BOARD OF DIRECTORS REGULAR MEETING AGENDA
FEBRUARY 25, 2011
*WATSONVILLE CITY COUNCIL CHAMBERS*
*275 MAIN STREET*
WATSONVILLE, CALIFORNIA
9:00 a.m. - 12:00 noon
THE BOARD AGENDA PACKET CAN BE FOUND ONLINE AT WWW.SCMTD.COM OR AT METRO'S ADMINISTRATIVE OFFICE LOCATED AT 110 VERNON STREET, SANTA CRUZ, CA

## NOTE: THE BOARD CHAIR MAY TAKE ITEMS OUT OF ORDER

SECTION I: OPEN SESSION - 9:00 a.m.

1. ROLL CALL
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. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS
4. LABOR ORGANIZATION COMMUNICATIONS
5. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

## CONSENT AGENDA

5-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF DECEMBER 2010

5-2. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORTS FOR DECEMBER 2010 AND APPROVAL OF BUDGET TRANSFERS

5-3. CONSIDERATION OF TORT CLAIMS: REJECT THE CLAIM OF STATE FARM INSURANCE (SUBROGATING FOR ANDERSON, JOHN), \#11-0003; REJECT THE CLAIM OF COMMERCE WEST INSURANCE (SUBROGATING FOR TABULA, VINCE), \#11-0005

5-4. ACCEPT AND FILE MAC AGENDA FOR FEBRUARY 2011 MEETING
5-5. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR PREVIOUS MEETINGS

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February 25, 2011
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5-6. ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR FEBRUARY 2011

5-7. ACCEPT AND FILE STATUS REPORT OF FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES

5-8. 1- CONSIDERATION OF ACCEPTANCE AND APPROVAL OF THE TERMS OF THE COUNTY OF SANTA CRUZ' RIGHT OF ENTRY FOR METRO'S ENTRY ONTO THE EMELINE BUS STOP RELOCATION PROJECT; 2- CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS REQUIRED FOR ENTRY ONTO PROPERTIES IN CONNECTION WITH THE CONSTRUCTION, IMPROVEMENT AND/OR REPAIR OF PROPOSED BUS STOPS THROUGHOUT THE COUNTY OF SANTA CRUZ

5-9. APPROVE REGULAR BOARD MEETING MINUTES OF JANUARY 14 AND JANUARY 28, 2011

5-10. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF DECEMBER 2010

## REGULAR AGENDA

6. EMPLOYEE LONGEVITY AWARDS

Presented By: Chair Pire
7. CONSIDERATION OF ADOPTION OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF ANTONIO RIVAS AS A MEMBER OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT
Presented by: Chair Pirie
8. CONSIDERATION OF APPOINTMENT OF ROSEANN MARQUEZ TO THE METRO ADVISORY COMMITTEE (NOMINATED BY DIRECTOR HAGEN)
Presented By: Angela Aitken, Acting Assistant General Manager \& Finance Manager
9. CONSIDERATION OF NOMINATIONS OF ADDITIONAL MEMBERS TO THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION
Presented By: Angela Aitken, Acting Assistant General Manager \& Finance Manager
10. CONSIDERATION OF ADOPTING A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SUBMIT A GRANT APPLICATION AND SIGN NECESSARY AGREEMENTS TO OBTAIN PROPOSITION 1B FUNDING FROM THE FY11 CALIFORNIA TRANSIT SECURITY GRANT PROGRAM
Presented By: Angela Aitken, Acting Assistant General Manager \& Finance Manager

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February 25, 2011
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11. 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
Presented By: Angela Aitken, Acting Assistant General Manager \& Finance Manager
12. CONSIDERATION OF CONCERNS REGARDING THE DISSEMINATION OF METRO FINANCIAL INFORMATION TO EMPLOYEES
Presented By: Angela Aitken, Acting Assistant General Manager \& Finance Manager
13. CONSIDERATION OF AUTHORIZING GENERAL MANAGER TO SIGN AN AGREEMENT WITH MONTEREY-SALINAS TRANSIT FOR INTER-AGENCY TRAVEL
Presented By: Angela Aitken, Acting Assistant General Manager \& Finance Manager
14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN OPERATION AND MAINTENANCE AGREEMENT AND A COVENANT TO RESTRICT USE OF PROPERTY AGREEMENT BETWEEN SANTA CRUZ METROPOLITAN TRANSIT DISTRICT (METRO) AND THE DEPARTMENT OF TOXIC SUBSTANCE CONTROL (DTSC) FOR THE SITE LOCATED AT 425 FRONT STREET, SANTA CRUZ, CALIFORNIA Presented By: Angela Aitken, Acting Assistant General Manager \& Finance Manager
15. CONSIDERATION OF APPROVAL TO REINSTATE CLASS SPECIFICATIONS AND UPDATE WAGE SCALES PREVIOUSLY REMOVED FROM THE SEIU, LOCAL 521 MEMORANDUM OF UNDERSTANDING (MOU)
Presented By: Robyn Slater, Human Resources Manager
16. ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR DECEMBER 2010 Presented By: Angela Aitken, Acting Assistant General Manager \& Finance Manager
17. ORAL ANNOUNCEMENT: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, MARCH 11, 2011 AT 9:30 A.M. AT THE ADMINISTRATIVE OFFICES OF SANTA CRUZ METRO, LOCATED AT 110 VERNON STREET, IN SANTA CRUZ, CALIFORNIA
Presented By: Chair Pirie
18. REVIEW OF ITEMS TO BE DISCUSSED IN CLOSED SESSION: District Counsel
19. 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: Raudel Delgado v. Santa Cruz METRO
(Before the Workers' Compensation Appeals Board)

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\begin{array}{ll}
\text { b. Name of Case: } & \begin{array}{l}
\text { Christopher Lanagan v. Santa Cruz METRO } \\
\text { (Before the Workers' Compensation Appeals Board) }
\end{array}
\end{array}
$$

## 2. CONFERENCE WITH LABOR NEGOTIATORS (Pursuant to Government Code Section 54957.6)

a. Agency Negotiator: Robyn Slater, Human Resources Manager

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

## SECTION III: RECONVENE TO OPEN SESSION

## 20. 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 \#2 "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 Watsonville City Council Chambers 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. A Spanish Language Interpreter will be available during "Oral Communications" and for any other agenda item for which these services are needed. This meeting will be broadcast live in Watsonville on Charter Channel 70. Community Television will rebroadcast it at 7:00 p.m. on Friday, March 4, 2011 on Comcast Channel 26 and also on Charter Channel 72.
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| $1,461.82075$ | CLUTCH COURIERS |
| 569.76001245 | COAST PAPER \& SUPPLY INC. |
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| 105.00 | 002295 | FIRST ALARM |
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| 334.86 | 001097 | GREENWASTE RECOVERY, INC. |
| 72.27 | 510A | HASLER, INC. |
| 240.99 | 166 | HOSE SHOP, THE |
| 459.46 | 001209 | IKON FINANCIAL SERVICES |
| 1,339.56 | 215 | IKON OFFICE SOLUTIONS |
| 3,271.61 | 002117 | IULIANO |
| 2,905.16 | 110 | JESSICA GROCERY STORE, INC. |
| 221.92 | 405 | JOHN'S ELECTRIC MOTOR SVC |
| 745.67 | 039 | KINKO'S INC. |
| 1,007.50 | 852 | LAW OFFICES OF MARIE F. SANG |
| 1,685.95 | 001119 | MACERICH PARTNERSHIP LP |
| 539.86 | 001342 | MCW ASSOCIATES, INC. |
| 639.24 | 041 | MISSION UNIFORM |
| 1,353.43 | 288 | MUNCIE TRANSIT SUPPLY |
| 8,248.89 | 001063 | NEW FLYER INDUSTRIES LIMITED |
| 4,688.53 | 002721 | NEXTEL COMMUNICATIONS |
| 4,305.25 | 009 | PACIFIC GAS \& ELECTRIC |
| 220.00 | 481 | PIED PIPER EXTERMINATORS, INC |


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# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

DATE: February 25, 2011
TO: Board of Directors
FROM: Angela Aitken, Finance Manager and Acting Assistant General Manager

## SUBJECT: MONTHLY BUDGET STATUS REPORTS FOR DECEMBER 2010 AND APPROVAL OF BUDGET TRANSFERS

## I. RECOMMENDED ACTION

That the Board of Directors accept and file the monthly budget status reports for December 2010 and approve the budget transfers for December 2010.

## II. SUMMARY OF ISSUES

- Operating Revenues for the month of December 2010 were $\$ 236 \mathrm{~K}$ or 7 \% over the amount of revenue expected for December 2010.
- Consolidated Operating Expenses for the month of December 2010 were $\$ 110 \mathrm{~K}$ or 3 \% under budget for the month of December 2010.
- Capital Budget spending year to date through December 2010 was $\$ 5,074 \mathrm{~K}$ or $38 \%$ of the Capital budget.


## III. DISCUSSION

An analysis of Santa Cruz METRO's budget status is prepared monthly in order to apprise the Board of Directors of Santa Cruz METRO's actual revenues, expenses and capital in relation to the adopted operating and capital budgets for the fiscal year. The attached monthly revenue, expense and capital reports represent the status of Santa Cruz METRO's FY11 operating and capital budgets versus actual expenditures for the month.

The fiscal year has elapsed 50\%.

Board of Directors
Board Meeting of February 25, 2011
Page 2

## A. Operating Revenue

For the month of December 2010 Operating Revenues were $\$ 236 \mathrm{~K}$ or $7 \%$ over the amount of revenue expected for December 2010. Revenue variances are explained in the notes at the end of the revenue report.

## B. Operating Expense by Department

Total Operating Expenses by Department for the month of December 2010 were $\$ 110 \mathrm{~K}$ or $3 \%$ under budget; $2 \%$ over where we were in FY10. The majority of the variance is due to lower than anticipated Mobile and Other Materials and Supplies.

## C. Consolidated Operating Expenses

Consolidated Operating Expenses for the month of December 2010 were $\$ 110 \mathrm{~K}$ or $3 \%$ under budget. Repair - Bldg \& Impr, Repair - Rev Vehicle, and Fuels \& Lube Rev Vehicle all contributed to the variance. Further explanation of these accounts is contained in the notes following the report.

## D. Capital Budget

Capital Budget spending year to date through December 2010 was $\$ 5,074 \mathrm{~K}$ or $38 \%$ of the Capital budget. Of this, $\$ 458 \mathrm{~K}$ or $23 \%$ has been spent on the MetroBase Maintenance Facility project, $\$ 2,009 \mathrm{~K}$ or 85 \% has been spent on the Smartcard Farebox System project, $\$ 2,093 \mathrm{~K}$ or $101 \%$ has been spent on the Purchase of 425 Front Street, and $\$ 253 \mathrm{~K}$ or $22 \%$ has been spent on the Transit Mgmt. Info. Technology project.

## IV. FINANCIAL CONSIDERATIONS

Due to the severe economic downturn and the resulting significant decline in revenue, staff is implementing cost - cutting strategies and diligently looking at different scenarios and options in order to close the projected budget gap.

Approval of the budget transfers will increase some line item expenses and decrease others. Overall, the changes are expense-neutral.

Attachment A: FY11 Operating Revenue for the month ending - 12/31/10
Attachment B: FY11 Operating Expenses by Department for the month ending - 12/31/10
Attachment C: FY11 Consolidated Operating Expenses for the month ending - 12/31/10
Attachment D: FY11 Capital Budget Reports for the month ending - 12/31/10
Attachment E: FY11 Budget Transfers for the month ending - 12/31/10
Prepared by: Kristina Mihaylova, Financial Analyst
Date Prepared: February 17, 2011

## Attachment A




Attachment B
$\underset{\text { Operating Expenses by Department }}{\text { FY11 }}$
Operating Expenses by Department
For the month ending-December 31, 2010


Attachment B
FY11
Operating Expenses by Department
For the month ending - December 31, 20

|  |  |  |  |  |  |  |  |  |  |  |  | Year to Dat |  |  |  |  |  | Year | Over Year | Cor | parison |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  | Budget |  | \$ Var | \% Var | Notes |  | Actual |  | Budget |  | \$ Var | \% Var |  | FY11 |  | FY10 |  | \$ Var | \% Var |
| Total Departmental Expenses |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| $700-$ SCCIC | \$ | 260 | \$ | 175 | \$ | 85 | 49\% |  | \$ | 280 | \$ | 300 | \$ | (20) | -7\% | \$ | 280 | \$ | 250 | \$ | 30 | 12\% |
| 1100 - Administration | \$ | 74,046 | \$ | 89,962 | \$ | $(15,915)$ | -18\% | 1 | \$ | 415,432 | \$ | 499,052 | \$ | $(83,620)$ | -17\% | \$ | 415,432 | \$ | 515,971 | \$ | $(100,539)$ | -19\% |
| 1200 - Finance | S | 201,196 | \$ | 206,758 | \$ | $(5,563)$ | -3\% |  | \$ | 1,073,932 | , | 1,183,579 | \$ | $(109,647)$ | -9\% | \$ | 1,073,932 | \$ | 977,279 | \$ | 96,653 | 10\% |
| 1300 - Customer Service | \$ | 50,704 | \$ | 56,421 | \$ | $(5,717)$ | -10\% |  | \$ | 276,218 |  | 303,983 | \$ | $(27,764)$ | -9\% | \$ | 276,218 | \$ | 234,923 | \$ | 41,295 | 18\% |
| 1400 - Human Resources | \$ | 49,588 | \$ | 48,466 | \$ | 1,122 | 2\% | 2 | \$ | 280,980 | \$ | 290,794 | \$ | $(9,814)$ | -3\% | \$ | 280,980 | \$ | 298,000 | \$ | $(17,020)$ | -6\% |
| 1500 - Information Technology | \$ | 58,914 | \$ | 60,280 | \$ | $(1,367)$ | -2\% |  | \$ | 328,118 | \$ | 368,517 | \$ | $(40,399)$ | -11\% | \$ | 328,118 | \$ | 349,512 | \$ | $(21,394)$ | -6\% |
| 1700 - District Counsel | \$ | 43,632 | \$ | 42,336 | \$ | 1,296 | 3\% | 3 |  | 245,307 | \$ | 254,014 | \$ | $(8,707)$ | -3\% | \$ | 245,307 | \$ | 257,317 | \$ | $(12,010)$ | -5\% |
| 1800 - Risk Management | S | 241 | \$ | 18,697 | \$ | $(18,456)$ | -99\% | 4 | \$ | 91,871 | \$ | 137,820 | \$ | $(45,949)$ | -33\% | \$ | 91,871 | S | 36,589 | \$ | 55,282 | 151\% |
| 2200 - Facilities Maintenance | \$ | 198,442 | \$ | 174,377 | \$ | 24,064 | 14\% | 5 | \$ | 1,074,859 | \$ | 1,236,747 | \$ | $(161,887)$ | -13\% | \$ | 1,074,859 | \$ | 1,344,762 | \$ | $(269,902)$ | -20\% |
| 3100 - Paratransit Program | \$ | 363,130 | \$ | 391,931 | \$ | $(28,800)$ | -7\% | 6 | \$ | 2,097,921 | \$ | 2,339,239 | \$ | $(241,318)$ | -10\% | \$ | 2,097,921 | \$ | 1,908,434 | \$ | 189,488 | 10\% |
| 3200 - Operations |  | 208,313 | \$ | 213,174 | \$ | $(4,861)$ | -2\% |  |  | 1,239,637 | \$ | 1,290,483 | \$ | $(50,846)$ | -4\% |  | 1,239,637 | \$ | 1,283,550 | \$ | $(43,913)$ | -3\% |
| 3300 - Bus Operators | \$ | 1,145,104 | \$ | 1,155,439 | \$ | $(10,335)$ | -1\% | 7 | s | 6,657,600 | \$ | 6,816,582 | \$ | $(158,982)$ | -2\% | \$ | 6,657,600 | \$ | 6,582,034 | s | 75,566 | 1\% |
| 4100 - Fleet Maintenance | \$ | 499,545 | \$ | 542,258 | \$ | $(42,714)$ | -8\% | 8 | \$ | 2,982,958 | \$ | 3,269,722 | \$ | $(286,765)$ | -9\% | \$ | 2,982,958 | \$ | 2,795,260 | \$ | 187,697 | 7\% |
| 9001 - Cobra Benefits | \$ | (987) | \$ | - | \$ | (987) | 100\% |  | \$ | (936) | \$ | - | \$ | (936) | 100\% | \$ | (936) | \$ | 2,406 | \$ | $(3,342)$ | -139\% |
| 9005 - Retired Employee Benefits | \$ | 156,255 | \$ | 158,250 | \$ | $(1,995)$ | -1\% |  | \$ | 938,470 | \$ | 943,800 | \$ | $(5,330)$ | -1\% | \$ | 938,470 | \$ | 733,041 | \$ | 205,429 | 28\% |
| 9014 - Operating Grants | \$ | - | \$ | - | \$ | - | 0\% |  | \$ | - | \$ | - | \$ | - | 0\% | \$ | - | \$ | - | \$ | - | 0\% |
| 110020 - Operating Grants | \$ | - | \$ | - | \$ | - | 0\% |  | \$ | - | \$ | - | \$ | - | 0\% | \$ | - | \$ | - | \$ | - | 0\% |
| 100 - New Flyer Parts Credit | \$ | - | \$ | - | \$ | - | 0\% |  | \$ | - | \$ | - | \$ | - | 0\% | \$ | - | \$ | - | \$ | - | 0\% |
| Total Operating Expenses | \$ | 3,048,381 | \$ | 3,158,524 | \$ | $(110,143)$ | -3\% |  | \$ | 17,702,646 | \$ | 18,934,631 | \$ | $(1,231,985)$ | -7\% | \$ | 17,702,646 | \$ | 17,319,328 | \$ | 383,318 | 2\% |
| ** does not include depreciation |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| Current Period Notes: |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 1) Administration is under budget $d$ | due to | to a vacant fur | nde | d position, as | we | ell as less th | han antic | cipated | ining | and travel ex | xpen | ses in Decem | ber | 2010. |  |  |  |  |  |  |  |  |
| 2) Human Resources is over budge Departmental spending is under bud | et du dget | ue to higher th YTD. | an | anticipated W | ork | Comp and | State U | nemplo |  | nsurance (SU) | 1) ex | xpenses (SUI | with | holdings are | higher to | rds | the end and in | the | first few mo | nth | of the calend | dar year) |
| 3) District Counsel is over budget d | due to | to State Unem | plo | yment Insura | ance | (SUI) expe | ense, with | hheld a | and | dar year-end, | as w | ell as annual | men | mbership and | subscrip | ns | paid in Decem | ber | 2010. |  |  |  |
| Departmental spending is under bud | dget | YTD. |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 4) Risk Management is under budg | get du | ue to fewer bu | dg | eted settleme | ent | claims paid in | in Decen | nber 20 |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 5) Facilities Maintenance is over bu | budge | et due to labor | r | d materials r | requ | ired to retur | 111 D | ubois to | nner |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 6) Paratransit Program is under bu | dget | t due to lower | tha | $n$ anticipated | pri | ces of fuel, | purchas | ed trans | rtatio | on, as well as | cos | cutting meas | ure | s in place. |  |  |  |  |  |  |  |  |
| 7) Bus Operators is under budget d | due to | o extended le | a |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| 3) Fleet is under budget due to lower | er th | an | p | ces of fuel a |  |  |  |  |  | 2010. |  |  |  |  |  |  |  |  |  |  |  |  |

Attachment C

FY11
Consolidated Operating Expenses
For the month ending - December 31, 2010

## urrent Period



LABOR
501011 Bus Operator Pay 501021 Other Salaries 501023 Other Overtime
FRINGE BENEFITS


Attachment C
MOBILE MATERIALS AND SUPPLIES


FY11
Consolidated Operating Expenses
For the month ending-December 31, 2010
Year to Date
Budget
45,250
103,185
121,537
51,700
 17,969 \$ 24,750 \$ $(6,781)-27 \%$
\$ $(6,781)-27 \%$

Attachment C
FY11
Consolidated Operating Expenses
For the month ending - December 31, 2010
Year to Date
Budget



| $\$$ | 18,717 | $\$$ | 35,209 | $\$$ | $(16,492)$ | $-47 \%$ | 6 | $\$$ | 113,786 | $\$$ | 175,152 | $\$$ | $(61,366)$ | $-35 \%$ | $\$$ | 113,786 | $\$$ | 127,838 | $\$$ | $(14,052)$ | $-11 \%$ |
| :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- | :--- |



Attachment C
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FY11 Capital Budget December 10

## Attachment E

## FY 11 BUDGET LINE ITEM TRANSFERS

For the month ending - December 31, 2010

|  | ACCOUNT \# | ACCOUNT TITLE | AMOUNT |  |
| :---: | :---: | :---: | :---: | :---: |
| TRANSFER \# FY11-20 |  |  |  |  |
| TRANSFER FROM: | 509123-1100 | Travel | \$ | $(4,000)$ |
| TRANSFER TO: | 503031-1100 | Prof \& Tech Fees | \$ | 4,000 |
| REASON: | Cover mail courier PO. |  |  |  |
| TRANSFER \# FY11-22 |  |  |  |  |
| TRANSFER FROM: | 501021-4100 | Other Salaries | \$ | (552) |
| TRANSFER TO: | 503041-4100 | Temp Help | \$ | 552 |
| REASON: | Need funds to cover Temp Help expenses. |  |  |  |
| TRANSFER \# FY11-23 |  |  |  |  |
| TRANSFER FROM: | 509121-1500 | Training | \$ | $(8,000)$ |
| TRANSFER TO: | 509121-1100 | Training | \$ | 8,000 |
| REASON: | Consolidate training budget funds to Admin. |  |  |  |
| TRANSFER \# FY11-24 |  |  |  |  |
| TRANSFER FROM: | 501021-2200 | Other Salaries | \$ | $(10,500)$ |
| TRANSFER TO: | 503041-2200 | Temp Help | \$ | 10,500 |
| REASON: | Need extra funds to extend temp help PO. |  |  |  |
| TRANSFER \# FY11-26 |  |  |  |  |
| TRANSFER FROM: | 503351-2200 | Repair -Bldg \& Impr. | \$ | (700) |
|  | 503352-2200 | Repair-Equipment | \$ | (90) |
| TRANSFER TO: | 503351-3100 | Repair -Bldg \& Impr. | \$ | 700 |
|  | 503352-3100 | Repair-Equipment | \$ | 90 |
| REASON: | Move ParaCruz expenses from Facilities to ParaCruz to meet NTD reporting requirements. |  |  |  |

## TRANSFER \# FY11-27

| TRANSFER FROM: | $509101-3300$ | Emp Incent Program | $\$$ | $(100)$ |
| :--- | :--- | :--- | :---: | :---: |
| TRANSFER TO: | $506123-3300$ | Settlement Costs | $\$$ | 100 |
| REASON: | Cover costs per UTU Labor Agreement (Article 34.01). | December 2010 |  |  |

## GOVERNMENT TORT CLAIM

## RECOMMENDED ACTION

## TO: Board of Directors

FROM: District Counsel

```
RE: Claim of: State Farm Insurance (Subro. Anderson. John)
Received: 2/11/2011 Claim \#: 11-0003
Date of Incident: 1/04/2011 Occurrence Report No: SC 01-11-02
```

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
$\square$ 2. Deny the application to file a late claim.
$\square$ 3. Grant the application to file a late claim.
$\square$ 4. Reject the claim as untimely filed.
$\square$ 5. Reject the claim as insufficient.
$\square$ 6. Allow the claim in full.
$\square$ 7. Allow the claim in part, in the amount of $\$$ $\qquad$ and reject the balance.
 DISTRICT COUNSEL
Date:
 Directors at the meeting of February 25, 2011.
By $\qquad$
Tony Tapiz
RECORDING SECRETARY

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

Date: $\qquad$
Date:

## \# $11-0003$

Santa Cruz Metro. Transit Dist. Att Legal Dept.<br>110 Vernon St<br>Santa Cruz, Ca 95060

RE: Your Insured:

| Your Claim No:: | sc01-11-02 |
| :--- | :--- |
| Our Insured: | John Or Carin Anderson |
| Our Claim No: <br> Date of Loss: |  |



Dear Santa Cruz Metro. Transit Dist. Att Legal Dept.:
This will confirm our subrogation interest arising from this loss. We have settled the claim with our insured and based on the following facts, request payment directly to California State Automobile Association Inter-Insurance Bureau (CSAA-IIB): My insured was side swiped by your bus,

In order to assist with and expedite the evaluation and processing of this subrogation demand, we enclose the relevant documentation in support of our claim. This information may contain personal or privileged information about our insured, and is being provided to you pursuant to California Insurance Code Section 791.13 and may not be used for any unauthorized purpose.

