

SCCRTC Alternates (in order)
Donald Hagen
Mike Rotkin
Michelle Hinkle

SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: January 14, 2011
TO: Board of Directors
FROM: Angela Aitken, Finance Manager and Acting Assistant General Manager
SUBJECT: CONSIDERATION OF THE RESOURCE ALLOCATION
PRESENTATION AND DISCUSSION OF THE REVISED PROJECTED
FY11 AND FY12 BUDGETS

I. RECOMMENDED ACTION

That the Board of Directors accept the Resource Allocation presentation and have follow-up discussions of the revised projected FY11 and FY12 budgets.

II. SUMMARY OF ISSUES

- The Board of Directors will be given a Resource Allocation presentation every month over the course of the next 6-9 months
- Management feels it is imperative that the Board be informed in a timely manner as we move through these financially difficult times
- A monthly meeting with SEIU, UTU-FR and UTU-Paracruz is held the second Wednesday of every month where similar if not the same information is shared

III. DISCUSSION

The Board of Directors will be given a Resource Allocation presentation every month over the course of the next 6-9 months. Santa Cruz METRO management feels it is imperative that the Board be informed in a timely manner as we move through these financially difficult times.

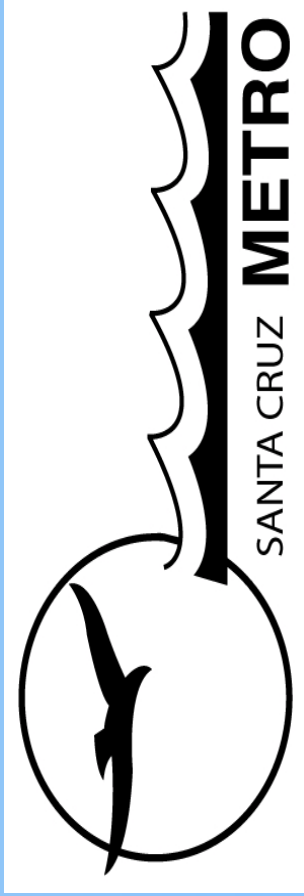
A monthly meeting with SEIU, UTU-FR and UTU-Paracruz is held the second Wednesday of every month where similar if not the same information is shared.

IV. FINANCIAL CONSIDERATIONS

None at this time. Information only.

V. ATTACHMENTS

Attachment A: Resource Allocation Presentation – January 14, 2011



RESOURCE ALLOCATION PRESENTATION

January 14, 2011

FY 11 REVENUE SOURCES

FY11 Published Budget FY11 Revised Budget

\$ 37.279M —————> \$ 38.526M

Revenue Variance*:

- \$(8K): Reduced Rent Income and Vacancies
- \$(14K): FTA Sec 5311 – Rural Op Assistance
- \$919K: Carryover from previous year
- \$(150K): Transfers from Legal Settlements (Incorporated into Risk Department Budget)
- \$500K: Alternative Fuel Tax Credit

7.a2 \$ 1.247M

* Negative numbers indicate unfavorable variances

FY11 EXPENSES

FY11 Published Budget

\$ 37.279M



FY11 Revised Budget

\$ 38.257M

Expenses Variance*:

- \$583K: 17% increase in Medical Ins (HMOs), effective January 2011
- \$191K: Updated Employee Pay and Benefits Information
- \$149K: Additional Holiday Pay and Fringe benefits for Bus Operators and Operations
- \$25K: Open Enrollment Changes: re - enrolling dependents (Medical Ins)- Active Employees, effective January 2011
- \$30K: Open Enrollment Changes: re - enrolling dependents (Medical Ins)- Retirees, effective January 2011

7.a3 \$ 978K

* Positive numbers indicate unfavorable variances

FY 12 REVENUE SOURCES

FY12 Published Budget FY12 Revised Budget

\$ 38.628M \longrightarrow \$ 40.504M

Revenue Variance*:

- \$(8K): Reduced Rent Income and Vacancies
- \$189K: Carryover from previous year
- \$(150K): Transfers from Legal Settlements (Incorporated into Risk Department Budget)
- \$500K: Alternative Fuel Tax Credit
- \$1.345M: Unrealized Revenue (Revenue needed to achieve balanced budget)

7.a4 _____

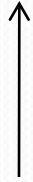
\$ 1.876M

* Negative numbers indicate unfavorable variances

FY12 EXPENSES

FY12 Published Budget

\$ 38.628M



FY12 Revised Budget

\$ 40.504M

Expenses Variance*:

- \$1.231M: 17% increase in Medical Ins (HMOs), effective January 2011; 12% (estimate), effective January 2012
- \$188K: Updated Employee Pay and Benefits Information
- \$318K: Increase in Retirement Factor in FY12 from 15.43% to 17.21%
- \$75K: Open Enrollment Changes: re – enrolling dependents (Medical Ins)-Active Employees
- \$64K: Open Enrollment Changes: re –enrolling dependents (Medical Ins)-Retirees

7.a5

\$ 1.876M

* Positive numbers indicate unfavorable variances

FY11 PUBLISHED & REVISED OPERATING BUDGET

| | FY11 Published Budget | FY11 Revised Budget |
|---------------------------------|-----------------------|-----------------------|
| Operating Revenue | \$ 31,655,105 | \$ 31,633,845 |
| Operating Expenses | \$ 37,279,317 | \$ 38,256,634 |
| Operating Loss | \$ (5,624,212) | \$ (6,623,789) |
| Non-Operating Revenue: | | |
| ARRA | \$ 270,000 | \$ 270,000 |
| STIC | \$ 1,202,159 | \$ 1,202,159 |
| STA | \$ 2,800,000 | \$ 2,800,000 |
| Alternative Fuel Tax Credit | \$ - | \$ 500,000 |
| Carryover from Previous Year | \$ 1,071,106 | \$ 1,989,862 |
| Transfer from Legal Settlements | \$ 150,000 | \$ - |
| Transfer from Capital Reserves | \$ 130,947 | \$ 130,947 |
| (Deficit)/Surplus | \$ - | \$ 269,179 |

7.a6

FY12 PUBLISHED & REVISED OPERATING BUDGET

| | FY12 Published Budget | FY12 Revised Budget |
|---------------------------------|-----------------------|-----------------------|
| Operating Revenue | \$ 32,198,489 | \$ 32,190,503 |
| Operating Expenses | \$ 38,627,918 | \$ 40,503,654 |
| Operating Loss | \$ (6,429,429) | \$ (8,313,151) |
| Non-Operating Revenue: | | |
| ARRA | \$ - | \$ - |
| STIC | \$ 1,202,159 | \$ 1,202,159 |
| STA | \$ 2,500,000 | \$ 2,500,000 |
| Alternative Fuel Tax Credit | \$ - | \$ 500,000 |
| Carryover from Previous Year | \$ 80,480 | \$ 269,179 |
| Transfer from Legal Settlements | \$ 150,000 | \$ - |
| Transfer from Capital Reserves | \$ 136,617 | \$ 136,617 |
| (Deficit)/Surplus | \$ (2,360,173) | \$ (3,705,196) |

7.a7

FY07 & FY10 YEAR OVER YEAR COMPARISON

Attachment A

| | FY07 Actual | FY10 Actual | Variance |
|----------------------------------|---------------------|-----------------------|-----------------------|
| Operating Revenue | \$ 36,874,873 | \$ 32,139,769 | \$ (4,735,104) |
| Operating Expenses | \$ 32,557,611 | \$ 35,058,564 | \$ 2,500,953 |
| Operating (Loss)/Gain: | \$ 4,317,262 | \$ (2,918,795) | \$ (7,236,057) |
| Non-Operating Revenue: | | | |
| ARRA | \$ - | \$ 205,000 | \$ 205,000 |
| Carryover from Previous Year | \$ - | \$ 165,875 | \$ 165,875 |
| Transfer from Operating Reserves | \$ - | \$ 2,547,920 | \$ 2,547,920 |
| (Deficit)/Surplus | \$ 4,317,262 | \$ - | \$ (4,317,262) |

FY07 & FY10 YEAR OVER YEAR COMPARISON

FY07
Actual

FY10
Actual

Attachment A

Operating Revenue Detail:

| | | |
|----------------------|---------------|---------------|
| Sales Tax Revenue | \$ 17,652,773 | \$ 14,320,289 |
| Transp Dev Act (TDA) | \$ 6,165,834 | \$ 5,001,737 |
| FTA Sec 5307 | \$ 3,130,226 | \$ 3,645,442 |
| Passenger Revenue | \$ 7,730,499 | \$ 8,427,944 |

7.a9

QUESTIONS

7.a10