Based upon this information, we ask that you issue payment of \$3051.31

| Repair Bill | $\$ 2,338.31$ |
| :--- | :--- |
| Deductible | $\$ 500.00$ |
| Loss of Use | $\$ 213.00$ |
| Tow/Storage | $\$ 0.00$ |
| Miscellaneous | $\$ 0.00$ |
| TOTAL | $\$ 3,051.31$ |

Please be advised that any payment in an amount less than that set forth in this letter that is forwarded to CSAA without its prior authorization as described below will not constitute a full and final settlement and will be accepted as partial payment only. Since payments received in the mail are processed by clerical staff and deposited as a matter of course without examination, unauthorized payments for less than the full amount demanded may be processed inadvertently. Although such payments may be demarked as "payment in full" or have other words of similar meaning written on them, their processing will not constitute an accord and satisfaction, as CSAA has not agreed to acceptance of such payments. Only an authorized Subrogation Specialist may communicate, orally or in writing, CSAA's specific agreement to accept an amount less than that demanded in this letter.

If you have any questions, please feel free to contact the CSAA Subrogation Department.
Sincerely,

# Stewie Smith <br> Claims Service Adjuster <br> 888-582-3008 extension 8245 <br> Fax 707-863-9052 <br> Enclosure 

5-3.3

## GOVERNMENT TORT CLAIM

## RECOMMENDED ACTION

TO: $\quad$ Board of Directors
FROM: District Counsel
RE: $\quad$ Claim of: Commerce West Insurance (Subro. Tabula. Vince)
Received: 02/15/11 Claim \#: 11-0005
Date of Incident: 01/28/11 Occurrence Report No: SC 01-11-27

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

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

DISTRICT COUNSEL
Date:


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 February 25, 2011.

By $\qquad$
Tony Tapiz
RECORDING SECRETARY
Date: $\qquad$

MG/lg
Attachment (s)

# The Commerce Ground, Inc. <br> American Commerce Insurance Company Commerce West Insurance Company 

## EASTERN CLAIMS OFFICE

11 Gore Road, Webster, MA 01570
Toll free (877) 372-9836
February 11, 2011

SANTA CRUZ METRO TRANSIT
ATTN: LISETH GUIZAR 110 VERNON ST
SANTA CRUZ, CA 95060


RE:
Insured: VINCE TABULA
File \#

Date of Loss: 01/29/11
Responsible Party SANTA CRUZ METRO TRANSIT / DRIVER - ג N
Claim \#: SC111-27
Amount: $\$ 7,213.33$
Property Damage: $\$ 7,213,33$
Medical: \$N/A
Wage: \$N/A
Dear Ms. Guizar:

Our investigation reveals Santa Cruz Metro / driver damages sustained by our insured. We have settled the loss with our insured and would appreciate your payment of the amount listed above

We have paid our insured for damages and are seeking reimbursement Enclosed are our supporting papers for your review. If you have any questions or dispute this claim, please call me at 1-877-372-9836, ext 15484.

Sincerely,
COMMERCE WEST INSURANCE COMPANY

## Erin Dumas

Subrogation Adjuster
Enclosure
ED/md

ADVISORY COMMITTEE
AGENDA
February 16, 2011-6:00 PM PACIFIC STATION CONFERENCE ROOM 920 PACIFIC AVENUE, SANTA CRUZ, CALIFORNIA

1. ROLL CALL
2. AGENDA ADDITIONS/DELETIONS
3. ORAL/WRITTEN COMMUNICATION
4. CONSIDERATION OF APPROVAL OF MINUTES OF DECEMBER 15, 2010
5. ACCEPT AND FILE RIDERSHIP REPORTS FOR OCTOBER 2010
6. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORTS FOR OCTOBER 2010
7. ACCEPT AND FILE LEGISLATIVE AND GRANTS REPORT
8. DISCUSSION OF BUS STOP ISSUES
9. DISCUSSION OF PROMOTING RIDERSHIP
10. DISCUSSION OF BIKE LOCKERS
11. DISTRIBUTION OF MAC VOUCHERS
12. COMMUNICATIONS TO METRO GENERAL MANAGER
13. COMMUNICATIONS TO METRO BOARD OF DIRECTORS
14. ITEMS FOR NEXT MEETING AGENDA
15. ADJOURNMENT

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: February 25, 2011
TO: Board of Directors
FROM: Leslie R. White, General Manager

## SUBJECT: ACCEPT AND FILE VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR PREVIOUS MEETINGS

## I. RECOMMENDED ACTION

That the Board of Directors accept and file the voting results from appointees to the Santa Cruz County Regional Transportation Commission.

## II. SUMMARY OF ISSUES

- Per the action taken by the Board of Directors, staff is providing the minutes from the most recent meetings of the Santa Cruz County Regional Transportation Commission.
- Each month staff will provide the minutes from the previous month's SCCRTC meetings.


## III. DISCUSSION

The Board requested that staff include in the Board Packet information relating to the voting results from the appointees to the Santa Cruz County Regional Transportation Commission. Staff is enclosing the minutes from these meetings as a mechanism of complying with this request.

## IV. FINANCIAL CONSIDERATIONS

There is no cost impact from this action.

## V. ATTACHMENTS

Attachment A: Minutes of the January 13, 2011 Regular SCCRTC Meeting

Prepared by: Tony Tapiz, Administrative Services Coordinator.
Date Prepared: February 18, 2011

## Attachment A



Santa Cruz County Regional Transportation Commission

## MI NUTES

Thursday
January 13, 2011
9:00 a.m.
Board of Supervisors Chambers
701 Ocean St
Santa Cruz CA 95060

1. Roll call

The meeting was called to order at 9:07 am.
Members present:

Greg Caput
Neal Coonerty
Ron Graves
Donald Hagen (Alt)
Randy Johnson
Aileen Loe (ex officio)
Staff present:
George Dondero
Gini Pineda
Rachel Moriconi
Cory Caletti

Don Lane
John Leopold
Eduardo Montesino
Robin Musitelli (Alt)
Kirby Nicol
Donna Ziel (Alt)

Luis Mendez
Yesenia Parra
Kim Shultz
Karena Pushnik
2. Oral communications

J ack Nelson distributed graphic illustrating melting glaciers in Greenland and said that as a result of global warming melting ice sheets in Greenland have caused drastic increases in glacial earthquakes. He asked Commissioners to keep that in mind when making decisions about transportation projects.
3. Additions or deletions to consent and regular agendas

Executive Director George Dondero said that there were add-on pages to Items 15 and 20. He noted that the recently updated Guide to Specialized Transportation Services was distributed to the Commissioners and that there are additional copies available for the public at the RTC office.

## CONSENT AGENDA

(Graves/Leopold - unanimous)

## MI NUTES

4. Approved draft minutes of the December 2, 2010 regular SCCRTC meeting
5. Accepted draft minutes of the December 13, 2010 Bicycle Committee meeting
6. Accepted draft minutes of the December 14, 2010 Elderly \& Disabled Transportation Advisory Committee meeting

## POLICY ITEMS

No consent items

## PROJ ECTS and PLANNI NG ITEMS

7. Accepted follow up on the Monterey Bay Area Regional Blueprint Plan

## BUDGET AND EXPENDI TURES ITEMS

8. Accepted status report on Transportation Development Act (TDA) revenues

## ADMI NI STRATI ON ITEMS

No consent items

## I NFORMATI ON/ OTHER ITEMS

9. Accepted monthly meeting schedule
10. Accepted correspondence log
11. Accepted letters from SCCRTC committees and staff to other agencies
a. Letter from Elderly and Disabled Transportation Advisory Committee to Santa Cruz Metro Transit District regarding the bus stop improvement plan
12. Accepted miscellaneous written comments from the public on SCCRTC projects and transportation issues
13. Accepted information items - None

## REGULAR AGENDA

14. Commissioner reports-oral reports

Commissioners Nicol and Leopold welcomed newly appointed Commissioner Montesino. Commissioner Lane welcomed the Commission to the City of Santa Cruz Council for this meeting. Commissioner Caput arrived.

## 15. Director's report

Executive Director George Dondero said that RTC Commissioners, staff, and consultants have been working with Caltrans and the California Transportation Commission (CTC) staff to resolve any remaining requirements and conditions to receive the funding allocation to acquire the Santa Cruz Branch Rail Line. A CTC meeting will be held January $19^{\text {th }}$ to determine if the funding will be allocated.

He said that AMBAG has notified both the RTC and TAMC that they intend to keep a higher percentage of federal planning funds, which are distributed by formula, due to increased work mandated by SB375. Since both the RTC and TAMC are also facing increased workloads due to SB375 requirements, both agencies will oppose this proposal. Executive Director Dondero communicated that he plans to submit a letter of opposition on behalf of the RTC.
Commissioners requested copies of the letter that the RTC will send to AMBAG.
A meeting between RTC staff, Harbor High and Santa Cruz City school officials took place on January $5^{\text {th }}$ to discuss possible alternatives to resolve noise issues regarding the Highway 1 Auxiliary Lanes project. Staff will continue to work with the school to investigate potential funding opportunities to address these issues.

Mr. Dondero noted that the Interagency Technical Advisory Committee (ITAC) meeting was rescheduled to $1 / 27 / 11$.
16. Caltrans report and consider action items

Aileen Loe, Caltrans District 5, said that applications for FY 11-12 planning grants are due on March 30, 2011. A workshop explaining the program will be held January $25^{\text {th }}$ at District 5 headquarters. More information is available at www.dot.ca.gov.

Ms. Loe noted the revised construction projects report format which includes a map of the projects currently under construction.
17. Presentation from City of Santa Cruz Public Works - Taken out of order after Item 19

Chris Schneiter, Santa Cruz County Public Works, gave a presentation on recently completed and planned transportation projects within the City of Santa Cruz. Projects completed last year included road rehabilitation projects with funds secured by the RTC from the federal American Recovery and Reinvestment Act (ARRA). The City also completed the San Lorenzo River
multipurpose bike/pedestrian path under Highway 1 which used porous concrete to minimize drainage issues. Future projects include improvements to the Highway $1 / 9$ interchange, roundabouts in the Wharf area, retrofitting of the Murray St bridge and safety improvements such as left hand turn pockets on Soquel Drive at Park Street.

Jack Nelson said that he supports "green" projects and mentioned that the City of Santa Cruz has a goal in its Climate Action Plan to reduce greenhouse gas emissions by $30 \%$ by 2020.
18. Highway 1 projects - status report - Taken out of order after Item 16

Senior Planner Kim Shultz said that progress on the Highway 1 projects is constant and steady. The Highway 1 Auxiliary Lanes project has advanced to the $95 \%$ design level with the goal of securing all environmental permits and funding for construction to begin as soon as September/October 2011. The HOV Lanes project continues to progress with a target for release of the Draft Environmental Document for the Fall of 2011.

Commissioner Lane moved and Commissioner Alternate Ziel seconded to accept the report. The motion passed unanimously.
19. Sustainable Transportation Access Rating System (STARS)

Executive Director George Dondero reviewed the STARS process and its application to transportation projects. He emphasized that the STARS focus is to improve transportation accessibility, maximize cost effectiveness and cut transportation climate pollution and energy use. A list of 12 credits was developed over a ten-month period by the STARS Technical Advisory Committee (TAC) for potential application to the Highway 1 corridor. The STARS Pilot Project Application Manual was developed by the STARS TAC and presented to the Commissioners for their review. If the Commission chooses to apply the credits to the HOV Lane project, the project could be submitted for STARS Pilot Project certification.

Commissioners questioned whether applying the STARS credits could interfere with the timeline developed for the project. It was noted that some of the recommended STARS strategies coincide with goals the RTC already has for the project.

Mr. Dondero assured Commissioners that applying STARS credits would be a parallel strategy to the Environmental Impact Report (EIR) and would not interfere with the project timeline. He said that STARS would help quantify goals and that the RTC could be applying criteria as the project is developed.

He added that there have been discussions about doing something similar with the RTP update.

5-5.a4

Jack Nelson said that he hopes that STARS and the EIR process will consider alternatives to highway widening as a means of providing transportation accessibility and that he doesn't think there is enough emphasis on alternative modes of travel.

Commissioner Leopold moved and Commissioner Lane seconded to accept the staff recommendations that the Regional Transportation Commission (RTC):

1. Accept the STARS Pilot Project Application Manual with the 12 credits selected by the RTC-approved Technical Advisory Committee;
2. Authorize the Executive Director to execute a contract with the North American Sustainable Transportation Council for the purpose of applying principles, strategies and programs as identified through the STARS Pilot Project Application Manual to the Highway 1 corridor.

The motion passed unanimously.
20. Comprehensive Transportation Tax Swap Proposal

Senior Planner Rachel Moriconi reviewed the "fuel tax swap" approved by the state legislature in March. However, the tax was invalidated in the November elections with the passages of Propositions 26 and 22. These propositions reversed the "fuel tax swap" putting state funding for transit, local streets and roads, and highway projects at risk. A coalition of public and private transportation stakeholders developed a comprehensive tax swap proposal to address the impacts of Propositions 22 and 26 and provide the same level of funding for transportation projects as promised under the original "fuel tax swap

Commissioner Leopold moved and Commissioner Coonerty seconded to approve the staff recommendations that the Regional Transportation Commission (RTC) support the comprehensive transportation tax swap proposal to address impacts of Propositions 22 and 26 on transportation funds previously established as part of the "fuel tax swap" (AB X8 6 and $A B X 89$ ).

The motion passed unanimously.
21. Review of items to be discussed in closed session

The Commission adjourned into closed session at 10:45 am.

## CLOSED SESSION

22. Annual Performance Review for Executive Director pursuant to Government Code 54957
23. Conference with Labor Negotiators Pursuant to Government Code 54957.6

5-5.a5

Commission Negotiators: George Dondero and Yesenia Parra
Bargaining Units: Mid-Management Unit and General Representation Unit

## OPEN SESSION

24. Report on closed session

The meeting reconvened into open session at 11:17 am. There was nothing to report.
25. Adjourn to special meeting of the Service Authority for Freeway Emergencies
a. No agenda items this month
26. Next Meetings

The meeting adjourned at 11:19 am.
There is no Transportation Policy Workshop scheduled for January 2011.
The next SCCRTC meeting is scheduled for Thursday, February 3, 2011 at 9:00 a.m. at the Watsonville City Council Chambers, 275 Main St., Watsonville, CA.

Respectfully submitted,

Gini Pineda, Staff

Chris Schneiter
City of Santa Cruz Public Works
Mark Dettle
City of Santa Cruz Public Works
SCMTD
UTU
Community member
Caltrans
County Counsel

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

DATE: February 25, 2011
TO: Board of Directors

FROM: Angela Aitken, Finance Manager \& Acting Assistant General Manager

## SUBJECT: STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR FEBRUARY 2011

## I. RECOMMENDED ACTION

This report is for informational purposes only. Active grants and grant proposals are current as of February 16, 2011. No action is required.

## II. SUMMARY OF ISSUES

- Santa Cruz METRO relies upon grant funding from other agencies for more than 25\% of its FY11 operating revenue and over $95 \%$ of its FY11 capital funding.
- A list of Santa Cruz METRO's active grants (Attachment A) and a list of grant proposals for new funds (Attachment B) are provided monthly in order to apprise the Board of the status of grants funding.
- Santa Cruz METRO has active grant awards totaling \$37,662,287.
- Items in bold on Attachments A and B depict changes from last month's report.
- A new grant funding source has been found in the FTA 5322 program and Santa Cruz METRO staff is preparing a $\$ 50,000$ project proposal for the Innovative Workforce Development program.


## III. DISCUSSION

Santa Cruz METRO relies upon grants from a number of other entities throughout the year for more than $25 \%$ of its FY11 operating revenue and over $95 \%$ of its FY11 capital funding. Programs such as the Transportation Development Act (TDA) and the Federal Transit Administration (FTA) urbanized area program annually allocate funds by formula while others such as the Monterey Bay Unified Air Pollution Control District’s AB2766 Motor Vehicle Emissions Reduction Program and the California Department of Transportation (Caltrans) discretionary planning grants are competitively awarded based on merit. Santa Cruz METRO relies on both formula and discretionary grant revenue to support its operating and capital budgets.

This staff report is to apprise the Board of Directors of active grants funding current projects and proposed grants for new projects and ongoing operating costs. Attachment A lists all of Santa Cruz METRO's active grants with the award amount, the remaining balance and the status of the
projects funded by the grant. Attachment B lists Santa Cruz METRO’s open grant applications with a brief description, source and status of proposed funds. Items in bold on Attachments A and B depict changes from last month's report.

## IV. FINANCIAL CONSIDERATIONS

Active grant awards for operating and capital projects total \$37,662,287. The annual application cycle has begun for routine formula funding for FY11 rural transit assistance, Transit Security Grants, Transportation Development Act and State Transit Assistance funds.

A new grant funding source has been found in the FTA 5322 program. Santa Cruz METRO staff is preparing a project proposal for approximately $\$ 50,000$ in the Innovative Workforce Development program.

## V. ATTACHMENTS

Attachment A: Santa Cruz METRO Active Grants Status Report as of February 16, 2011

Attachment B: Santa Cruz METRO Grant Applications as of February 16, 2011

Staff Report prepared by Tove Beatty and Thomas Hiltner, Grants/Legislative Analysts
Date Prepared: February 18, 2010

## Santa Cruz METRO Active Grants as of February 16, 2011

| \# | Grant | Description |  | \$ Grant Awarded |  | \$ Grant Balance | Funding Source | Grant Status |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | Smartcard Farebox; ParaCruz Vans; IT Upgrades; Operating Assistance | Upgrade dispatch, scheduling and customer information software; purchase 27 replacement paratransit vans; purchase new fareboxes with magnetic card readers; operating assistance. | \$ | 4,909,939 | \$ | 2,499,322 | Federal Transit Administration (FTA) 5307 American Recovery and Reinvestment Act (ARRA) funds | Project funding from ARRA through FTA urbanized area formula program. Santa Cruz METRO has received and installed fareboxes; is installing ticket vending machines; will received paratransit vans by $1 / 21 / 11$ and expects to complete the Giro/Hastus roll-out by early 2012. |
| 2 | Smartcard Farebox | Purchase new fareboxes with magnetic card readers. | \$ | 267,464 | \$ | 267,464 | California Department of Transportation (Caltrans 5311) ARRA funds | Project funding through Caltrans (FTA 5311) rural operating assistance program contributes to Smartcard farebox procurement. Santa Cruz METRO awarded contract to GFI for new fareboxes on $6 / 15 / 10$. Grant to be closed by $3 / 31 / 11$. |
| 3 | UCSC Vans | Pass-through funding to UCSC for new paratransit vans | \$ | 125,000 | \$ | 7,309 | FTA 5307 ARRA funds passed from Santa Cruz METRO to UCSC | Project complete. Grant closed out 2/2/11 w/FTA. |
| 4 | Smartcard Farebox | Purchase new fareboxes with magnetic card readers. | \$ | 475,000 | \$ | 75,899 | FTA 5309 Bus and Bus Facilities Program | Fareboxes installed, this grant will be closed-out with the final contract expenditure. |
| 5 | Bus Stop Improvements | Improve bus stops in Santa Cruz METRO service area | \$ | 500,000 | \$ | 500,000 | Caltrans from State Transportation Improvement Program (STIP) | Received CTC funding; project kick-off meetings commenced week of 2/7/11; official kick-off is $\mathbf{4 / 1 / 1 1}$. |
| 6 | CT Transit Planning-Watsonville | 18-month transit planning study of Watsonville service as subrecipient of MPO (AMBAG). | \$ | 100,000 | \$ | 100,000 | Caltrans (FTA 5304) | Moore and Associates selected as consultant for planning study to commence 2/15/11. |
| 7 | FY11 AB2766 | For second CNG storage tank at Bus Fueling and Service facility. | \$ | 200,000 | \$ | 200,000 | AB2766 Monterey Bay Unified Air Pollution Control District (Air District) AB 2766 Motor Vehicle Emissions Reduction Program | Signed agreement and forwarded to Air District; project to be completed with capital funds on hand. |
| 8 | FFY10 Discretionary Bus/Facilities Program | Proposal for 12 new CNG buses from FTA discretionary grant program. | \$ | 4,830,600 | \$ | 4,830,600 | FTA 5309 Bus \& Bus Facilities/State of Good Repair Program | Received Notice of Award on 10/4/11. |
| 9 | Prop 84 Challenge Grant | Discretionary grant proposals for planning/zoning of unicorporated areas (Live Oak, Soquel Dr. corridor) w/ County of Santa Cruz; and sustainable growth communities grant w/ AMBAG. All need METRO as a partner. | \$ | 10,000 | \$ | 10,000 | Funding from Proposition 84 Planning Grants from the State of California Strategic Growth Council. | County received $\$ 500 \mathrm{~K}$ for Prop. 84 Sustainable Communities Planning Grant Program for a project entitled "The Santa Cruz County Sustainable Community and Transit Corridors Plan" on December 6, 2010. |
| 10 | Dispatch, Surveillance, Radio | Replace dispatch console, install video surveillance and upgrade the fleet mobile radio system (LMR). | \$ | 440,505 | \$ | 316,243 | FY08 California Transit Security Grant Program (CTSGP) funds from California Emergency Management agency (Cal EMA) | Dispatch console purchased. Board approved \$164,000 contract award to Ojo for video surveillance project on $12 / 17 / 10$ and $\$ 530,000$ contract with Day Wireless for fleet mobile radio upgrade on $\mathbf{1 / 2 8}$. $\$$ Grant Balance as of 2/8/11. Expires 3/31/11. |
| 11 | Comprehensive Security \& Surveillance | Continue video surveillance and LMR upgrade. | \$ | 440,505 | \$ | 440,505 | FY09 CTSGP funds from Cal EMA | Dispatch console purchased. Board approved \$164,000 contract award to Ojo for video surveillance project on $\mathbf{1 2 / 1 7 / 1 0}$ and $\$ 530,000$ contract with Day Wireless for fleet mobile radio upgrade on $\mathbf{1 / 2 8}$. \$ Grant Balance as of $2 / 8 / 11$. Expires $3 / 31 / 12$. |
| 12 | Comprehensive Security \& Surveillance | Continue video surveillance, LMR upgrade and install emergency generator. | \$ | 440,505 | \$ | - | FY10 CTSGP funds from Cal EMA | Not received. CA Treasurer sold general obligation bonds on 11/19 and $11 / 23$ to fund advance payment for the project, but the date of payment is yet unknown. \$ Grant Balance as of $\mathbf{2 / 8 / 1 1}$. Expires $3 / 31 / 13$. |

Attachment A
Santa Cruz METRO

| \# | Grant | Description |  | \$ Grant Awarded |  | \$ Grant Balance | Funding Source | Grant Status |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 13 | FY11 Operating Assistance | FY11 Transportation Development Act (TDA) revenue for public transit operations. | \$ | 5,001,737 | \$ | 2,531,671 | State Controller's Office (SCO) through Santa Cruz County Regional Transportation Commission (SCCRTC) | On 11/4, SCCRTC made an additional allocation of \$27,259 in FY11 TDA funds. Grant funds are paid quarterly. |
| 14 | FY10 Operating Assistance | Operating Assistance | \$ | 4,898,314 | \$ | 4,898,314 | FTA 5307 urbanized area formula funds and Small Transit Intensive Cities (STIC) funds forOperating. | FY10 transit operations completed 6/30/10. The grant was amended $1 / 26 / 11$, and funds will be available for drawdown after the amendment is executed. |
| 15 | FY10 Rural Operating | Operating assistance for public transit service in rural areas of Santa Cruz County. | \$ | 156,618 | \$ | - | Caltrans (FTA 5311) | Invoice for completed project submitted to Caltrans 2/2/11. Reimbursement anticipated by 3/9/11. |
| 16 | FY09 Operating/MetroBase const. | Operating Assistance and MetroBase construction funding. | \$ | 4,753,504 | \$ | 1,108,062 | FTA 5307 urbanized area formula funds and Small Transit Intensive Cities (STIC) funds for MetroBase construction. | FY09 transit operations were completed 6/30/09. MetroBase construction funds to be drawn down after State funds expended. No expiration. |
| 17 | MetroBase Development | MetroBase design, and construction. As of $9 / 15 / 10$, funding from multiple years is reported within this single project rather than separately. | \$ | 6,884,929 | \$ | 490,352 | FY08, 09 funds from Prop. 1B Public Transportation Modernization and Service Enhancement Account (PTMISEA) through Caltrans | FY08, FY09 PTMISEA funds are being spent on MetroBase development. November bond sales yielded only $\$ 78 \mathrm{M}$ for FY10 statewide obligations of \$339M. Santa Cruz METRO will likely not receive the FY10 allocation until the next bond sale. \$ Grant balance as of $1 / 31 / 11$. |
| 18 | Pacific Station Land | Purchase land for Pacific Station (Metro Center) renovation. | \$ | 884,000 | \$ | 0 | California Department of Transportation (Caltrans) Traffic Congestion Relief Program. | Environmental remediation of 425 Front Street anticipated to be completed in February. Reimbursement request for remaining grant funds submitted $1 / 26 / 11$. \$ Grant balance as of $\mathbf{1 / 2 6 / 1 1}$. Expires 6/30/13. |
| 19 | Pacific Station Land | Purchase Greyhound property for Pacific Station (Metro Center) renovation | \$ | 1,457,667 | \$ | 37,667 | FY05 FTA 5309 Bus and Bus Facilities program - legislative earmark. | Environmental remediation of 425 Front Street anticipated to be completed in February. Renovation has begun at Metro Center to modify the customer service area for the Greyhound Ticket Agent. \$ Grant balance as of $\mathbf{1 2 / 2 1 / 1 0}$. |
| 20 | Pacific Station Design Engineering | Contract architectural and engineering services for Pacific Station expansion and renovation | \$ | 396,000 | \$ | 396,000 | FY06 FTA 5309 Bus and Bus Facilities program - legislative earmark. | On hold pending Greyhound property decontamination and recovery of the real estate market. No expiration. |
| 21 | Pacific Station Design Engineering | Contract architectural and engineering services for Pacific Station expansion and renovation | \$ | 490,000 | \$ | 490,000 | FY08 FTA 5309 Bus and Bus Facilities program - legislative earmark. | On hold pending Greyhound property decontamination and recovery of the real estate market. No expiration. |
|  |  | Total | \$ | 37,662,287 |  | 19,199,408 |  |  |

Santa Cruz METRO
Grant Applications as of Februar

| \# | Application Date | Grant | Description | \$ Grant | Funding Source | Status of Award |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 1 | 3/30/2011 | Caltrans CBTP Grant | Discretionary grant. | \$ 99,000 | State of California | Developing proposal with County for sustainability along major transit corridors which dovetails with their planning efforts for transit oriented development in unincorporated areas. |
| 2 | 1/0/1900 | FTA Innovative Workforce Development | Training for VMU staff on CNG buses, plus related travel, etc. | $\sim$ \$50,000 | FTA-2011-009-TRI (Section 5322) | Proposal in development for workforce training. |
| 3 | 1/31/2011 | FY11 Rural Operating Assistance | Operating assistance for public transit service in rural areas of Santa Cruz County. | \$ 156,312 | Caltrans (FTA 5311) | Application submitted 1/26/11. |
| 4 | 3/15/2011 | FY11 Transit Security Project | Santa Cruz METRO security fencing and video surveillance projects | \$ 440,505 | FY11 CTSGP funds from Cal EMA | BOD consideration of a resolution authorizing a grant application and designating an Authorized Agent requested at the 2/25/11 meeting. Funds will expire $3 / 31 / 14$ according to the guidelines. |
| 5 | 6/1/2011 | FY11 PTMISEA | FY11 Public Transporation Modernization Improvement and Service Enhancement Activity (PTMISEA) funding for MetroBase Operations Building. | TBD | FY11 PTMISEA funds from Caltrans Division of Mass Transit | Due to suspension of the spring bond sale, Caltrans postponed submission of the FY11 allocation requests until 6/1/11. FY11 allocation to Santa Cruz METRO is estimated at \$11,010,047. |
| 6 | 4/1/2011 | FY12 Operating Assistance | FY12Transportation Development Act (TDA) and State Transit Assistance (STA) revenue for public transit operations. | TDA \& STA | SCCRTC | SCCRTC will provide estimate of FY12 TDA revenue in late February/early March. The FY12 allocation could be slightly more than the FY11 allocation of $\$ 5$ million since TDA revenue collection is trending upward. The FY12 STA allocation is $\$ 2,311,643$ per the State Controller's Office. |
|  |  |  | Total | \$ 695,817 |  |  |

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

DATE: $\quad$ February 25, 2011
TO: Board of Directors

FROM: Angela Aitken, Finance Manager \& Acting Assistant General Manager
SUBJECT: STATUS REPORTS OF PROPOSED FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES

## I. RECOMMENDED ACTION

That the Board of Directors accept and file the status reports of proposed Federal and
State legislation and current legislative issues through February 16, 2011.

## II. SUMMARY OF ISSUES

- Status reports on Federal House of Representatives' and Senate's proposed legislation and related issues are provided monthly to inform the Board of the status of legislation of interest to Santa Cruz METRO.
- This month's Federal report reflects pertinent legislative activities which occurred January 19, 2011 - February 16, 2011. Furing Congress’ productive lame duck session, ending on December 23, 2010, Continuing Resolutions (CRs) were passed to keep government funded at FY 2010 levels until March 4, 2011.
- Status reports on the State Legislature's Assembly's and Senate’s legislative issues are provided monthly to inform the Board of the status of State legislation of interest to Santa Cruz METRO.
- This month's reports include updates on relevant legislative issues and reports on pertinent legislation in the new Congress, which resumed session on January 5, 2011, and State Legislature, who returned to Sacramento on January 14, 2011.


## III. DISCUSSION

Santa Cruz METRO staff monitors and responds to Federal and State pending legislation on an ongoing basis. The purpose of this report is to inform the Board of Directors of the current status of pending legislation which may be of interest to or have an eventual impact on Santa Cruz METRO and/or the transit industry. The Federal and State Legislation Status Reports are updated monthly for this purpose.

Congressional Continuing Resolutions (CRs) were approved in the lame-duck and extended funding to March 4, 2011. In the last week, budget discussions on the Hill heated up, with both the President and the GOP proposing significant, but different, cuts to please deficit hawks. In the week of February 14, the House began considering a new CR to extend government funding
through September 30, 2011. However, given the GOP’s "Pledge to America" to cut $\$ 100$ billion from the federal budget this year, a seven-month CR (or a partial year's funding) will include these cuts, the content which is as yet undetermined, though can be guessed at by recent Congressional back-and-forth (i.e. de-funding health care legislation, de-funding National Public Radio, de-funding for wide array of government assistance programs, etc.). House leadership announced unlimited amendments will be allowed and, to date, they number above 400. House leaders expected to complete the legislation by February 18, but at the time of this report, that is unlikely. The Senate is in recess until February 28 and will not take up consideration of the CR until the first week of March. Chances are the Senate will not agree to House cuts and will pass a short-term CR in order to negotiate a compromise to extend the CR through the fiscal year.

SAFETEA-LU is also extended to this date and is expected to be extended by another CR while a new long-term act is pursued. Rep. John Mica (R-FL), new chair of the House Committee on Transportation and Infrastructure, is in the midst of a national "listening tour" to gather ideas for a new long-term surface transportation funding bill. In California, Fresno and Los Angeles will host hearings. Senator Boxer will attend the Los Angeles hearings, as her Environment and Public Works Committee on the Senate side will also be taking up the legislation. The President's proposed budget released the week of February 14, includes a $128 \%$ net increase to transit funding through formula and competitive grants programs, but large capital grant programs like TIGER and TIGGER have been eliminated, as well as a significant reductions high-speed rail and Amtrak funding and the elimination of New and Small Starts Programs, aside from the current multi-decade waiting list for these projects

Also of note and because of these Continuing Resolutions, only five months of federal formula funding for the current fiscal year are available to apply for. The FTA will not be announcing the availability of competitive discretionary grants funds until the full year amounts are available, which is entirely dependent on the $112^{\text {th }}$ Congress authorizing a full year's funding. Please see Attachment A for other relevant information regarding Federal legislative issues and activity.

After Governor Brown's budget was presented in January, communities around the state are busy protecting redevelopment dollars, and anticipating a painful combination of upcoming cuts. Transit agencies are in the unique position of supporting the Governor's budget in regard to the re-enactment of the gas tax swap and the preservation of the STA program. On the flip side, the Governor's announcement that there would be no bond sales in 2011 (ostensibly to avoid more bond service debt, a major expense) means that there is no anticipated financing to complete the Operations Building capital project. If there are no bond sales in 2011, this funding stream will remain dry until such time that bonds are sold to finance it.

Finally, the California Legislature returned to session on January 14, 2011, so please see Attachment D for information on relevant new State legislation.

## IV. FINANCIAL CONSIDERATIONS

As most potential legislation carries a fiscal impact, staff will report on a monthly basis of newly implemented federal and/or State legislation which financially impacts Santa Cruz METRO.

If the President's budget passes as is (or at least the transportation section), there will be a $128 \%$ increase to transit funding, though we do not know at this point what that would look likeformula or discretionary funding.

Though the October 8, 2010 approved State budget appropriated approximately $\$ 16$ million in capital funding to Santa Cruz METRO through the PTMISEA program, if there are no bond sales in 2011, the agency will not receive this capital funding until such time that it is available. If the STA Program is preserved in the Governor's budget, increases in the amount of available State Transit Assistance (STA) funding may net up to \$1 million in additional STA in FY 2011.

## V. ATTACHMENTS

Attachment A: Federal Legislative Issues and Status Report, February 16, 2011
Attachment B: Federal House and Senate Bills Status Report, February 16, 2011
Attachment C: State of California Legislative Issues and Status Report, February 16, 2011
Attachment D: State of California Assembly and Senate Bills Status Report, February 16, 2011

Staff Report Prepared by: Tove Beatty, Grants/Legislative Analyst
Date Prepared: February 16, 2011

## ATTACHMENT A

# Federal Legislative Issues and Status Report February 25, 2011 

Current Legislative Issues

House Resolution 5 (H.R. 5)

Update at 1/18/11: In a secret caucus held on January $4^{\text {th, }}$ prior to the swearing in of the $112^{\text {th }}$ Congress, House GOP members held an unrecorded vote on a proposed Rules package. In this package (H.R. 5), a separation of the authorization and appropriations processes in regard to infrastructure (such as transit) funding was proposed and accepted by the GOP the next day.

What this means to transit is that, for the first time in decades, the transparency of the authorization process driving the appropriations process is lost. Should the appropriators decide that what has been authorized isn't to their liking, appropriations could be less than authorized funding, particularly in a session focused on deficit reduction by any means possible.

Update at 2/16/11: Still monitoring effects of this House Rule.

## Long Term Surface Transportation Act

Update at 1/18/11: The FTA has announced the availability five months of current fiscal year funding (from October 2010-February 2011), as this is all that is approved at this time. It is not anticipated that the FTA will announce the full amounts of available operational funding and competitive, discretionary grants programs (to meet capital needs) until after March 4, 2011 and any decisions made at that time.

Chair Mica has proposed a series of hearings regarding a new long-term Surface Transportation Act, beginning on February $18^{\text {th }}$ and possibly extending through the end of February. Mica is calling this a "listening tour" to gather information and new ideas for the Act. Mica is a proponent of a healthy new long-term transportation act, but he will want financial offsets for any increased spending in order to please the GOP.

Update at 2/16/11: Chair Mica's listening tour is underway and conversations about the contents of a new act are fast and furious. The President's budget looks good for transit in particular, as transit benefits from other major cuts to other modes. High speed rail funding is taking the biggest hit on both sides of the aisle. This conversation, however, is just beginning, and there is much more to come. Stay tuned.

## Alternative Fuel Tax Credits (i.e. CNG) or "Tax Extenders"

Update at 1/18/11: A retroactive alternative fuel tax credit (to January 1, 2010) was passed in the lame-duck session and will result in approximately $\$ 500,000$ in revenue to Santa Cruz METRO for calendar year 2010. The tax credit extends until the end of federal fiscal year 20112012, or until September 30, 2012.

Update at 2/16/11: According to the IRS code, the Alternative Fuel Tax Credit expires as of December 31, 2011, not September 30, 2012. Santa Cruz METRO staff is meeting with

## ATTACHMENT A

representatives from Clean Energy, our CNG supplier, in late February and will inquire about advocacy to extend this credit beyond December 2011.

## Federal House and Senate Legislation Summary

Congress is solely focused on passing some sort of budget, with the GOP demonstrating their deficit-reducing powers and the Democratic party pushing back with cuts of their own. The President's proposed budget contained some brutal cuts to some significant programming as well. As a result, the only current legislation we are focusing on is the budget fight and the development of a new Long-Term Surface Transportation Act. Staff will be attending the American Public Transportation Association’s annual Legislative Conference in Washington DC in March and will report back next month on this event.
Attachment B

## Santa Cruz METRO

Federal House and Senate Bills Status Report
February 16, 2011

| Federal Bills <br> House | Subject | Introduced | Status |
| :---: | :---: | :---: | :---: |
| Long Term Surface <br> Transportation Act (Mica- R-RL) | Currently, Chair Mica is holding field hearings across the country to get input for a new long-term act. Several proposals in the President's budget impact transportation funding concurrent with working on the act. What is known is that Mica is a strong supporter of transit, but is also looking for more creative financing of capital projects, including public-private partnerships, a National Infrastructure Bank and TIFIA loan programs. | TBD | Legislation not introduced yet, will continue to monitor and advocate as necessary. |

## ATTACHMENT C

State of California<br>Legislative Issues and Status Report

February 16, 2011
The Governor's Proposed Budget:
On January 10, Governor Brown unveiled his proposed 2011-2012 State Budget, a painful combination of spending cuts and tax extensions totaling over $\$ 25.4$ billion. The proposed budget includes provisions that increase the State Transit Assistance program (STA) to a total of $\$ 329.6$ million, compared to $\$ 200$ million in fiscal year 2010-2011. For Santa Cruz METRO, if this holds steady, this may mean $\$ 2$ million or more in STA revenue each year. The Legislative Analyst's Office (LAO) released a counter-proposal which aimed to deposit all STA revenues into the General Fund. The good news for transit in California is that the new Governor's proposed budget is, so far, in accordance with all of the California Transit Association’s funding recommendations and that the Assembly budget subcommittee voted down the LAO's counterproposal and the Senate budget subcommittee (chaired by Senator Simitian) is expected to do the same shortly.

## Proposition 22 \& Proposition 26:

Update @ 2/16/11: As discussed in previous months’ reports, Proposition 26 negates the "gas tax swap" made earlier this year unless it returns to the Legislature and gets a $2 / 3$ rds vote within the next 12 months, which is proposed in the Governor's budget. The Assembly and Senate budget subcommittees support the re-enactment of the gas tax swap. What remains to be seen is if a $2 / 3$ rds vote can be arrived at.

## The California Legislature

Please see the attached legislative spreadsheet (Attachment D) for bills of interest in the California Legislature. The last day to introduce bills for this session was February $18^{\text {th }}$.

## Attachment D

Santa Cruz METRO
State of California
Assembly and Senate Bills Status Report February 16, 2011

| State Bills <br> Assembly | Subject | Last Amended | Status |
| :---: | :---: | :---: | :---: |
| Governor's Proposed Budget re: "gas tax swap" | The Governor's proposed budget includes re-enactment of the "gas tax swap" by a $2 / 3$ rds vote as required by Proposition 26. The Legislative Analyst's office (LAO) proposed that dedicated transit funding be diverted, again, to the general fund and to cover bond debt service. Budget subcommittee in the Assembly voted to support the Governor. Senate budget subcommittee is expected to do the same during week of February 21. This means approximately $\$ 2$ million per year toSanta Cruz METRO in STA funds. | 2/14/2011 | To be voted on in Senate budget subcommitte, which is expected to vote down the LAO's recommendation and proceed with Gov's budget; Assembly subcommittee voted down LAO's proposal. |
| AB36 (Perea and <br> Blumenfield): Income <br> Taxes: Federal <br> Conformity: Health Care <br> and Education <br> Reconciliation Act of <br> 2010 | Brings state law into conformity with federal law in regard to adult children up to age 26 being able to obtain coverage on their parents' health coverage and related taxation. This bill intends to bring state law into line with federal law. It affects Santa Cruz METRO's HR and payroll departments in regard to taxes and other deductions on paychecks of individuals with children within the age range eligible for extended coverage. | 1/27/2011 | Re-referred to Committee on Revenue and Taxation 2/3/11; passed Committee on Appropriations unanimously |
| AB441 (Monning): State Planning | Requires certain state-mandated planning activities be subject to a new regulation requiring that the development of voluntary guidelines for a regional transportation plan include how local and state agencies can incorporate health issues into local or regional planning for the purpose of ensuring that health needs and opportunties are addressed in such. | None | May be heard in Committee on March $\text { 17, } 2011 .$ |
| AB485 (Ma): Local <br> Planning: Transit Village <br> Development Districts | Eliminates the requirement of voter approval for adoption of an infrastructure financing plan, the creation of an infrastructure financing distrit, and issuance of bonds for which only a district is liable and the issuance of bonds for a transit village development district. At least $20 \%$ of bond sales to be used to improve or add lower- to middle-income housing; and to require that all low-income housing be occupied by low-income residents for at least 55 years; 45 years for owner-occupied units. This bill assumes that all transit village developments are enviornmentally conscious and sustainable and meet or exceed the California Green Building Standards Code. | 2/15/2011 | Read first time, to print on 2/15/11. |

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

DATE: February 25, 2011
TO: Board of Directors
FROM: Leslie White, General Manager
SUBJECT: 1- CONSIDERATION OF ACCEPTANCE AND APPROVAL OF THE TERMS OF THE COUNTY OF SANTA CRUZ' RIGHT OF ENTRY FOR METRO'S ENTRY ONTO THE EMELINE BUS STOP RELOCATION PROJECT;

2- CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE ANY NECESSARY DOCUMENTS REQUIRED FOR ENTRY ONTO PROPERTIES IN CONNECTION WITH THE CONSTRUCTION, IMPROVEMENT AND/OR REPAIR OF PROPOSED BUS STOPS THROUGHOUT THE COUNTY OF SANTA CRUZ

## I. RECOMMENDED ACTION

## 1- Accept and Approve the Terms of the County of Santa Cruz' Right of Entry for METRO's entry onto the Emeline Bus Stop Relocation Project; <br> 2- Authorize the General Manager to Execute any Necessary Documents Required for Entry onto Properties in Connection with the Construction, Improvement and/or Repair of Proposed Bus stops throughout the County of Santa Cruz.

## II. SUMMARY OF ISSUES

- On December 17, 2010 METRO’s Board of Directors approved the construction, improvement and/or repair of various Bus Stops using \$500,000.00 in State Transit Improvement Program (STIP) funds via the Santa Cruz County Regional Transportation Commission (SCCRTC).
- On February 1, 2011, METRO received from the County of Santa Cruz a Right of Entry which contains an indemnification provision for the Project identified as the Emeline Bus Stop Relocation, which is one of the bus stop projects.
- It is anticipated that METRO will receive other requests for indemnification from the other property owners in connection with this Project.
- METRO's Board of Directors should decide whether or not it wishes to approve each separate request for indemnification as the Project proceeds or authorize the General Manager to execute such indemnification agreements without further review by the METRO Board of Directors.


## III. DISCUSSION

On December 17, 2010 METRO’s Board of Directors identified specific locations for the construction, improvement and/or repairs of various bus stops throughout the County of Santa

Board of Directors
Board Meeting of February 25, 2011
Page 2
Cruz using \$500,000.00 in STIP funds, hereinafter referred to as "the Project." The December 17, 2010 staff report, excluding its attachments, is attached as Attachment A for reference.

After receiving Board of Director authority to proceed with the Project, METRO staff contacted the County of Santa Cruz to begin work on the Emeline Bus Stop Relocation. On February 1, 2011, METRO received a Right of Entry for the Emeline Bus Stop Relocation which has been executed by the County of Santa Cruz Director of Public Works and the Chief Real Property Agent. A copy of the executed Right of Entry is attached as Attachment B for the Board's review. The Right of Entry grants permission to METRO, its contractor and authorized agents to enter the property to construct improvements for the purpose of relocating a bus stop pad and installing a new enclosed bus stop. The Right of Entry also contains a requirement that METRO defend, indemnify and hold harmless the Grantors of the property from and against all claims, damages, losses, and suits for injuries to persons or property arising from or caused by the Emeline bus Stop Relocation.

It has been the standard practice that METRO staff obtain Board of Director approval whenever an indemnification clause is contained in any contract or agreement. It is recommended that the Board of Directors accept and approve the terms and conditions of the Right of Entry as set forth by the County of Santa Cruz in the Right of Entry for the Emeline Bus Stop Relocation. By accepting these terms, METRO staff can proceed with the Project.

It is anticipated that METRO will receive other similar indemnification requests from other property owners in connection with this Project as METRO will be conducting similar activities as it works on each identified bus stop. The owners will be requesting that METRO indemnify the owners, should there be any claims, damages, losses and suits for injuries, including death, to any person or property arising from the project, similar to the request from the County of Santa Cruz. Although there is no requirement for METRO to execute this Right of Entry, METRO may receive other documents in the future regarding the project that would require METRO's signature, such as an indemnification agreement.

The Board of Directors is also being asked to decide whether it would prefer to review each separate request for indemnification before authorizing the General Manager to execute any documents relating to this Project, or whether it prefers to authorize the General Manager to execute these Agreements, as METRO receives them.

## IV. FINANCIAL CONSIDERATIONS

There is no cost or fee for the actual entry onto the Project properties. Should any liability occur as a result of METRO's entry onto the properties, METRO would be financially responsible for any loss incurred.

## V. ATTACHMENTS

Attachment A: December 17, 2010 Staff report excluding Attachments
Attachment B: Executed Right of Entry from the County of Santa Cruz, Department of Public Works - Attached photo of project site

## Attachment A

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: December 17, 2010

TO: Board of Directors

FROM: Angela Aitken, Finance Manager \& Acting Assistant General Manager
SUBJECT: CONSIDERATION OF THE APPROVAL OF THE CONSTRUCTION, IMPROVEMENT AND REPAIR OF PROPOSED COUNTY-WIDE BUS STOPS USING $\$ 500,000$ IN STATE TRANSIT IMPROVEMENT PROGRAM FUNDS VIA THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION (SCCRTC)

## 1. RECOMMENDED ACTION

That the Board of Directors consider approving the construction, improvement and repair of proposed county-wide bus stops for their construction, improvement and repair using $\$ 500,000$ in State Transit Improvement Program funds via the Santa Cruz County Regional Transportation Commission (SCCRTC).

## II. SUMMARY OF ISSUES

- Santa Cruz METRO received $\$ 500,000$ in approved State Transit Improvement Program (STIP) capital project dollars for an automatic traveler information system, which was programmed into the Regional Transportation Plan (RTP) by the Santa Cruz County Regional Transportation Commission (SCCRTC) in FY08.
- In 2009, Santa Cruz METRO staff addressed the purpose of the original STIP project via the use of "Google Transit" and requested that the STIP capital funds be reprogrammed to needed bus stop construction, repairs and improvements.
- On December 7, 2009, SCCRTC assisted Santa Cruz METRO in reprogramming the funds and received California Transportation Commission (CTC) approval Santa Cruz METRO has until June 2011 to obtain an allocation of funds.
- Since CTC awards STIP funds on a "first come, first served" basis and expenditure must commence within six months, Santa Cruz METRO is applying for a January 2011 allocation with plans to start the project in May 2011 with a end date of June 30, 2012
- Design of the bus stop improvement project included extensive outreach to: SCCRTC's Elderly and Disabled Transit Advisory Committee (E\&D TAC) and Interagency Technical Advisory Committee (ITAC); Santa Cruz METRO's Bus Stop Advisory Committee (BSAC); representatives from the United Transportation Union (UTU) and Service Employees International Union (SEIU); and, the general public.


## Attachment A

Board of Directors
Board Meeting of December 1'7, 2010
Page 2

- Santa Cruz METRO staff compiled its original master list of repairs from multiple lists representing many years of SCCRTC, Santa Cruz METRO, UTU, SEIU, BSAC and public input and has omitted stops that may become inactive due to potential service cuts.
- Staff recommends approving the attached list (Attachment A) of recommended construction, improvements and repairs using $\$ 500,000$ in STIP funds and the second list (Attachment B) of recommended repairs made with Santa Cruz METRO labor and recycled bus stop equipment in order to equitably distribute an equal number of bus stop construction, repairs and improvements across all five County districts.
- As the project is implemented, staff anticipates that there may be some challenges. If repairs to a selected stop cannot be made for any reason, staff recommends referring to the list in Attachment $\mathbf{D}$ to select another stop in the same district (if possible) for allowable improvements and/or repairs.


## III. DISCUSSION

Santa Cruz METRO received $\$ 500,000$ in approved State Transit Improvement Program (STIP) capital project dollars for an automatic traveler information system, which was programmed into the Regional Transportation Plan (RTP) by the Santa Cruz County Regional Transportation Commission (SCCRTC) in FY08. In 2009, Santa Cruz METRO addressed the purpose of the original STIP project via the use of "Google Transit" and requested that the STIP capital funds be reprogrammed to needed bus stop construction, repairs and improvements, a long-standing, heretofore unfunded priority project.

On December '7, 2009, SCCRTC assisted Santa Cruz METRO in reprogramming the funds and received California Transportation Commission (CTC) approval. Santa Cruz METRO has until June 2011 to obtain an allocation of funds. Since CTC awards STIP funds on a "first come, first served" basis and expenditure must commence within six months, Santa Cruz METRO is applying for a January 2011 allocation with plans to start the project in May 2011, with an end date of June 30, 2012.

Santa Cruz METRO staff designed the bus stop improvement project with extensive outreach to and input from: SCCRTC's Elderly and Disabled Transit Advisory Committee (E\&D TAC) and Interagency Technical Advisory Committee (ITAC); Santa Cruz METRO's Bus Stop Advisory Committee (BSAC); representatives from the United Transportation Union (UTU), Service Employees International Union (SEIU), and; the general public. In the course of compiling the attached lists, staff began with multiple existing lists of suggested improvements representing years of SCCRTC, Santa Cruz METRO staff, UTU and public input, which totaled over 200 needed repairs. Ninety-three are currently on hold (Attachment D) for various reasons-for example, either the needed repairs were not eligible for this funding or cost-prohibitive, such as those which required meeting Caltrans' road standards for bus stop pads, which can cost up to $\$ 100,000$ each.

In viewing Attachments $\mathbf{A}$ and $\mathbf{B}$ which list the recommended repairs and improvements, the far left column indicates which group(s) initially recommended the stop. Staff then omitted stops

## Attachment A

Board of Directors
Board Meeting of December 17, 2010
Page 3
that may become inactive due to potential service cuts. In the course of outreach, staff received a detailed letter from E\&D TAC with requests for targeted construction and improvements. Staff took photos of all suggested locations and nearby bus stops and presented potential repairs and improvements eligible for these funds at the August 2010 E\&D TAC meeting.

In addition to attending the August and October E\&D TAC meetings, staff also presented the project to ITAC at their November meeting, attended three BSAC meetings and responded to all public suggestions and requests for information. A BSAC meeting for final input and comments was held on December 2, 2010, with all parties invited and provided with final drafts of the suggested lists of improvements prior to the meeting.

The attached list of recommended construction improvements using $\$ 500,000$ in STIP funds (Attachment $\mathbf{A}$ ) is accompanied by a second list of recommended repairs (Attachment B) made with Santa Cruz METRO workforce labor and recycled bus stop equipment in order to equitably distribute an equal number of bus stop construction, repairs and improvements across all five County districts. As the project is implemented, staff anticipates that there may be some challenges and, if repairs to a selected stop cannot be made for any reason, will refer to the list in Attachment $\mathbf{D}$ to select another stop in the same district (if possible) for allowable improvements and/or repairs.
In regard to the project in its entirety, Santa Cruz METRO is a self-permitting agency under Section 23 of the Code of Federal Regulations Chapter 771.117(b)(8), and is exempt from filing environmental documents in regard to, "installation of fencing, signs, pavement markings, small passenger shelters. . .where no substantial land acquisition or traffic disruption will occur." Nonetheless, staff will work with local public works' departments in each jurisdiction to let them know well in advance of any work being scheduled.

Attachment $\mathbf{C}$ is a map showing the distribution of construction, repairs and improvements county-wide. Supervisorial Districts 1, 2 and 3 each benefit from 22 bus stop improvements; District 4 has 20 and District 5 has 21 , for a total of 107 recommended improvements and repairs. The challenge in Districts 4 and 5 is that most stops are on state roads which require all construction to be done to meet Caltrans' standards, which can drive the cost of a simple repair very high. Staff also omitted repairs requiring the purchase of right-of-way or non-construction activities, neither of which can be included in the STIP project budget. Staff strove to meet the standards of environmental justice in the equitable distribution of repairs for this project.

Staff recommends approving the attached list (Attachment $\mathbf{A}$ ) of recommended construction, improvements and repairs using $\$ 500,000$ in STIP funds and the second list (Attachment B) of recommended repairs made with Santa Cruz METRO labor and recycled bus stop equipment in order to equitably distribute an equal number of bus stop construction, repairs and improvements across all five County districts.
As the project is implemented, staff anticipates that there may be some challenges. If repairs to a selected stop cannot be made for any reason, staff recommends referring to the list in Attachment $D$ to select another stop in the same district (if possible) for allowable improvements and/or repairs.

## Attachment A

Board of Directors
Board Meeting of December 17, 2010
Page 4

## IV. FINANCIAL CONSIDERATIONS

STIP funds in the amount of $\$ 500,000$ will support the bus stop construction, improvements and repairs delineated on Attachment A. Of the $\$ 500,000$, approximately $\$ 150,000$ will be used to pay for Santa Cruz METRO labor used in the project (approximately 30 hours per week for a year). The additional repairs listed on Attachment B will be made with Santa Cruz METRO labor and using recycled equipment pulled from inactivated stops in order to equalized the distribution of repairs and improvements county-wide.

## V. ATTACHMENTS

Attachment A: Santa Cruz METRO Bus Stop Improvement Project Recommended Repairs and Improvements
Attachment B: Santa Cruz METRO Bus Stop Improvement Project Additional Repairs and Improvements by District
Attachment C: Bus Stop Improvements Map
Attachment D: Repairs on Hold List

## Attachment B

## RIGHT OF ENTRY

## Situs: 1400 Emeline

APN: 060-311-20

Date: February 1, 2011
Project: Emetine Bus Stop Relocation

Santa Cruz Metropolitan Transit District<br>Maintenance Division<br>110 Vernon Street<br>Santa Cruz, California 95060

Permission is hereby granted to the Santa Cruz Metropolitan Transit District, its contractors and/or authorized agents, to enter and bring the necessary workers, tools and equipment onto the property of the undersigned, where necessary, for the purpose of relocating a bus stop pad and installing a new enclosed bus stop, located on Emeline Street adjacent to 915 Emeline, as shown on the attached plan.

It is understood and agreed that the District shall have the right to trim any vegetation as necessary to construct the improvements, but that the premises will be left in a clean and orderly condition and that any existing improvements located on the Granter's property that may have been disturbed or removed during the course of the work will be restored or replaced in kind.

It is further understood and agreed that excepting the sole negligence of the Granters of said property and excepting defects in the premises which existed as of the date of the execution of this agreement for which this indemnification was requested, the Santa Cruz Metropolitan Transit District shall defend, indemnify, and hold Grantors of said property harmless from and against all claims, damages, losses, and suits for injuries, including death, to any person or property arising from or caused by the District's above named project.

COUNTY OF SANTA CRUZ


RECOMMENDED FOR APPROVAL:


Chief Real Property Agent

## Granters)

County of Santa Cruz
Department of Public Works
Attn: Real Property Section
701 Ocean Street Rm 410
Santa Cruz, CA 95060

## Attachment B



Concrete Pad: $9^{\prime} \times 11^{\prime}$
Shelter: $5^{\prime} \times 10^{\prime}$
Not to scale

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 14, 2011 at the District's Administrative Office located at 110 Vernon Street in Santa Cruz, California.

Vice Chair Robinson called the meeting to order at 9:35 a.m.

## SECTION 1: OPEN SESSION

## 1. ROLL CALL:

## DIRECTORS PRESENT

Hilary Bryant
Dene Bustichi
Daniel Dodge
Ron Graves
Donald Hagen
Michelle Hinkle
John Leopold
William Neighbors
Ellen Pirie
Lynn Robinson
Ex-Officio Donna Blitzer

## STAFF PRESENT

Ciro Aguirre, Operations Manager
Angela Aitken, Acting AGM/Finance
Manager
Bob Cotter, Maintenance Manager
Frank Cheng, MB Project Manager
Mary Ferrick, Fixed Route Superintendent

## DIRECTORS ABSENT

Mark Stone

Margaret Gallagher, District Counsel
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

John Daugherty, SEA
Manny Martinez, PSA
Eduardo Montesino, UTU
Bonnie Morr, UTU
Will Regan, VMU

## 2. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS

## Written:

a. Vince Waskell, Valley Women's Club Re: Bus stop

Leslie R. White reported that the issue referenced in the letter had been resolved.
Oral:
None.

## 3. LABOR ORGANIZATION COMMUNICATIONS

Bonnie Morr, UTU, Will Regan, VMU, Manuel Martinez, PSA, and John Daugherty, SEA, all welcomed the new Directors.

## 4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

Leslie R. White said he had received a letter from the US Census Bureau that said the proposed Urbanization Zone agglomerations were not going to be implemented in Santa Cruz and Monterey counties.

Angela Aitken distributed a copy of her Resource Allocation presentation.

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

ACTION: MOTION: DIRECTOR PIRIE SECOND: DIRECTOR HAGEN
Approve the Consent Agenda.
Motion passed unanimously with Director Stone being absent.

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 2011

Vice Chair Robinson asked for nominations for Board Chair. Director Hagen nominated Ellen Pirie as Board Chair. Director Pirie said that she would be willing to stay on only if Lynn Robinson agreed to stay at Vice Chair. Director Neighbors nominated John Leopold for Chair.

Vice Chair Robinson asked for nominations for Vice Chair. Director Bustichi nominated Lynn Robinson as Vice Chair.

Chair Pirie suggested that the Board leave the Highway Construction Authority appointments vacant until needed.

## MOTION: DIRECTOR PIRIE SECOND: DIRECTOR DODGE

Leave appointments to the Highway Construction Authority vacant until needed.

## Motion passed unanimously with Director Stone being absent.

Vice Chair Robinson asked for nominations for the Santa Cruz County Regional Transportation Commission. Chair Pirie nominated Dene Bustichi, Lynn Robinson and Donald Hagen for SCCRTC Commissioners, and Ron Graves, Daniel Dodge and Michelle Hinkle as Alternate SCCRTC Commissioners. Director Leopold nominated Daniel Dodge for SCCRTC Commissioner.

## 7. CONSIDERATION OF THE RESOURCE ALLOCATION PRESENTATION AND DISCUSSION OF THE REVISED PROJECTED FY11 AND FY12 BUDGETS

## Summary:

Angela Aitken presented the status of the METRO Budget and answered questions about district finances.
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 Margaret Gallagher said the Board would have a conference with its Legal Counsel regarding the claim of Nesly Pacheco; and that in the Special meeting that follows the Board would have a conference with its Labor Negotiator.

## 10. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION None

## SECTION II: CLOSED SESSION

Chair Pirie adjourned to Closed Session at 10:52 a.m. and reconvened to Open Session at 11:41 a.m.

## SECTION III: RECONVENE TO OPEN SESSION

## 17. REPORT OF CLOSED SESSION

Margaret Gallagher stated that there was no reportable action taken in Closed Session.

## ADJOURN

There being no further business, Chair Pirie adjourned the meeting at 11:42 a.m.
Respectfully submitted,

ANTHONY TAPIZ
Administrative Services Coordinator

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors January 28, 2011

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, January 28, 2011 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

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

## SECTION 1: OPEN SESSION

1. ROLL CALL:

## DIRECTORS PRESENT

Hilary Bryant
Dene Bustichi
Daniel Dodge
Donald Hagen
Michelle Hinkle
John Leopold
Ellen Pirie
Mark Stone
Lynn Robinson
Ex-Officio Donna Blitzer

## STAFF PRESENT

Angela Aitken, Acting AGM/Finance Manager
Bob Cotter, Maintenance Manager Frank Cheng, MB Project Manager
Mary Ferrick, Fixed Route Superintendent
Margaret Gallagher, District Counsel

DIRECTORS ABSENT
William Neighbors

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

John Daugherty, SEA
Manny Martinez, PSA
Eduardo Montesino, UTU
Bonnie Morr, UTU
Madelyn McCaul
Steve Pleich

Will Regan, VMU
Amy Weiss, Spanish Interpreter
Bob Simmons, CDX Wireless
Brian King, Cabrillo College
Dennis Bailey-Fougnier, Cabrillo College

5-9.5
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

## CONSIDERATION OF:

3. $\quad$ IUELECTION OF DIRECTORS TO SERVE AS BOARD OFFICERS шயाயा⿴囗 2 ) \$ PPOINTMENTS TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION шயाயயயССOMMISSION FOR 2011
Director Pirie announced that the current nominees for Chair are John Leopold and Ellen Pirie and asked if there were any more nominations. Mark Stone nominated Lynn Robinson for Chair. Director Stone explained why he nominated Lynn Robinson. Director Robinson explained why she could not accept the nomination. Director Graves nominated Ellen Pirie for Chair. Director Pirie closed the nominationV.

## MOTION: DIRECTOR GRAVES SECOND: DIRECTOR BUSTICHI

Elect Ellen Pirie as Chair.
Motion passed unanimously.
Chair Pirie nominated Lynn Robinson as Vice Chair.
Director Dodge nominated John Leopold as Vice Chair. The was no second for the motion.
MOTION: DIRECTOR BUSTICHI
SECOND: DIRECTOR GRAVES.
Elect Lynn Robinson as Vice Chair
Motion passes with Directors Stone and Dodge voting no.
Chair Pirie read the slate of nominations for the Santa Cruz County Regional Transportation Commission: Dene Bustichi, Lynn Robinson, and Donald Hagen

Director Stone said that Director Hagen deserved to be on the Commission, and that it was important to have more South County representation on the SCCRTC.

MOTION: DIRECTOR GRAVES SECOND: DIRECTOR LEOPOLD
Appoint Dene Bustichi, Lynn Robinson, and Donald Hagen as Commissioners to the Santa Cruz County Regional Transportation Commission

Motion passes with Directors Dodge, Leopold and Stone voting no.

Chair Pirie read the slate of nominations for the Santa Cruz County Regional Transportation Commission: Ron Graves, Daniel Dodge, and Michelle Hinkle.

## MOTION: DIRECTOR PIRIE SECOND: DIRECTOR BUSTICHI

Appoint Ron Graves, Daniel Dodge, and Michelle Hinkle as Alternate Commissioners to the Santa Cruz County Regional Transportation Commission

Motion passes unanimously.
Chair Pirie suggested that the Board defer appointing representatives to the Highway Construction Authority until needed.
4. ORAL AND WRITTEN COMMUNICATION TO THE BOARD OF DIRECTORS
5. LABOR ORGANIZATION COMMUNICATIONS
6. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

CONSENT AGENDA
7-1. $\quad$ ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF OCTOBER 2010

7-2. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORTS FOR OCTOBER 2010 AND APPROVAL OF BUDGET TRANSFERS

7-3. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF NOVEMBER 2010

7-4. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORTS FOR NOVEMBER 2010 AND APPROVAL OF BUDGET TRANSFERS

7-5. ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH OF NOVEMBER 2010

7-6. ACCEPT AND FILE RIDERSHIP AND PERFORMANCE REPORT FOR NOVEMBER $\underline{2010}$

7-7. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR NOVEMBER 2010
7-8. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ MONTHLY SERVICE REPORT FOR NOVEMBER 2010

7-9. APPROVE REGULAR BOARD MEETING MINUTES OF DECEMBER 17, 2010

7-10. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR PREVIOUS MEETINGS

7-11. ACCEPT AND FILE STATUS REPORT OF ACTIVE GRANTS AND SUBMITTED GRANT PROPOSALS FOR JANUARY 2011

7-12. ACCEPT AND FILE STATUS REPORT OF FEDERAL AND STATE LEGISLATION AND CURRENT LEGISLATIVE ISSUES

7-13. CONSIDERATION OF ADOPTING A RESOLUTION AUTHORIZING THE EXECUTION OF CERTIFICATIONS AND ASSURANCES AND DESIGNATING THE GENERAL MANAGER AS THE AUTHORIZED AGENT TO EXECUTE ACTIONS NECESSARY TO RECEIVE PUBLIC TRANSPORTATION, MODERNIZATION, IMPROVEMENT AND SERVICE ENHANCEMENT ACCOUNT (PTMISEA) FUNDS ON BEHALF OF SANTA CRUZ METRO

7-14. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH THE LAW OFFICES OF MARIE F. SANG FOR LEGAL SERVICES IN THE AREA OF WORKERS' COMPENSATION TO EXTEND THE TERM OF THE CONTRACT FOR ONE (1) ADDITIONAL YEAR.

7-15. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A ONE YEAR CONTRACT RENEWAL FOR FURNISHING HEAVY DUTY COACH AND AUTOMOTIVE BATTERIES WITH BATTERIES USA, INC. FOR AN AMOUNT NOT TO EXCEED \$25,000

7-16. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AMENDMENT TO THE CONTRACT WITH SC FUELS FOR DELIVERY OF ULTRA-LOW SULFUR DIESEL FUEL FOR AN AMOUNT NOT TO EXCEED \$1,500,000

7-17. CONSIDERATION OF AGREEMENT WITH THE SANTA CRUZ SEASIDE COMPANY FOR THE PROVISION OF LATE-NIGHT SERVICE

7-18. ACCEPT AND FILE REPORT ON STATUS OF METRO GFI GENFARE AUTOMATIC FARE COLLECTION SYSTEM UPGRADE

MOTION: DIRECTOR BUSTICHI SECOND: DIRECTOR LEOPOLD
Approve the Consent Agenda.
Motion passed unanimously with Director Neighbors being absent.

> REGULAR AGENDA

Chair Pirie moved item \# 13 to the front of the Agenda

## 13. CONSIDERATION OF LETTER FROM CABRILLO COLLEGE REGARDING CESSATION OF STUDENT BUS PASS PROGRAM

Presented by: Angela Aitken, Acting Assistant General Manager and Finance Manager

## Summary:

Angela Aitken reported that Cabrillo College in unable to sustain its student bus pass program and has plans to terminate the program in June 2011. There was a discussion about the bus pass program. Director Leopold expressed his willingness to help in any way. Director Hagen asked if students would receive a discounted pass through the ticket vending machines. Angela Aitken said that they would not.

Director Bustichi asked if this issue could be re-visited in order to devise a special student pass. Leslie White said it would be difficult, and that it remains for Cabrillo College to devise a mechanism for acquiring the funds, and offered to see if METRO's transit lobbyist Josh Shaw could look into this. Dr. Brian King, president of Cabrillo College, explained that dwindling funds forced the cancellation of 400 course sections, and that there are a lot of limitations on what the college can do to find funds for transportation. Director Leopold said that he was appreciative of the offer to have Josh Shaw look into the matter.

## 8. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

Maria Grandos-Boyce was not able to attend today.

## 9. CONSIDERATION OF ADOPTION OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF MIKE ROTKIN AS A MEMBER OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

## Summary:

Chair Pirie read aloud the Resolution of Appreciation for Mike Rotkin. Ex-Director Rotkin thanked the Board, spoke at length about working with Board members and METRO staff, and voiced his opinion about how Sacramento treats public transit. Mr. Rotkin said that it was a pleasure to serve the people of the community.

## Discussion:

Directors Robinson, Bustichi, Bryant and Hagen each thanked Mr. Rotkin for his mentorship and leadership. Bonnie Morr, UTU, thanked Mr. Rotkin for his service. Will Regan, VMU, thanked Mr. Rotkin and noted that he had outlasted him. John Daugherty, SEA, thanked Mr. Rotkin for acknowledging all staff and for his support of METRO. Manuel Martinez, PSA, recalled that he learned long ago that other Directors were moving parts, but that Mr. Rotkin was a permanent fixture.

MOTION: CHAIR PIRIE SECOND: DIRECTOR STONE.
Approve Resolution of Appreciation for the services of Mike Rotkin as a member of the Board of Directors of the Santa Cruz Metropolitan Transit District.

Motion passed unanimously with Director Neighbors being absent.
Director Leopold left.

## 10. CONSIDERATION OF ADOPTION OF RESOLUTION OF APPRECIATION FOR THE SERVICES OF MARCELA TAVANTZIS AS A MEMBER OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Summary:
Chair Pirie read aloud the Resolution of Appreciation for Marcela Tavantzis. Ex-Director Tavantzis thanked the Board and advised them that replacing Les White would be difficult. Ms. Tavantzis said that METRO staff are wonderful and thanked them for their efforts. encouraged the Board to continue to look at widening the freeways in order to provide trunk service in the area, to consider a multi-ride pass that would provide some savings to people who are not able to buy a monthly pass.

Director Robinson thanked Ms. Tavantzis for her attention to METRO's financial foundation and for her mentorship. Directors Hagen, Bustichi, and Dodge also thanked Ms. Tavantzis.

Bonnie Morr, UTU, Will Regan, VMU, Manuel Martinez, PSA, and John Daugherty, SEA, all thanked Ms. Tavantzis for her service.

MOTION: DIRECTOR BUSTICHI
SECOND: DIRECTOR HAGEN

Approve Resolution of Appreciation for the services of Marcela Tavantzis as a member of the Board of Directors of the Santa Cruz Metropolitan Transit District.

Motion passed unanimously with Director Neighbors being absent.

## 11. CONSIDERATION OF A RESOLUTION OF APPRECIATION FOR THE SERVICES OF BATTISTA BREGANTE AS FACILITIES MAINTENANCE WORKER I FOR THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

MOTION: DIRECTOR BUSTICHI
SECOND: DIRECTOR HAGEN
Approve Resolution of Appreciation for the services of Battista Bregante as Facilities Maintenance Worker I for the Santa Cruz Metropolitan Transit District

Motion passed unanimously with Director Neighbors being absent.
12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH CAPITALEDGE ADVOCACY, LLC FOR FEDERAL LEGISLATIVE SERVICES

Summary:
Leslie White recommended approval of the contract extension with Capitaledge Advocacy, LLC.
MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR HAGEN.
Authorize the General Manager to execute a contract with Capitaledge Advocacy, Llc for Federal Legislative Services.

Motion passed unanimously with Director Neighbors being absent.

## 14. CONSIDERATION OF A RESOLUTION APPROVING THE TRANSFER OF THE 2002 CHANCE COACH COMPRESSED NATURAL GAS RUBBER TIRED TROLLEY TO SOUTH METRO AREA REGIONAL TRANSIT IN WILSONVILLE, OREGON, A FEDERAL TRANSPORTATION ADMINISTRATION (FTA) DIRECT RECIPIENT AGENCY, UPON RECEIPT OF THE CITY OF SANTA CRUZ'S RELEASE OF INTEREST AND FTA APPROVAL OF SUCH TRANSFER

MOTION: DIRECTOR DODGE SECOND: DIRECTOR BUSTICHI.
Defer item to next meeting on February 11, 2011.
Motion passed unanimously with Director Neighbors being absent.

## 15. CONSIDERATION OF A GRANT BUDGET AMENDMENT TO SUPPLEMENT THE LOCAL MATCH AMOUNT ON FTA 5309 CAPITAL GRANT CA-04-0156 FOR THE PURCHASE OF NEW FAREBOXES AND REDUCE THE CAPITAL BUDGET FOR THIS PROJECT BY $\$ 12,380$

Summary:
Angela Aitken reported that by including labor costs towards the AB5309 grant local match amount, the capital budget was reduced, less cashed is used, and she recommended approval of the amendment.

MOTION: DIRECTOR LEOPOLD SECOND: DIRECTOR ROBINSON
Approve grant budget amendment to supplement the local match amount on FTA 5309 Capital Grant CA-04-0156 for the purchase of new fareboxes and reduce the capital budget for this project by $\mathbf{\$ 1 2 , 3 8 0}$

Motion passed unanimously with Director Neighbors being absent.

## 16. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH MOORE \& ASSOCIATES FOR WATSONVILLE TRANSIT PLANNING STUDY

## Summary:

Angela Aitken reported that this was a collaborative community effort, with multiple Watsonville agencies being contacted, and she recommended approval of the contract.

## MOTION: DIRECTOR DODGE SECOND: DIRECTOR HAGEN

Authorize General Manager to execute a contract with Moore \& Associates for Watsonville Transit Planning study.

Motion passed unanimously with Director Neighbors being absent.

## 17. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT WITH DAY WIRELESS FOR UPGRADE OF SANTA CRUZ METRO'S LAND MOBILE RADIO SYSTEM

## Summary:

Ciro Aguirre reported that the district's communications system needed upgrading, and that Day Wireless was chosen after the proscribed bidding and evaluation process. Mr. Aguirre noted that because of budget limitations the contractors reduced their price after removing some components, and he said that if money became available for additional components, Board approval would be sought.

## Discussion:

Director Bustichi said that he would have wished to have more information about the bid.
Director Graves asked what components were removed to bring the cost down and whether the District would be able to accomplish the upgrade.

## MOTION: DIRECTOR STONE SECOND: DIRECTOR HAGEN

Authorize General Manager to execute a contract with Day Wireless for upgrade of METRO's Land Mobile Radio System.

Motion passed unanimously with Director Neighbors being absent.

## 18. CONSIDERATION OF WRITTEN REQUEST TO PROVIDE BUS ADVERTISING SPACE FOR THE PURPOSE OF PROMOTING "POETRY ON THE BUS" AFFILIATED WITH THE POETRY IN MOTION PROJECT

## Summary:

Ciro Aguirre said that he received a letter requesting the posting of poetry on METRO buses, and determined that it did not meet the criteria under the District advertising policy.

## Discussion:

Director Hagen said that he did not support allowing poetry on the bus. Gary Young, Poet Laureate of Santa Cruz County, described the Poetry in Motion project. Director Stone said he thought an opportunity was being passed up and asked that a review of poetry programs in other communities be conducted. Director Bustichi said he appreciated Mr. Young's intent, but asked how content would be controlled, and said the item should be brought back at a later date. Director Robinson agreed that other transit agencies should be surveyed. Leslie White noted that Seattle's transit agency is being sued for offensive literature. Director Dodge noted his concern for hate speech.

## MOTION: DIRECTOR STONE SECOND: DIRECTOR ROBINSON

Re-affirm District advertising policy; direct staff to research similar programs in other agencies; and defer item to March 25, 2011 Board meeting.

Motion passed unanimously with Director Neighbors being absent.

## 19. ACCEPT AND FILE FINANCIAL STATEMENTS WITH INDEPENDENT AUDITORS REPORT FOR YEAR ENDING JUNE 30, 2010

## Summary:

Debbie Kinslow reported that METRO had recently undergone a financial audit. Ms. Kinslow said that METRO received that highest rating available.

MOTION: DIRECTOR ROBINSON SECOND: DIRECTOR BUSTICHI
Accept and file financial statements with independent auditors for year ending June 30, 2011.

Motion passed unanimously with Director Neighbors being absent.
20. ORAL ANNOUNCEMENT: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD FRIDAY, FEBRUARY 11, 2011 AT 9:30 A.M. AT THE SANTA CRUZ METRO ADMINISTRATIVE OFFICES LOCATED AT 110 VERNON STREET, SANTA CRUZ

ADJOURN<br>There being no further business, Chair Pirie adjourned the meeting at 10:31 a.m.<br>Respectfully submitted,

## ANTHONY TAPIZ

Administrative Services Coordinator

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

DATE: February 25, 2011
TO: Board of Directors

FROM: April Warnock, Paratransit Superintendent

## SUBJECT: METRO PARACRUZ OPERATIONS STATUS REPORT

## I. RECOMMENDED ACTION

## This report is for information only - no action requested

## II. SUMMARY OF ISSUES

- METRO ParaCruz is the federally mandated ADA complementary paratransit program of the Transit District, providing shared ride, door-to-door demand-response transportation to customers certified as having disabilities that prevent them from independently using the fixed route bus.
- METRO assumed direct operation of paratransit services November 1, 2004. This service had been delivered under contract since 1992.
- Discussion of ParaCruz Operations Status Report.
- Attachment A: On-time Performance Chart displays the percentage of pick-ups within the "ready window" and a breakdown in 5-minute increments for pick-ups beyond the "ready window". The monthly Customer Service Reports summary is included.
- Attachment B: Report of ParaCruz' operating statistics. Performance Averages and Performance Goals are reflected in the Comparative Operating Statistics Table in order to establish and compare actual performance measures, as performance is a critical indicator as to ParaCruz' efficiency.
- Attachments C and D: ParaCruz Performance Charts displaying trends in rider-ship and mileage spanning a period of three years.
- Attachment E: Current calendar year's statistical information on the number of ParaCruz in-person eligibility assessments, including a comparison to past years, since implementation in August of 2002.


## III. DISCUSSION

In December 2010 ParaCruz rides increased by 199 rides from December 2009. The number of rides in December 2010 decreased by 485 rides from November 2010. The decrease in rides between November and December trends with last years statistics.

Call Center statistics were unavailable and reflect that we experienced problems with the phone system attributed to wiring issues that have been identified. Corrective measures are underway that will alleviate the issue and improve the system's performance.

## IV. FINANCIAL CONSIDERATIONS

NONE

## V. ATTACHMENTS

Attachment A: ParaCruz On-time Performance Chart
Attachment B: Comparative Operating Statistics Table
Attachment C: Number of Rides Comparison Chart and Shared vs. Total Rides Chart
Attachment D: Mileage Comparison Chart and Year to Date Mileage Chart
Attachment E: Eligibility Chart

## ATTACHMENT A

Board of Directors
Board Meeting February 25, 2011

| ParaCruz On-time Performance Report |  |  |
| :--- | :---: | :---: |
|  | Dec 2009 | Dec 2010 |
| Total pick ups | 7209 | 7408 |
| Percent in "ready window" | $\mathbf{9 5 . 9 8 \%}$ | $\mathbf{9 5 . 9 1 \%}$ |
| 1 to 5 minutes late | $1.69 \%$ | $1.97 \%$ |
| 6 to 10 minutes late | $1.21 \%$ | $.97 \%$ |
| 11 to 15 minutes late | $.51 \%$ | $.59 \%$ |
| 16 to 20 minutes late | $.29 \%$ | $.23 \%$ |
| 21 to 25 minutes late | $.17 \%$ | $.16 \%$ |
| 26 to 30 minutes late | $.14 \%$ | $.04 \%$ |
| 31 to 35 minutes late | $.00 \%$ | $.05 \%$ |
| 36 to 40 minutes late | $.01 \%$ | $.05 \%$ |
| 41 or more minutes late <br> (excessively late/missed trips) | $.00 \%$ |  |
| Total beyond "ready window" | $\mathbf{4 . 0 2 \%}$ | $.01 \%$ |

During the month of December 2010, ParaCruz received seventeen (17) Customer Service Reports. Five (5) of the reports were valid complaints, four of which pertained to the telephone system failures. One (1) of the reports were unverifiable. Three (3) of the reports were not valid, and eight (8) of the reports were compliments.

## ATTACHMENT B

Board of Directors
Board Meeting February 25, 2011
Comparative Operating Statistics This Fiscal Year, Last Fiscal Year through December 2010.
$\left.\left.\begin{array}{|c|c|c||c|c||c|c|}\hline & \text { Dec 09 } & \text { Dec 10 } & \text { Fiscal 09-10 } & \text { Fiscal 10-11 } & \begin{array}{c}\text { Performance } \\ \text { Averages }\end{array} & \begin{array}{c}\text { Performance } \\ \text { Goals }\end{array} \\ \hline \text { Requested } & 8375 & 8247 & 50,888 & 50,239 & 8425 & \\ \hline \text { Performed } & 7209 & 7408 & 46,803 & 47,33 & 7285 & \\ \hline \text { Cancels } & 22.38 \% & 20.73 \% & 20.29 \% & 18.05 \% & 18.27 \% & \\ \hline \text { No Shows } & 3.95 \% & 1.84 \% & 1.66 \% & 2.01 \% & 2.46 \% & \text { Less than 3\% } \\ \hline \text { Total miles } & 48,433 & 50,210 & 302947 & 317,472 & 50,664 & \\ \hline \text { Av trip miles } & 5.14 & 4.97 & 5.07 & 4.98 & 5.03 & \\ \hline \begin{array}{c}\text { Within ready } \\ \text { window }\end{array} & 95.62 \% & 95.91 \% & 95.62 \% & 96.19 \% & 95.75 \% & 92.00 \% \text { or better } \\ \hline \begin{array}{c}\text { Excessively } \\ \text { late/missed trips }\end{array} & 0 & 1 & & & & \\ \hline \begin{array}{c}\text { Call center } \\ \text { volume }\end{array} & 5723 & \text { N/A } & \text { N/A } & \text { N/A } & \text { N/A } & \\ \hline \begin{array}{c}\text { Call average } \\ \text { seconds to } \\ \text { answer }\end{array} & 25 & \text { N/A } & \text { N/A } & \text { N/A } & \text { N/A } & \begin{array}{c}\text { Less than 2 } \\ \text { minutes }\end{array} \\ \hline \begin{array}{c}\text { Hold times less }\end{array} & 95.8 & \text { N/A } & \text { N/A } & \text { N/A } & \text { N/A } & \text { Greater than 90\% }\end{array} \right\rvert\, \begin{array}{l}\text { Z } \\ \text { than 2 minutes }\end{array}\right)$

## ATTACHMENT C

TOTAL RIDES vs. SHARED RIDES


NUMBER OF RIDES COMPARISON CHART


## ATTACHMENT D

## MILEAGE COMPARISON



YEAR TO DATE MILEAGE COMPARISON CHART


-     - FY 08-09 51320100012155835212931261528310340360287410771471186529283581698636901
$\checkmark \sim$ FY 09-10 5100798150151170206446257073310340360287397699456573507695560144611913
ーFY 10-11 5016899404154075207828261437317472


## ATTACHMENT E

| MONTHLY ASSESSMENTS |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  | UNRESTRICTED | RESTRICTED | RESTRICTED | TEMPORARY | DENIED | TOTAL |
|  |  | CONDITIONAL | TRIP BY TRIP |  |  |  |
| DECEMBER 2009 | 30 | 3 | 2 | 2 | 0 | 37 |
| JANUARY 2010 | 35 | 1 | 6 | 4 | 0 | 46 |
| FEBRUARY 2010 | 42 | 1 | 4 | 1 | 0 | 48 |
| MARCH 2010 | 48 | 3 | 3 | 2 | 0 | 56 |
| APRIL 2010 | 29 | 2 | 7 | 5 | 0 | 43 |
| MAY 2010 | 44 | 6 | 3 | 3 | 0 | 56 |
| JUNE 2010 | 49 | 9 | 3 | 0 | 0 | 49 |
| JULY 2010 | 33 | 4 | 7 | 1 | 0 | 45 |
| AUGUST 2010 | 31 | 1 | 9 | 4 | 0 | 45 |
| SEPTEMBER 2010 | 55 | 4 | 9 | 1 | 1 | 70 |
| OCTOBER 2010 | 58 | 1 | 10 | 2 | 0 | 71 |
| NOVEMBER 2010 | 45 | 0 | 4 | 5 | 1 | 55 |
| DECEMBER 2010 | 32 | 0 | 7 | 5 | 0 | 44 |


| NUMBER OF ELIGIBLE RIDERS |  |
| :---: | :---: |
| YEAR | ACTIVE |
| 2005 | 5336 |
| 2006 | 5315 |
| 2007 | 4820 |
| 2008 | 4895 |
| 2009 | 5291 |

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

DATE: February 25, 2011

TO: Board of Directors

FROM: Robyn Slater, Human Resources Manager
SUBJECT: PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

## I. RECOMMENDED ACTION

Staff recommends that the Board of Directors recognize the anniversaries of those District employees named on the attached list and that the Board Chair present them with awards.

## II. SUMMARY OF ISSUES

- None.


## III. DISCUSSION

Many employees have provided dedicated and valuable years to the Santa Cruz Metropolitan Transit District. In order to recognize these employees, anniversary awards are presented at fiveyear increments beginning with the tenth year. In an effort to accommodate those employees that are to be recognized, they will be invited to attend the Board meetings to receive their awards.

## IV. FINANCIAL CONSIDERATIONS

None.

## V. ATTACHMENTS

Attachment A: Employee Recognition List

Prepared by: Tony Tapiz, Administrative Services Coordinator
Date Prepared: February 18, 2011

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT EMPLOYEE RECOGNITION 

TEN YEARS

Eulalio Abrego, Bus Operator Donna Smith, Bus Operator

## TWENTY-FIVE YEARS

Maria Granados-Boyce, Customer Service Supervisor
THIRTY YEARS
Mark Hansen, Mechanic II

# BEFORE THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

Resolution No. 11-02-01
On the Motion of Director: $\qquad$
Duly Seconded by Director: $\qquad$
The Following Resolution is Adopted:

## RESOLUTION OF APPRECIATION <br> FOR THE SERVICES OF ANTONIO RIVAS AS A MEMBER OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT BOARD OF DIRECTORS

WHEREAS, the Santa Cruz Metropolitan Transit District was formed to provide public transportation to all of the residents of Santa Cruz County; and

WHEREAS, the City of Watsonville, requiring strong representation, appointed Antonio Rivas as a member of the Board of Directors of the Santa Cruz Metropolitan Transit District; and

WHEREAS, Antonio Rivas served as a member of the Board of Directors from May 2010 through December 2010; and

WHEREAS, Antonio Rivas provided the Santa Cruz Metropolitan Transit District with strong leadership and insightful guidance during his term in the office; and

WHEREAS, during the time that Antonio Rivas served on the Board of Directors, METRO replaced a portion of the fixed route fleet, received federal stimulus funds for new ParaCruz vans, improved the ParaCruz service, began implementation of a smart-card fare system, and responded to a severe economic downturn; and

WHEREAS, the quality of public transit service in Santa Cruz County was improved dramatically as a result of the dedication, commitment and efforts of Antonio Rivas; and

WHEREAS, Antonio Rivas completed his term as a Member of the Board of Directors in December 2010.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the Santa Cruz Metropolitan Transit District does hereby commend Antonio Rivas for his efforts in the advancement of public transportation service in Santa Cruz County and expresses appreciation on behalf of itself, Santa Cruz Metropolitan Transit District staff and all of the residents of Santa Cruz County.

BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Antonio Rivas and that a copy of this resolution be entered into the official records of the Santa Cruz Metropolitan Transit District.

Resolution No. 11-02-01
Page 2

PASSED AND ADOPTED this 25th day of February 2011 by the following vote:
AYES: Directors -

NOES: Directors -

ABSTAIN: Directors -
ABSENT: Directors -

## APPROVED

ELLEN PIRIE
Board Chair

ATTEST
LESLIE R. WHITE
General Manager

APPROVED AS TO FORM:

MARGARET GALLAGHER
District Counsel

DATE: $\quad$ February 25, 2011
TO: Board of Directors
FROM: Leslie R. White, General Manager

## SUBJECT: CONSIDERATION OF APPOINTMENT OF ROSEANN MARQUEZ TO THE METRO ADVISORY COMMITTEE (MAC) BY DIRECTOR DONALD HAGEN.

## I. RECOMMENDED ACTION

That the Board of Directors approve the appointment of Roseann Marquez to the Metro Advisory Committee (MAC).

## II. SUMMARY OF ISSUES

- There is currently a vacancy on the Metro Advisory Committee (MAC) for an appointment by Director Donald Hagen.
- Director Hagen is nominating Roseann Marquez for appointment to the MAC.
- Pursuant to Section 3.2 of the MAC Bylaws the appointment of Roseann Marquez would be eligible for a term that concludes on December 31, 2012.


## III. DISCUSSION

On December 19, 2003, after a significant amount of discussion and multiple meetings, the Board approved the creation of a new Metro Advisory Committee (MAC) that replaced the METRO Users Group (MUG), and the Board approved the structure of the new committee. Application Forms were used to solicit interested persons to participate on MAC.

The Board of Directors appointed the individuals that they wanted to serve as members of the MAC. Each member of the Board provided the name of the individual that they wanted to nominate and the Board of Directors then confirmed the individuals. In the past few years there have been vacancies on the MAC that have resulted from the resignations of some Members. A committee such as the MAC is most effective when it is comprised of a full compliment of Members. One of the current vacancies is the position responsible to Director Donald Hagen.

Director Hagen has indicated that he would like the Board of Directors to consider the nomination of Roseann Marquez to serve as a Member of the MAC. The application of Roseann Marquez is attached to this report.

## IV. FINANCIAL CONSIDERATIONS

Funds to support the membership of Roseann Marquez on the MAC are provided for in the FY 2011 METRO Operating Budget.

## V. ATTACHMENTS

## Attachment A: MAC Application of Roseann Marquez

Prepared by: Tony Tapiz, Administrative Services Coordinator
Date Prepared: February 14, 2011

Application for Nomination for Appointment to the Metro Advisory Committee (MAC)

Name $\qquad$ Roseann Marquez

Address (with zip code)
$\qquad$
Day Time Phone $\qquad$ W

Email Address (to receive Agenda Packets)
Do You Ride METRO Fixed Route or ParaCruz service? yes
How Often Do You Use the METRO/ParaCruz Service? DA; $/$ y
What are Your Particular Transit Interests? Bettor seherlulengjimes sonoeden Can Conect wroth less Waiting time Between bus Routes What Do You Think Are The Biggest Challenges For METRO? kooperag Cost down
$\qquad$
What Do You Believe That You will Contribute to MAC and METRO if Appointed? $\qquad$ Being a duly, nuder fell can contrebrete from an on brand View to the needs of my fellow udders.
What Are The Interests and The Experiences That You Have That Would Make You An Effective Member of The MAC? Benny a dock rides $D$ wroulel be able to bung foedtrick pom my fellow
$\qquad$
Please Outline Your Availability In Terms Of Meeting Times/Days and Total Time Per Month That You Could Devote To The Activities of the MAC. My regular dagos off work are 7ridap/Sat, I haveregulas daily hours 8:00.0n=-4:00pm D can devote any evening after 4;00 pm and more if needed macappldoc on my days opp

## Attachment A

Are You Aware Of Any Conflicts of Interest That Would Prevent You From Serving On The MAC If Appointed?


Date of Application
$12-16-10$

Signature


Please return your completed application to: SCMTD


## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: February 25, 2011
TO: Board of Directors

FROM: Angela Aitken, Finance Manager and Acting Assistant General Manager
SUBJECT: CONSIDERATION OF NOMINATIONS OF ADDITIONAL MEMBERS TO THE SANTA CRUZ CIVIC IMPROVEMENT CORPORATION

## I. RECOMMENDED ACTION

That the Board of Directors nominate additional members to the Santa Cruz Civic Improvement Corporation.

## II. SUMMARY OF ISSUES

- The Santa Cruz Civic Improvement Corporation (the Corporation) was formed July 30, 1986 by the Santa Cruz Metropolitan Transit District (Santa Cruz METRO) in conformity with Section 5110 et. seq. of the California Corporations Code. The Corporation is a 501(c)(3), non-profit, benefit corporation organized for the sole purpose of providing financial assistance to Santa Cruz METRO for the construction and acquisition of major capital facilities.
- The Corporation has not provided financial assistance to Santa Cruz METRO since June of 1994 but it is available for use if needed.
- The current membership of the SCCIC Board of Directors is as follows:

Dene Bustichi

Donald Hagen

Mark Stone

Vacant

Vacant

## III. DISCUSSION

At today's meeting, the Board of Directors will nominate additional members to the SCCIC.
IV. FINANCIAL CONSIDERATIONS

None

## V. ATTACHMENTS

Attachment A: Minutes of SCCIC Meeting of October 22, 2010

Prepared by: Anthony Tapiz, Administrative Services Coordinator
Date Prepared:February 18, 2011

## Attachment A

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

## Minutes - Santa Cruz Civic Improvement Corp.

October 22, 2010
The Santa Cruz Civic Improvement Corporation (SCCIC) met on Friday, October 22, 2010 at 10:00 a.m. The meeting was held at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

## STAFF PRESENT:

Angela Aitken, Finance Manager / Acting AGM, SCMTD
Margaret Gallagher, District Counsel, SCMTD
Leslie R. White, General Manager, SCMTD

## 1. CALL TO ORDER

President Hagen called the meeting to order at 10:13 a.m.

## 2. ROLL CALL

## MEMBERS PRESENT:

## MEMBERS ABSENT:

Dene Bustichi
None
Donald Hagen, President
Mike Rotkin
Mark Stone

## 3. ADDITIONS AND DELETIONS TO THE AGENDA

None.

## 4. ORAL AND WRITTEN COMMUNICATIONS

None.
5. APPROVAL OF MINUTES OF OCTOBER 23, 2009

ACTION: MOTION: MIKE ROTKIN SECOND: DENE BUSTICHI
Accept Minutes of October 23, 2009 as presented.
Motion passed with all members present.

## Attachment A

Minutes - SCCIC
October 22, 2010
Page 2

## 6. ELECTION OF NEW OFFICERS

ACTION: MOTION: MIKE ROTKIN
SECOND: DENE BUSTICHI
Nominate Donald Hagen for President.
Motion passed unanimously with all members present.
Angela Aitken said that new members would be nominated in February.

## 7. ACCEPTANCE OF FINANCIAL STATEMENTS FOR FY09

Angela Aitken reported that there was no business in FY09.
ACTION: MOTION: MARK STONE SECOND: MIKE ROTKIN
Accept Financial Statements for FY09.
Motion passed unanimously with all members present.
8. ADJOURNMENT

There being no further business, President Rotkin adjourned the meeting at 10:16 a.m.
Respectfully submitted,

ANTHONY TAPIZ
Administrative Services Coordinator

DATE: February 25, 2011
TO: Board of Directors

FROM: Angela Aitken, Finance Manager and Acting Assistant General Manager
SUBJECT: CONSIDERATION OF ADOPTING A RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SUBMIT A GRANT APPLICATION AND SIGN NECESSARY AGREEMENTS TO OBTAIN PROPOSITION 1B FUNDING FROM THE FY11 CALIFORNIA TRANSIT SECURITY GRANT PROGRAM

## I. RECOMMENDED ACTION

That the Board of Directors adopt a resolution authorizing the General Manager to submit an application and sign necessary agreements to obtain financial assistance from the FY11 California Transit Security Grant Program.

## II. SUMMARY OF ISSUES

- In November 2006, Proposition 1B established $\$ 1$ billion for the California Transit System Safety, Security and Disaster Response Account, 60\% of which is designated for the California Transit Security Grant Program (CTSGP).
- For FY11, the State Controller's Office allocated $\$ 440,505$ in CTSGP funds to Santa Cruz METRO and the Santa Cruz County Regional Transportation Commission (RTC).
- Santa Cruz METRO proposes to submit applications for transit security projects that will enhance safety and security at multiple facilities by installing security fencing, lighting and video surveillance cameras.
- Applications for the FY11 allocation are due to the California Emergency Management Agency by March 15, 2011.
- Adopting the attached resolution designates an Authorized Agent to submit an application to the California Emergency Management Agency and to execute necessary agreements to obtain the FY11 allocation of CTSGP funds for Santa Cruz METRO security projects.


## III. DISCUSSION

On November 7, 2006, California voters approved the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act of 2006 (Proposition 1B) to finance public transportation infrastructure projects in California. Proposition 1B and its implementing legislation, SB 88, established the Transit System Safety, Security and Disaster Response Account with $\$ 1$ billion. SB 88 designated that $60 \%$ of this account be allocated to the California Transit Security Grant

Board of Directors
Board Meeting of February 25, 2011
Page 2
Program (CTSGP) for transit system safety and security projects. In FY11, the California Legislature appropriated $\$ 60$ million in CTSGP funds to eligible agencies and transit operators.

The State Controller's Office determines the amount of CTSGP funds available to eligible Regional Transportation Planning Agencies and Public Transit Operators by applying the same formula used to allocate State Transit Assistance (STA) funds. For FY11, the State Controller’s Office allocated $\$ 440,505$ to Santa Cruz County, with $\$ 212,337$ available to the RTC and $\$ 228,168$ to Santa Cruz METRO. This is the same amount received in FY08, FY09 and FY10.

In each of the previous three years, the RTC designated its share of CTSGP funds to Santa Cruz METRO for transit security projects. Santa Cruz METRO will request that the RTC again designate its share of CTSGP funds to Santa Cruz METRO for transit security projects in FY11.

Santa Cruz METRO needs to enhance security and safety at all of its facilities. If approved by the Board of Directors, staff will submit Investment Justifications (applications) for projects to install security fencing at the Operations and Maintenance facilities and to install lighting and video surveillance cameras at the Administration Building and Metro Center. Grant funds will pay $100 \%$ of equipment costs, consultant design and staff costs exclusive of management and administration, up to a maximum of $\$ 440,505$ to implement these security projects.

The California Emergency Management Agency (Cal-EMA) administers the CTSGP. CTSGP Guidelines designate the RTC to approve and submit applications from eligible agencies. In accordance with the Guidelines, Santa Cruz METRO will submit applications to the RTC for approval and transmission to Cal-EMA.

Adopting the attached resolution will authorize staff to submit applications for Santa Cruz METRO's security projects and to execute necessary agreements with the Cal-EMA for the FY11 allocation of CTSGP funds. The Board Chair must sign the Authorized Agent Form (Attachment B) for submission with the application.

## IV. FINANCIAL CONSIDERATIONS

CTSGP grant funds would provide $\$ 440,505$ to Santa Cruz METRO in capital funds for security projects in FY11. No local funds are required.

## V. ATTACHMENTS

Attachment A: Resolution Authorizing Submission of Applications and Execution of Agreements for FY11 CTSGP funds.

Attachment B: Authorized Agent Form

## Prepared by Thomas Hiltner, Grants/Legislative Analyst

Date Prepared: February 11, 2011

# BEFORE THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

Resolution No.
On the Motion of Director: $\qquad$
Duly Seconded by Director:
The Following Resolution is Adopted:

# RESOLUTION OF THE BOARD OF DIRECTORS OF THE SANTA CRUZ METROPOLITAN TRANSIT DISTRICT AUTHORIZING APPLICATIONS TO THE CALIFORNIA EMERGENCY MANAGEMENT AGENCY'S FY11 TRANSIT SYSTEM SAFETY, SECURITY AND DISASTER RESPONSE ACCOUNT PROGRAM 


#### Abstract

WHEREAS, California voters approved Proposition 1B, the Highway Safety, Traffic Reduction, Air Quality and Port Security Bond Act in November 2006; and

WHEREAS, Proposition 1B and its implementing legislation in Senate Bill 88 created the California Transit Security Grant Program (CTSGP) within the Transit System Safety, Security \& Disaster Response Account to be funded with $\$ 600$ million from the sale of bonds; and


WHEREAS, the State Controller's Office is authorized under Sections 8879.55 and 8879.56 of the Government Code to allocate CTSGP funds to eligible Regional Transportation Planning Agencies and Public Transit Operators; and

WHEREAS, in accordance with Sections 99313 and 99314 of the Public Utilities Code, the Santa Cruz County Regional Transportation Commission and the Santa Cruz Metropolitan Transit District are eligible recipients of CTSGP funds; and

WHEREAS, CTSGP funds are allocated to eligible agencies for projects to increase protection from security and safety threats against public transit stations, facilities and equipment; and

WHEREAS, the Santa Cruz Metropolitan Transit District requests that the Santa Cruz County Regional Transportation Commission designate its allocation of CTGSP funds for the Santa Cruz Metropolitan Transit District's transit security projects; and

WHEREAS, the Santa Cruz Metropolitan Transit District proposes to use CTSGP funds allocated in Grant FY 2010-11 Proposition 1B 6361-0002 for transit security projects in conformance with the CTSGP Guidelines.

NOW, THEREFORE, BE I T RESOLVED, that the General Manager of the Santa Cruz Metropolitan Transit District is authorized to submit applications, provide

## Attachment A

Resolution No.
Page 2
certifications and assurances and execute for and on behalf of the Santa Cruz Metropolitan Transit District any and all agreements necessary to obtain financial assistance provided to Santa Cruz County by the California Emergency Management Agency through the FY11 CTSGP Program.

PASSED AND ADO PTED this $25^{\text {th }}$ Day of February 2011 by the following vote:

AYES: Directors -
NOES: Directors -

ABSTAIN: Directors -
ABSENT: Directors -

APPROVED $\qquad$
ELLEN PIRIE
Board Chair
ATTEST
LESLIE R. WHITE
General Manager

## APPROVED AS TO FORM:

MARGARET GALLAGHER

District Counsel

## Attachment B

## Authorized Agent Signature Authority

# FY 2010-11 Transit System Safety, Security and Disaster Response Account Program 

AS THE Board Chair
(Chief Executive Officer / Director / President / Secretary)

OF THE Santa Cruz Metropolitan Transit District
(Name of State Organization)
I hereby authorize the following individual(s) to execute for and on behalf of the named state organization, any actions necessary for the purpose of obtaining state financial assistance provided by the California Emergency Management Agency.

Leslie R. White, General Manager , OR
(Name or Title of Authorized Agent)

Angela Aitken, Finance Manager and Acting Assistant General Manager , $O R$
(Name or Title of Authorized Agent)
(Name or Title of Authorized Agent)

Signed and approved this $\underline{25^{\text {th }}}$ day of February , 2011

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

DATE: $\quad$ February 25, 2011
TO: Board of Directors
FROM: Leslie R. White, General Manager

## SUBJECT: 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.

## I. RECOMMENDED ACTION

That the Board of Directors approve METRO continuing to be a sponsor of the Leadership Santa Cruz County Program, providing information regarding public transit services and facilities to the class Members, and providing buses on April 1, 2011, April 29, 2011, and June 3, 2011 for tours of various facilities and activities.

## II. SUMMARY OF ISSUES

- The Leadership Santa Cruz County program provides information regarding activities throughout the County for classes of approximately 25 to 50 individuals annually.
- In 2005 the Board of Directors approved METRO becoming a sponsor of the Leadership Santa Cruz County Program by providing information regarding services and facilities, and by providing a bus to tour various facilities and view activities. The Board has continued the sponsorship of Leadership Santa Cruz County in 2006, 2007, 2008, 2009, and 2010.
- The Leadership Santa Cruz County staff has requested that METRO continue to be a sponsor of the program by providing information to members of the class and by providing a bus for a tour of various facilities on April 2, 2010, May 21, 2010, and June 4, 2010.
- Prior to 2005 METRO had not participated in providing information to the Leadership Santa Cruz County classes nor sponsored the program. In 2007/2008 a Member of the METRO staff took advantage of the Leadership Santa Cruz County by participating in the program and in 2008/2009 two additional METRO staff members participated in the program, and there are currently two METRO staff members participating in the program. The program is provided to METRO staff members at no cost in exchange for the bus service that METRO has provided through its sponsorship.
- The cost of becoming a sponsor of Leadership Santa Cruz County would be the cost of providing the buses for the facilities tours on April 1, 2011, April 29, 2011, and

June 3, 2011. The estimated cost for providing the buses for the Leadership Santa Cruz County tours is approximately $\$ 2,600$.

- Staff recommends that the Board of Directors approve the request from Leadership Santa Cruz County staff.


## III. DISCUSSION

The Leadership Santa Cruz County Program provides information about, and orientation to, various programs and facilities annually for approximately 25 to 50 individuals from the community. Many of these individuals hold key leadership positions in the community.

In 2005 METRO received a request for program sponsorship from Gary W. Smith, Executive Director of Leadership Santa Cruz County. The requested sponsorship was in the form of providing a bus for a tour of facilities, and a presentation by METRO of information about the system, services, facilities and projects. The Board of Directors approved the sponsorship request and the event was very successful. METRO has continued to be a sponsor of the program in 2006, 2007, 2008, and 2009. Leadership Santa Cruz County has requested that METRO continue to be a sponsor of the program by providing support, including the bus on three different days, for programs this year. A copy of the request letter from the Leadership Santa Cruz County Executive Director David Vincent is attached to this Staff Report. Participating in the Leadership Santa Cruz County program provides an opportunity to orient individuals regarding the benefits of a strong public transit system.

Prior to 2005 METRO had not participated in providing information to the Leadership Santa Cruz County classes nor sponsored the program. In 2007/2008 a Member of the METRO staff took advantage of the Leadership Santa Cruz County by participating in the program and has found it to be very beneficial. In 2008/2009 two METRO staff members participated in the Leadership Santa Cruz County Program. Currently, two METRO staff members are participating in the program. Based on the experiences of participating staff members, METRO intends to send additional staff members to the program as staff time permits. The program is provided to METRO staff members at no cost in exchange for the bus service that METRO provides through its sponsorship

Staff recommends that the Board of Directors approve the request to continue sponsorship of Leadership Santa Cruz County, including the provision of buses for tours of facilities and activities on April 1, 2011, April 29, 2011, and June 3, 2011.

## IV. FINANCIAL CONSIDERATIONS

The cost of becoming a sponsor of the Leadership Santa Cruz County program through providing buses for facilities tours would be approximately $\$ 2,600$ plus presentation materials.

Board of Directors
Board Meeting of February 25, 2011
Page 3

## V. ATTACHMENTS

Attachment A: Letter from David Vincent, February 11, 2011.
11.3

## Attachment A



2011 FEE 15 AM 1128
Corporate
Sponsors
Bay Federal
Credit Union

Big Creek
Capitola
Foundation
Driscolls
Dominican
Hospital
Graniterock
Mount Hermon
Santa Cruz
Association of Realtors

SCC Deputy
Sheriff's Assoc
Sutter Maternity
\& Surgery
Center
Seaside
Company
UC Santa Cruz
Wells Fargo
Les White
General Manager
Santa Cruz Metropolitan Transit District
370 Encinal Street, Suite 100
Santa Cruz, CA 95060
Dear Mr. White:
The purpose of this letter is to request the help of the SCMTD for this year's Leadership Santa Cruz County Class. As you know, both SCMTD and LSCC have benefited from a strong partnership over the years. Emerging leaders throughout the county have a better opportunity to understand just how their community works by visiting unfamiliar areas by bus and SCMTD benefits by having employees participate in the class at no cost. Everyone in the class better understands what SCMTD provides in terms of services and community outreach. This year two SC.MTD employees are benefiting from their participation in Class 26.

Once again LSCC will need to transport the class to various parts of the county as part of their learning experience. As you have seen in the past, it is extremely helpful when the class can travel as a group so that they can learn while in transit and also discuss their experiences amongst themselves. Specifically, it would be of tremendous help if SCMTD could supply the transportation needs for approximately 39 students on the following dates:

- The Pajaro Valley Day - April 1, 2011.
- The Agriculture \& Food Processing Day - April 29, 2011.
- The Environment \& Industry Day - June 3, 2011

Thank you for your consideration of this request. LSCC is proud to have you as a partner.


David Vincent, Executive Ditector Leadership Santa Cruz County

## Leadership Santa Cruz County

## wWw.leadershipscc.org

Executive Director: Dave Vincent - 210 View Court, Aptos, CA 95003 Phone \& Fax: (831)662-3881 E-Mail: leadershipscc@cruzio.com

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: $\quad$ February 25, 2011
TO: Board of Directors
FROM: Leslie R. White, General Manager

## SUBJECT: CONSIDERATION OF CONCERNS REGARDING THE DISSEMINATION OF METRO FINANCIAL INFORMATION TO EMPLOYEES.

## I. RECOMMENDED ACTION

That the Board of Directors provide direction to staff regarding the frequency and scope of actions to provide financial information to METRO employees during the FY 11/12 Budget development process in response to concerns raised by the Labor Unions.

## II. SUMMARY OF ISSUES

- METRO staff members are currently in the process of developing the FY 11/12 Budget Proposal for consideration by the Board of Directors.
- The sustained high levels of unemployment have resulted in sales tax and Transportation Development Act revenues that are much lower than prior years, and which will not meet METRO's financial needs for sustained service.
- As a part of the Budget development process METRO staff members have met with the leadership of the labor unions that represent the employees at METRO.
- As the projected budget deficits are substantial and will effect employment levels at METRO financial statements have been posted at the various operating facilities.
- On February 11, 2011 representatives of the Labor Unions at METRO request that the practice of posting budget information be discontinued.
- Members of the Board requested that the issue of dissemination of budget information be placed on the agenda for the next Board Meeting.


## III. DISCUSSION

Over the past few months METRO staff members have been working on developing budget proposals for the FY 11/12 budget. There are many issues that affect the financial stability at METRO. The repetitive diversion of transit funds to other purposes by the State Legislature and Governor has taken a toll on the financial health of METRO. Between the loss of STA funds and the shutdown of the Transit 1-B Bond Program METRO has lost $\$ 51$ million. The sustained high levels of unemployment as a result of the recession have resulted in depressed levels of sales tax and Transportation Development Act (TDA) funds. The impact of these sustained funding
reductions is the necessity to propose sever budget cuts and service reductions as a part of the budget proposals.

In developing budget proposals METRO staff has met with the leadership of the labor Unions that represent METRO. The staff has also made regular presentations to the Board of Directors. Additionally, the budget projections and presentations that have been given to the Board have been posted at the various facilities so that the employees are aware of the problems that we all are facing.

At the February 11, 2011 Board of Directors Meeting representatives of the METRO Labor Unions requested that the Board direct staff to discontinue posting budget information at the operating facilities.

Member of the Board requested that the issue of dissemination of budget information at METRO facilities be placed on the next Board Agenda so that it could be discussed.

## IV. FINANCIAL CONSIDERATIONS

The distribution of budget information does not significantly encumber the FY 10/11 Operating budget.

## V. ATTACHMENTS

NONE

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: $\quad$ February 25, 2011
TO: Board of Directors
FROM: Angela Aitken, Finance Manager \& Acting Assistant General Manager

## SUBJECT: ADOPTION OF TRANSFER AGREEMENT BETWEEN SANTA CRUZ METRO AND MONTEREY-SALINAS TRANSIT TO FACILITATE INTRA-AGENCY TRAVEL

## I. RECOMMENDED ACTION

That the Board of Directors adopt the Transfer Agreement between Santa Cruz METRO and Monterey-Salinas Transit.

## II. SUMMARY OF ISSUES

- Upgrades in fare collection equipment have offered the opportunity for Santa Cruz METRO and Monterey-Salinas Transit (MST) to revise the current transfer procedure between both systems.
- This transfer agreement will be implemented in two phases;
- The first phase, at time of adoption, will reflect the current transfer procedure with the use of new fareboxes installed on Santa Cruz METRO buses on December 6, 2010.
- The second phase will take effect on April 2, 2011 when MST launches their new fareboxes along with a new fare structure that eliminates zone fares.
- To simplify the transfer agreement, the procedure of passenger transfers is set in a way that no monies are exchanged between Santa Cruz METRO and MST.
- As Santa Cruz METRO and MST move forward with implementing Smart Card technology, this transfer agreement calls for discussions between the two systems on how to incorporate Smart Card transfers as the technology comes online.


## III. DISCUSSION

Upgrades in fare collection equipment and changes in bus fare policies have offered the opportunity for Santa Cruz METRO and Monterey-Salinas Transit (MST) to revise the current transfer procedure between both systems. A transfer agreement is needed to facilitate intraagency travel that is seamless so that riders have easy and efficient transitions from one system to another.

Santa Cruz METRO and MST are partnered together in offering a transfer between each transit system for riders who need to use both systems to complete a transit trip. Currently a Santa Cruz METRO Day Pass is honored onboard a MST bus for the value of a MST North County Zone. Conversely, Santa Cruz METRO accepts a MST transfer good for one ride. Additionally, riders
have the option to surrender their MST transfer and pay an additional $\$ 3.25$ for a Santa Cruz METRO Day Pass. Monthly Passes are not honored by either system, while discounted fares with a valid senior and disabled photo I.D. card are accepted.

Improving on this partnership is a two phase process:

- The first phase, at time of adoption, will reflect the current transfer procedure with the use of new fareboxes installed on Santa Cruz METRO buses on December 6, 2010. Please see Attachment A - \#2.01 a-h for details on how transfers are currently processed.
- The second phase, beginning on April 2, 2011, is to offer a simple one ride transfer between the two systems. Please see Attachment A - \#2.02 a-h for details on transfers are proposed to be processed.

All one ride transfers will remain free to encourage transit use between the two systems. Additionally, both systems will continue to accept the appropriate older adult/persons with disabilities photo I.D. cards, or other appropriate proof of discount eligibility as stated in the Americans with Disabilities Act.

There are several advantages to the proposed new transfer agreement as outlined in Attachment A - \#2.02 a-h. The added simplicity will facilitate easy transfer transactions between passengers and bus operators, negating potential conflicts and improving the passenger riding experience. Transfers will be simpler for the passengers and the process will be seamless from their perspective. Operationally, there will be no money exchanged between Santa Cruz METRO and MST, eliminating any requirement for accounting or billing. Both systems will periodically request tallies of transferring passengers for service planning purposes.

Provisions in this transfer agreement call for ongoing discussions on how to incorporate new fare media as more options become available. Specifically, when both systems migrate to Smart Card technology or any other fare media as more options and opportunities become available, Santa Cruz METRO and MST will collectively reevaluate the provisions of this new transfer agreement to determine what appropriate changes are needed to incorporate Smart Cards as a tool for intra-agency travel.

Staff recommends that the Board of Directors approve the Transfer Agreement between Santa Cruz METRO and MST.

## IV. FINANCIAL CONSIDERATIONS

While transfers are free and are worth one ride, any farebox revenue received by passengers continuing to ride on board Santa Cruz METRO bus service beyond the initial one ride is retained by Santa Cruz METRO. Currently, Santa Cruz METRO receives approximately 1,050 MST transfers per month. If an assumption was made that half of these passengers continued on past the initial one ride and bought an additional ride, the monthly revenue would potentially be an additional $\$ 800$ per month.

## V. ATTACHMENTS

Attachment A: Transfer Agreement Between Santa Cruz Metropolitan Transit District and Monterey-Salinas Transit

Prepared By: Erich R. Friedrich, Jr. Transportation Planner
Date Prepared: $\quad$ February 17, 2011

# TRANSFER AGREEMENT BETWEEN SANTA CRUZ METROPOLITAN TRANSIT DISTRICT AND MONTEREY-SALINAS TRANSIT 

This Agreement is entered into this $\qquad$ day of $\qquad$ 2011 in the State of California by and between the Santa Cruz Metropolitan Transit District, hereinafter referred to as Santa Cruz METRO and the Monterey-Salinas Transit District, hereinafter referred to as MST who agree as follows:

## I. Recitals

1.01. Santa Cruz METRO, whose Administrative Offices are located at 110 Vernon Street, Santa Cruz, CA, 95060, is a public transportation agency operating fixed route service throughout the County of Santa Cruz and its regional area.
1.02. MST, whose Administrative Offices are located at One Ryan Ranch Road, Monterey, CA 93940, is a public transportation agency operating fixed route service throughout the County of Monterey.
1.03. Because Santa Cruz METRO and MST operate within adjacent counties they have had a transfer policy arrangement between them which allowed each of their passengers to utilize the other agency's fixed route system for either no additional fare or a reduced fare.
1.04. Santa Cruz METRO and MST have found their passenger transfer arrangements to be beneficial to the fixed route services they offer the public and a means to encourage public transportation on both systems.
1.05. This Agreement is designed to set forth the transfer policy arrangement between Santa Cruz METRO and MST incorporating necessary revisions due to the purchase and implementation of the GFI revenue collection system by both Santa Cruz METRO and MST.

## II. Passenger Transfer Arrangement

2.01 Effective December 6, 2010, when Santa Cruz METRO implements its new GFI fare collection system the transfer arrangement will be as follows:
a. Santa Cruz METRO passengers boarding a MST bus in Watsonville will present a valid transfer or day pass from Santa Cruz METRO's GFI farebox to the MST Coach Operator as fare payment for one ride within MST's North County Zone. This zone originating at the Watsonville Transit Center includes Pajaro, Las Lomas, Moss Landing, Prunedale, Castroville, and Salinas.
b. MST passengers boarding a Santa Cruz METRO bus in Watsonville will present a valid MST paper transfer as payment for one ride. Thereafter, any passenger transferring within Santa Cruz METRO's local bus system will be required to pay the full fare onboard the next Santa Cruz METRO bus.
c. Santa Cruz METRO, upon surrender of a valid MST transfer, will issue a Santa Cruz METRO Day Pass upon payment of an additional \$3.25. Santa Cruz METRO will retain this revenue.
d. MST will honor a valid Santa Cruz METRO Day Pass for unlimited travel within the MST North County Zone.
e. MST will accept the Santa Cruz senior and disabled photo ID for a discounted ride.
f. Santa Cruz METRO will accept the MST senior and disabled photo ID for a discounted ride.
g. Santa Cruz METRO will not issue transfer tickets at the Watsonville Transit Center.
h. Santa Cruz METRO will not honor MST Monthly passes. MST will not honor Santa Cruz METRO Monthly passes.
2.02 Effective April 2, 2011, when MST implements its new GFI fare collection system the transfer arrangement will be modified as follows:
a. Santa Cruz METRO passengers boarding a MST bus in Watsonville will surrender a valid Santa Cruz METRO transfer to MST as payment for one ride, via a direct route to either MST's Salinas Transit Center or to the Marina Transit Exchange. Passengers continuing beyond the Salinas Transit Center will pay an additional fare onboard the next MST bus.
b. MST passengers boarding a Santa Cruz METRO bus in Watsonville will surrender a valid MST transfer as fare payment for one ride. Passengers transferring within Santa Cruz METRO'S local bus service will be required to pay the full fare onboard the next Santa Cruz METRO bus.
c. MST and Santa Cruz METRO will continue to provide for the free transfer of passengers between the two systems as a courtesy to passengers and to encourage the use of public transportation between the two systems.
d. There will be no revenue exchanged between the two systems or requirement to reimburse either system for transferring passengers. Passengers transferring between the two systems will not be counted or reported regularly; however, periodically either Santa Cruz METRO and/or MST may request a tally of transferring passengers.
e. Both MST and Santa Cruz METRO will accept the appropriate senior/disabled photo ID cards, or other appropriate proof of discount eligibility within each system as provided for and required under the Americans with Disabilities Act and/or other Federal or State requirements. Personal Care Attendants (PCA) can ride with a fare-paying passenger who presents a Discount Photo ID Card with a Green dot.
f. Day passes, other period passes, Smart Cards or other media are currently not being honored between the two systems. MST and Santa Cruz METRO agree that discussions will be held between the two agencies in order to facilitate establishing a partnership that will allow for fare media options to be used across county lines, with the intent of facilitating interagency travel. At such a time when agreement is reached, it may be deemed necessary to
reevaluate the provisions of this agreement to determine the validity of honoring said fare media between the two systems.
g. Transfers issued between the systems will be valid for one (1) use for an entire transit day (example: until 2am). Transfers will be surrendered by passengers when boarding buses. Transfers have no cash value and cannot be used by passengers towards the purchase of an additional fare.
h. At such time that Santa Cruz METRO or MST implements the use of Smart Card technology, Santa Cruz METRO and MST will reevaluate the provisions of this agreement to determine what appropriate changes to this Transfer Agreement are needed to incorporate the technological advances in intraagency fare collection media.

## III. Miscellaneous Provisions

3.01 All notices under this Agreement shall be deemed duly given upon delivery, if delivered by hand; or three days after posting, if sent by registered mail, return receipt requested; to a party hereto at the address set forth herein or to such other address as a party may designate by notice pursuant hereto:

## METRO:

General Manager
Santa Cruz Metropolitan Transit District
110 Vernon Street
Santa Cruz, CA 95060
MST:
General Manager
Monterey-Salinas Transit
One Ryan Ranch Road
Monterey, CA 93940
3.02 This Agreement, together with all subordinate and other documents incorporated by reference herein, constitutes the entire agreement between the parties with respect to the subject matter contained herein and may only be modified by an amendment executed in writing, dated and signed by duly authorized representatives of each party to this Agreement. All prior agreements, representations, statements, negotiations, understandings and undertakings are superseded hereby.
3.03 Time is of the essence in this Agreement.
3.04 This Agreement shall commence on February 25, 2011 and shall continue from year to year until it is terminated by either party. Santa Cruz METRO or MST may terminate this agreement for its convenience at any time for any reason by giving written notice to the other party ten (10) days in advance of the termination date. If the agreement is terminated, Santa Cruz METRO and MST shall continue to follow the terms and conditions of this Agreement through the date of termination.
3.05 Each party has full power and authority to enter into and perform this Agreement, and the person signing this Agreement on behalf of each has been property authorized and empowered to enter into this Agreement. Each party further acknowledges that it has read this Agreement, understands it, and agrees to be bound by it.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement:

Leslie R. White, General Manager
Santa Cruz Metropolitan Transit District
110 Vernon Street
Santa Cruz, CA 95060

Leslie R. White

Date: $\qquad$

Carl G. Sedoryk, General Manager/CEO
Monterey-Salinas Transit
One Ryan Ranch Road
Monterey, CA 93940

Carl G. Sedoryk

Date: $\qquad$

# SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

STAFF REPORT

DATE: February 25, 2011
TO: Board of Directors
FROM: Leslie White, General Manager
SUBJECT: CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN OPERATION AND MAINTENANCE AGREEMENT AND A COVENANT TO RESTRICT USE OF PROPERTY AGREEMENT BETWEEN SANTA CRUZ METROPOLITAN TRANSIT DISTRICT (METRO) AND THE DEPARTMENT OF TOXIC SUBSTANCE CONTROL (DTSC) FOR THE SITE LOCATED AT 425 FRONT STREET, SANTA CRUZ, CALIFORNIA

## I. RECOMMENDED ACTION

Authorize the General Manager to Execute an Operation and Maintenance Agreement and a Covenant to Restrict Use of Property Agreement with the Department of Toxic Substance Control (DTSC) for the Site located at 425 Front Street in Santa Cruz.

## II. SUMMARY OF ISSUES

- The Santa Cruz Metropolitan Transit District (METRO) recently purchased the property located at 425 Front Street in Santa Cruz, CA (Property) from Transportation Realty Income Partners, L.P. (TRIP). The Property had most recently been utilized as the Greyhound Bus Station.
- The environmental consulting firm of Weber, Hayes \& Associates prepared a combined Phase I/II Environmental Site Assessment of the Property dated July 23, 2002 and a Soil Delineation Investigation Report dated October 13, 2006, that documented the presence of soil and groundwater contamination affecting the Property.
- As part of the purchase sales agreement, TRIP was required to retain approximately $\$ 500,000$ in escrow to insure that the Property's documented contamination was environmentally remediated in accordance with the California Department of Toxic Substances Control (DTSC) requirements.
- As a result of the contamination, and the remediation, METRO is required to execute certain documents in order to insure the continuous monitoring of the Property by DTSC, limit the available uses of the property and insure annual inspections of the Property take place.
- Additionally, in order to qualify for Orphan funding, the attached Agreements must be executed and provided to DTSC by Monday, February 28, 2011.

Board of Directors
Board Meeting of February 25, 2011
Page 2

## III. DISCUSSION

METRO purchased the property located at 425 Front Street in Santa Cruz for the expansion and development of Pacific Station. At one point in time, METRO intended to incorporate the Property into the redevelopment project for Pacific Station to create an expanded facility that could provide additional bus capacity to meet the region's growing transit needs, commercial space and additional parking to serve transit riders, and affordable housing for working families in the community. At this juncture with the existing budget constraints it is anticipated that the Property will provide METRO with additional space to park buses during layovers at Pacific Station.

During the environmental assessment of the Property, it was determined that the soil was contaminated. According to the Environmental Consultants, the chemicals of concern that were identified at the site are petroleum hydrocarbons, polynuclear aromatic hydrocarbons (PAHs), and the metals antimony, arsenic, cadmium, lead and zinc. The remediation activities on the Property are currently being implemented. They consist of excavating the contaminated soils to 3 feet below ground surface and transporting them to an appropriate permitted landfill for disposal and importing clean fill material to replace the removed soil. The volume of soil that is being removed is projected to be approximately 2,222 cubic yards. According to DTSC, the clean fill would form a clean soil cap that effectively isolates the remaining contaminated soil, thereby eliminating risk and health hazards from exposure to the chemicals of concern in the soil. Additionally, capping was designed to reduce the potential for water to infiltrate through contaminated soils into the groundwater. METRO proposed that an asphalt seal be placed over the Cap and actually be part of the Cap. DTSC determined that this remediation alternative met all of the remedial action objectives and best balanced cost-effectiveness with overall risk reduction, met the community goal of removing all contamination, was technically feasible and could be completed in a shorter duration. Since not all of the contamination will be removed, a land use covenant (LUC) is required by DTSC.

Additionally, DTSC, after a thorough review of available historical Site Information, determined apportionment of liability for the site contamination as follows: Greyhound Lines Inc./Transportation Realty Income Partners, L.P.(as the then current owner of the property): $25 \%$; Chevron Corporation and Pacific Gas \& Electric Company (successors in interest to companies who were believed to have contributed to the contamination): $10 \%$ and Orphan Shares (that share of liability for the costs of response actions apportioned to responsible persons who are insolvent or cannot be identified or located): $65 \%$.

The documents for consideration of review and approval are attached as follows:

## 1. Operation and Maintenance Agreement

This proposed Agreement between METRO and DTSC authorizes the DTSC to oversee the investigation and/or remediation of a release or threatened release of any hazardous substance at or from the Site, and to oversee the operation and maintenance of any remediation system installed at the Site. As part of the remediation work a Cap was
required on the Property to reduce the potential for direct contact with contaminated soils. This Agreement requires that the Cap remain in place unless written authorization is obtained from DTSC. Additionally, METRO is required to submit a Cap Management Plan to DTSC, which is set forth in Exhibit C. Further, METRO will be responsible for any requirements for inspections, monitoring, reporting and record keeping at METRO's expense. METRO is required to notify DTSC immediately upon learning of any condition that may pose an immediate threat to public health or safety or the environment. METRO is required by the Cap Management Plan to retain the expertise of a registered professional engineer trained in identifying areas of questionable cap integrity. This engineer is required to conduct visual inspections on an annual basis and as warranted. A written record is required to be kept of the inspections. In the event cap repairs are required, they will be immediately repaired in accordance with the Cap Management Plan.

## 2. Covenant To Restrict Use of Property

This Agreement is between DTSC and METRO which restricts the use of the Property to prohibit the raising of food, including cattle or food crops on the property. It also restricts activities that may disturb the Cap (e.g. excavation, grading, removal, trenching, filling, earth movement, or mining) without approval by DTSC, and does not allow tampering or alteration of the Cap without approval by DTSC. Further, METRO is required to notify the DTSC in the event there is any damage or repairs for damage to the Cap. METRO must provide written notification to any buyers, lessees or sub lessees of the existence of this Covenant and its Environment Restrictions. METRO is also responsible to pay any DTSC's costs in administering the covenant.

In order to qualify for the orphan funds available for the clean-up of the property, METRO is required to execute the attached documents and provide them to DTSC by February 28, 2011. Time is of the essence to execute these documents.

## IV. FINANCIAL CONSIDERATIONS

Orphan Funding is available for the clean up of the property located at 425 Front Street, Santa Cruz, CA. If allowed METRO will obtain funding for the asphalt seal placed on the property.

## V. ATTACHMENTS

Attachment A: Operation and Maintenance Agreement with attachments
Attachment B: Covenant to Restrict Use of Property with attachments.

## ATTACHMENT A

In the matter of:
Former Greyhound Bus Depot 425 Front Street
Santa Cruz, CA 95060
) Docket No
)
) OPERATION AND MAINTENANCE ) AGREEMENT
)
)
Proponent:
Santa Cruz Metropolitan Transit District
110 Vernon Street
) Health and Safety Code
Santa Cruz, CA 95060
) Section 25355.5 (a)(1)(C) )
)

The California Department of Toxic Substances Control (DTSC) and Santa Cruz Metropolitan Transit District (Proponent) enter into this Operation and Maintenance Agreement (Agreement) for the site located at 425 Front Street, Santa Cruz, CA 95060 (Site) and agree as follows:

1. Jurisdiction. This Agreement is entered into by DTSC and Proponent pursuant to Health and Safety Code section 25355.5(a)(1)(C) which authorizes DTSC to enter into an enforceable agreement to oversee the investigation and/or remediation of a release or threatened release of any hazardous substance at or from the Site, and to oversee the operation and maintenance of any remediation system installed at the Site.
2. Site Ownership and Location. The Site is owned by the Santa Cruz Metropolitan Transit District. A site location map and the assessor's parcel map are attached as Exhibit $A$ and Exhibit $B$.
3. Operation and Maintenance Plan. Operation and maintenance of the Cap Management Plan is required at the Site. The Cap, as described in the Cap Management Plan, shall remain in place, not to be disturbed by Proponent until and except to the extent that the DTSC authorizes Proponent in writing to discontinue, move or modify some or all of the Cap or Cap Management Plan.
4. Implementation of Operation and Maintenance Plan. Proponent shall submit a Cap Management Plan to DTSC for approval. Proponent shall fully implement the DTSC-approved Cap Management Plan dated February 25, 2011, attached as Exhibit C , including any requirements for inspections, monitoring, reporting and record keeping.
5. Modification or Discontinuation of Cap or Cap Management Plan. Proponent shall submit a written request for DTSC's authorization for any modification or discontinuation of the Cap or Cap Management Plan or any part thereof at least 60 days, to the extent feasible, prior to the intended date of any proposed modification or discontinuation. Proponent may seek modification or discontinuation of the Cap or Cap Management Plan or any part thereof if (a) Proponent has met the remediation objectives for the site; (b) the modification would better achieve the remediation

## ATTACHMENT A

objectives; or (c) it has been demonstrated that the maximum achievable remediation has occurred. The written request to DTSC shall include the reasons for the request, a detailed description of any work to be done or modification to be made, and a map showing the exact location of the proposed work.
6. DTSC-Required Modification. DTSC may require modification, replacement, or additions to the Cap Management Plan if the Cap or part of thereof is not achieving the remediation objectives or is not protecting human health or the environment. DTSC may require additional evaluations, designs and the construction and operation of facilities to achieve these objectives.
7. Quality Control/Quality Assurance (QC/QA). All sampling and analysis conducted by Proponent under this Agreement shall be performed in accordance with the QC/QA procedures submitted by Proponent and approved by DTSC pursuant to this Agreement.
8. Financial Assurance. Proponent must assure that sufficient funds are available to implement all the requirements of this Agreement and to pay DTSC's costs as specified in Paragraph 9. Proponent has established a $\qquad$ [eg., trust fund, insurance policy, letter of credit, etc.] as the financial assurance mechanism that meets DTSC's requirements pursuant to California Code of Regulations, title 22, section 66265.143. [Proponent must propose a financial assurance mechanism to DTSC and obtain DTSC's approval before this Agreement is finalized.]

## 9. Cost Recovery and Payment.

9.1. Proponent is liable for all of DTSC's costs incurred in implementing this Agreement, including costs of overseeing the work performed by Proponent, and in responding to any contamination at the Site. Cost recovery may be pursued by DTSC pursuant to applicable state or federal laws or common law. DTSC will invoice Proponent for DTSC's costs on a quarterly basis.
9.2. All payments made by Proponent pursuant to this Agreement shall be by check payable to the "Department of Toxic Substances Control", and bearing on its face the project code for the Site (Site \# 290006-00) and the docket number of this Agreement. Upon request by Proponent, DTSC may accept payments made by credit cards. Payments by check shall be sent to:

Department of Toxic Substances Control
Accounting Office
1001 I Street, $21^{\text {st }}$ Floor
P.O. Box 806

Sacramento, California 95812-0806
A photocopy of the check shall be sent concurrently to DTSC's Project Manager.

## ATTACHMENT A

9.3. DTSC shall retain all cost records associated with the work performed under this Agreement as may be required by state law. DTSC will make all documents that support DTSC's cost determination available for inspection upon request in accordance with the Public Records Act, Government Code section 6250 et seq.

## 10. Endangerment During Implementation.

10.1. Proponent shall notify DTSC's Project Manager immediately upon learning of any condition that may pose an immediate threat to public health or safety or the environment. Within seven days of the onset of such a condition, Proponent shall furnish a report to DTSC, signed by Proponent's Project Manager, setting forth the conditions and events that occurred and the measures taken in response thereto.
10.2. In the event DTSC determines that any activity (whether or not pursued in compliance with this Agreement) may pose an imminent or substantial endangerment to the health or safety of people on the Site or in the surrounding area or to the environment, DTSC may order Proponent to conduct additional activities or to stop further implementation of this Agreement for such period of time as may be needed to abate the endangerment. DTSC may request that Proponent implement interim measures to address any immediate threat or imminent or substantial endangerment.
11. Site Access. Proponent shall provide, and/or obtain access to the Site and take all reasonable efforts to obtain access to offsite areas to which access is necessary to implement the Agreement. Such access shall be provided to DTSC's employees, contractors, and consultants at all reasonable times. Such access shall also be provided to any other proponent or Proponent who is in compliance with this Agreement for the purpose of conducting activities pursuant to this Agreement or for activities deemed necessary by DTSC to meet the objectives of this Agreement Nothing in this paragraph is intended or shall be construed to limit in any way the right of entry or inspection that DTSC or any other agency may otherwise have by operation of law.
12. Sampling, Data and Document Availability. When requested by DTSC, Proponent shall make available for DTSC's inspection, and shall provide copies of, all data and information concerning contamination at or from the Site, including technical records and contractual documents, sampling and monitoring information and photographs and maps, whether or not such data and information was developed pursuant to this Agreement. For all final reports, Proponent shall submit one hard (paper) copy and one electronic copy with all applicable signatures and certification stamps as a text-readable Portable Document Formatted (pdf) file Adobe Acrobat or Microsoft Word formatted file.
13. Record Preservation. Proponent shall retain, during the implementation of this Agreement and for a minimum of six years after its termination, all data, reports, and other documents that relate to the performance of this Agreement. If DTSC requests that some or all of these documents be preserved for a longer period of time,

## ATTACHMENT A

Proponent shall either comply with the request, deliver the documents to DTSC, or permit DTSC to copy the documents at Proponent's expense prior to destruction.
14. Notification of Field Activities. Proponent shall inform DTSC at least seven days in advance of all field activities pursuant to this Agreement and shall allow DTSC and its authorized representatives to take duplicates of any samples collected by Proponent pursuant to this Agreement.
15. Project Managers. Within 14 days of the effective date of this Agreement, DTSC, and Proponent shall each designate a Project Manager and shall notify each other in writing of the Project Manager selected. Each Project Manager shall be responsible for overseeing the implementation of this Agreement and for designating a person to act in his/her absence. All communications between DTSC and Proponent, and all notices, documents and correspondence concerning the activities performed pursuant to this Agreement shall be directed through the Project Managers. Each party may change its Project Manager with at least seven days prior written notice.
16. Proponent's Consultant and Contractor All work performed pursuant to this Agreement shall be under the direction and supervision of a professional engineer or professional geologist, licensed in California, with expertise in hazardous substances site cleanup. Proponent's Project Manager, contractor or consultant shall have the technical expertise sufficient to fulfill his or her responsibilities. Within 14 days of the effective date of this Agreement, Proponent shall notify DTSC's Project Manager in writing of the name, title, and qualifications of the professional engineer or professional geologist and of any contractors or consultants and their personnel to be used in carrying out the work under this Agreement in conformance with applicable state law, including but not limited to, Business and Professions Code sections 6735 and 7835.
17. DTSC Review and Approval. All work performed pursuant to this Agreement is subject to DTSC's review and approval. If DTSC determines that any report, plan, schedule or other document submitted for approval pursuant to this Agreement fails to comply with this Agreement or fails to protect public health or safety or the environment, DTSC may (a) return comments to Proponent with recommended changes and a date by which the Proponent must submit to DTSC a revised document incorporating or addressing the recommended changes; or (b) modify the document in consultation with Proponent and approve the document as modified. All DTSC approvals and decisions made regarding submittals and notifications will be communicated to Proponent in writing by DTSC's Branch Chief or his/her designee. No informal advice, guidance, suggestions or comments by DTSC regarding reports, plans, specifications, schedules or any other writings by the Proponent shall be construed to relieve Proponent of the obligation to obtain such written approvals.
18. Amendments. This Agreement, including the attached Cap Management Plan, may be amended in writing by mutual agreement of DTSC and Proponent. Such amendment shall be effective the third business day following the day the last party

## ATTACHMENT A

signing the amendment sends its notification of signing to the other party. The parties may agree to a different effective date.
19. Incorporation of Exhibits, Plans and Reports. All exhibits are incorporated into this Agreement by reference. All plans, schedules and reports that require DTSC's approval and are submitted by Proponent pursuant to this Agreement are incorporated in this Agreement upon DTSC's approval.
20. Reservation of Rights. DTSC reserves all of its statutory and regulatory powers, authorities, rights, and remedies under applicable laws to protect public health or the environment, including the right to recover its costs incurred therefor. Proponent reserves all of its statutory and regulatory rights, defenses and remedies available to Proponent under applicable laws..
21. Non-Admission of Liability. By entering into this Agreement, Proponent does not admit to any finding of fact or conclusion of law set forth in this Agreement or any fault or liability under applicable laws.
22. Proponent Liabilities. Nothing in this Agreement shall constitute or be considered a covenant not to sue, release or satisfaction from liability by DTSC for any condition or claim arising as a result of Proponent's past, current, or future operations or ownership of the Site.
23. Government Liabilities. The State of California or DTSC shall not be liable for any injuries or damages to persons or property resulting from acts or omissions by Proponent or by related parties in carrying out activities pursuant to this Agreement, nor shall the State of California or DTSC be held as a party to any contract entered into by Proponent or its agents in carrying out the activities pursuant to this Agreement.
24. Third Party Actions. In the event that Proponent is a party to any suit or claim for damages or contribution relating to the Site to which DTSC is not a party, Proponent shall notify DTSC in writing within 10 days after service of the complaint in the thirdparty action. Proponent shall pay all costs incurred by DTSC relating to such third-party actions, including but not limited to responding to subpoenas.
25. California Law. This Agreement shall be governed, performed and interpreted under the laws of the State of California.
26. Severability. If any portion of this Agreement is ultimately determined not to be enforceable, that portion will be severed from the Agreement and the severability shall not affect the enforceability of the remaining provisions of the Agreement.
27. Parties Bound. This Agreement applies to and is binding, jointly and severally, upon Proponent and its agents, receivers, trustees, successors and assignees, and upon DTSC and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Agreement. Proponent shall ensure that

## ATTACHMENT A

its contractors, subcontractors and agents receive a copy of this Agreement and comply with this Agreement.
28... Effective Date. The effective date of this Agreement is the date of signature by DTSC's authorized representative after this Agreement is first signed by Proponent's authorized representative. Except as otherwise specified, "days" means calendar days.
29. Representative Authority. Each undersigned representative of the party to this Agreement certifies that she or he is fully authorized to enter into the terms and conditions of this Agreement and to execute and legally bind the party to this Agreement.
30. Counterparts. This Agreement may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one and the same document.


|  | Date: |
| :--- | :--- |
| Leslie R. White, General Manager |  |
| Santa Cruz Metropolitan Transit District |  |

## ATTACHMENT A

EXHIBITS<br>for the<br>OPERATION AND MAINTENANCE AGREEEMENT<br>\section*{Exhibit A: Site Location Map}<br>Exhibit B: Tax Assessors Map \&<br>Legal Description (from Preliminary Title Report)

## ATTACHMENT A



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# ATTACHMENT A 

## EXHIBIT "C"

CAP MANAGEMENT PLAN<br>425 Front Street<br>Santa Cruz, California 95060

### 1.0 INTRODUCTION

This Cap Management Plan (CMP) addresses the construction of the cap at the property located at 425 Front Street, Santa Cruz, California ("the site"; Figure 1). It also presents the requirements for the proper maintenance activities associated with the cap. Additionally, notification requirements are detailed in the event of a cap failure.

### 2.0 SITE DESCRIPTION AND HISTORY

### 2.1 Description

The site is an approximate 21,000 square foot parcel within the downtown area of Santa Cruz, California. The rectangular property has frontage access to both Front Street (to the east) and Pacific Avenue (to the west) and is bordered by retail and commercial businesses to the north and the City of Santa Cruz Metro Center Bus Terminal to the south. The Property is also generally described as Santa Cruz County Assessor's Parcel Number: 005-152-30.

### 2.2 History

The site has been occupied by a transformer station, various commercial businesses, including automotive, furniture, and paint sales. In 1961 the site was converted to its existing use as a bus station. The site is presently owned by the Santa Cruz Metropolitan Transit District. Proposed redevelopment plans call for the construction of a new downtown Santa Cruz Metro Transit Center on the site and on the adjacent parcel to the South. The Metro Center will be a mixed-use facility with bus loading, commercial and retail businesses, parking, and upper floor residences.

Site assessment reports, a Risk Assessment Report, and a Remedial Action Plan, were prepared by Weber Hayes \& Associates (WHA) of Watsonville, California. WHA's reports identified the chemicals of concern which may pose adverse health effects to on-site construction workers and future residents at the site. This CMP was written based upon WHA's assessment and recommendations pertaining to the site.

### 3.0 CAP CONSTRUCTION

### 3.1 Purpose

Capping technology shall be used to reduce the potential for direct contact with contaminated soils. Additionally, capping will reduce the potential for water to infiltrate through contaminated soils into the groundwater. The cap or final cover will be designed to minimize infiltration of precipitation. Precipitation collected from roofs, streets, sidewalks,

## ATTACHMENT A

and parking lots will be directed into storm sewer systems and routed to proper discharge points.

The cap will operate with a minimum of maintenance and promote drainage from its surface while minimizing erosion. It has also been designed so that the settling and subsidence are accommodated to minimize the potential for disruption of continuity and function of the final cover.

### 3.2 Construction Details

A schematic of the construction details is attached as Figure 2. After excavation to the proper grade, the native soil was compacted. The compacted soil is covered by (in order): a $18^{\prime \prime}$ layer of clean fill soil, a $10^{\prime \prime}$ layer of base rock, and a $8^{\prime \prime}$ layer of asphalt which will insure that the native soil will be permanently encapsulated.

### 3.3 Inspection and Maintenance

Asphalt paving may crack or require maintenance. Visual inspections will be conducted yearly by a registered professional engineer, trained in identifying areas of questionable cap integrity. Additionally, visual inspections will be conducted as warranted. For Example, after seismic activity, the cap will be immediately inspected.

A written record will be kept of the cap inspections. The log will be kept at Santa Cruz Metropolitan Transit District, 110 Vernon Street, Santa Cruz, CA 95060. At a minimum, the log will include date and time of inspection, person performing inspection, cap condition, and repairs and repair date, if any.

### 3.3.1 Notification

In the event cap repairs are required, the property management will be notified immediately. Verbal and written notification will be given to the following individuals:

Santa Cruz Metropolitan Transit District<br>Attn: General Manager<br>110 Vernon Street<br>Santa Cruz, CA 95060

### 3.4 Cap Repair

In the event cracks or exposed soils are encountered, the cap will be repaired immediately.
In the event soils are encountered beneath the cap, they will be immediately contained in Department of Transportation approved containers. The soil will be sampled to facilitate the proper soil disposal, if necessary, at a licensed disposal facility. Cracks will be sealed or repaired. If possible, pressure grouting will be utilized. The individuals responsible for repairing the cap and/or containerize the soils, must have read and understood the site Health and Safety Plan.

## ATTACHMENT A

## EXHIBITS <br> for the <br> CAP MANAGEMENT PLAN

Figure 1: Site Map
Figure 2: "Capped Property" \& Typical Excavation Profiles Plus
Restoration Grade \& Drainage
(Schematic of the construction details)

## ATTACHMENT A



## ATTACHMENT A



## ATTACHMENT A



## ATTACHMENT B

RECORDING REQUESTED BY:<br>Santa Cruz Metropolitan Transit District 110 Vernon Street<br>Santa Cruz, CA 95060<br>WHEN RECORDED, MAIL TO:<br>Department of Toxic Substances Control 700 Heinz Avenue, Suite 200<br>Berkeley, California 94710<br>Attention: Barbara J. Cook, P.E., Chief<br>Northern California -Coastal Cleanup Operations Branch

## COVENANT TO RESTRICT USE OF PROPERTY

## ENVIRONMENTAL RESTRICTION

(Re: County of Santa Cruz APN 005-152-30, Santa Cruz Metropolitan Transit District Site (Former Greyhound Bus Depot Site), DTSC Site Code No. 290006-00)

This Covenant and Agreement ("Covenant") is made by and between the Santa Cruz Metropolitan Transit District (the "Covenantor"), the current owner of property situated in Santa Cruz, County of Santa Cruz, State of California, described in Exhibit "A", attached hereto and incorporated herein by this reference (the "Property"), and the Department of Toxic Substances Control (the "Department"). Pursuant to Civil Code section 1471, the Department has determined that this Covenant is reasonably necessary to protect present or future human health or safety or the environment as a result of the presence on the land of hazardous materials as defined in Health and Safety Code section 25260. The Covenantor and Department, collectively referred to as the "Parties", hereby agree, pursuant to Civil Code section 1471, and Health and Safety Code section 25355.5 that the use of the Property be restricted as set forth in this Covenant; and the Parties further agree that the Covenant shall conform with the requirements of California Code of Regulations, title 22, section 67391

## ATTACHMENT B

## ARTICLE I

## STATEMENT OF FACTS

1.01. The Property, totaling approximately 21,000 square foot ( $\mathrm{ft}^{2}$ ) is more particularly described and depicted in Exhibit "A", attached hereto and incorporated herein by this reference. The Commercial Property is located in the downtown area of Santa Cruz, California, at 425 Front Street. The rectangular property has frontage access to both Front Street (to the east) and Pacific Avenue (to the west) and is bordered by retail and commercial businesses to the north and the City of Santa Cruz Metro Center Bus Terminal to the south (see Site Map, Exhibit "A"). The Property is also generally described as Santa Cruz County Assessor's Parcel Number: 005-152-30.
1.02. The Property is being remediated in accordance with the Remedial Action Plan developed pursuant to Chapter 6.85 of Division 20 of the California Health and Safety Code, under the oversight of the Department. The Department circulated a draft Remedial Action Plan, together with a draft Negative Declaration pursuant to the California Environmental Quality Act, Public Resources Code section 21000 et seq., for public review and comment. The Remedial Action Pan and the Negative Declaration were approved by the Department on July 1, 2010. Greyhound Lines, Inc., the former site occupant, is remediating the Property under the supervision and authority of the Department.
1.03 The Remedial Action Plan provided that a Covenant be required as part of the site remediation because hazardous substances, as defined in Health and Safety Code section 25316, which are also hazardous materials as defined in Health and Safety Code section 25260, including total petroleum hydrocarbons, poly nuclear aromatics, and metals, remain in the soil in and under portions of the Property.
1.04 The final remedy approved in the Remedial Action Plan included the following remediation activities:
(a) Demolition of existing structures at the Property and removal of trees encroaching into the impacted area;

## ATTACHMENT B

(b) Soil excavation and offsite disposal of the upper three (3) feet of soil at the Property, totaling approximately 3,900 -cubic yards of contaminated soil;
(c) Placement of a "Cap" over the remaining impacted soil below the threefoot depth by backfilling the three-foot deep excavation area with clean fill and rock meeting the site cleanup goal (the "Capped Property", depicted on Exhibit "B");
(d) Restoration of the Property surface and drainage; and
(e) Recordation of a deed restriction that restricts the use of the Property.
1.05. Impacts to Shallow Soils: As detailed in the Remedial Action Plan approved by the Department on July 1, 2010, soil underlying the Capped Property contains hazardous substances, as defined in Health and Safety Code section 25316. PAHs (Benzo(a)anthracene, Chrysene, Benzo(a)fluoranthene, Benzo(k)fluoranthene, Benzo(a)pyrene, Indeno (1,2,3-cd)pyrene, Dibenzo( $a, h$ )anthracene), Total Petroleum Hydrocarbons (motor oil), and metals (antimony, arsenic, cadmium, and lead) are the Chemicals of Concern (COCs) found in soil at the site above screening levels. The extent of soils with these COCs (at concentrations exceeding screening levels) has been adequately estimated for remedial planning purposes based on the results of subsurface investigations conducted at the site. The table below summarizes the ranges of concentrations of COCs and the location of the highest concentrations detected at the site.

| Locations of the Highest Concentrations of COCs <br> Detected at the Santa Cruz Greyhound Bus Depot Property |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: |
| Chemical <br> Of <br> Concern | Minimum <br> Concentration <br> Detected <br> (mg/kg) | Maximum <br> Concentration <br> Detected <br> (mg/kg) | Depth and <br> Location of the <br> Highest <br> Concentration | Screening Level <br> (residential/commercial) <br> (mg/kg)) |  |
| PAHs | $<0.05$ | 9.6 | 5 feet bgs in B- <br> 7 | $0.38 / 1.3-\mathrm{ESL}$ |  |

## ATTACHMENT B

| Locations of the Highest Concentrations of COCs Detected at the Santa Cruz Greyhound Bus Depot Property |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: |
| Chemical Of Concern | Minimum Concentration Detected (mg/kg) | Maximum Concentration Detected ( $\mathrm{mg} / \mathrm{kg}$ ) | Depth and Location of the Highest Concentration | Screening Level (residential/commercial) ( $\mathrm{mg} / \mathrm{kg}$ )) |
| TPH-motor oil | $<10$ | 5,200 | 2.5 feet bgs in B-8 | 370 / 2,500-ESL |
| Antimony | $<1.0$ | 38 | 2.5 feet bgs in B-17 | 30/380-CHHSL |
| Arsenic | 1.9 | 110 | 2.5 feet bgs in B-8 | $0.070 / 0.24-\mathrm{CHHSL}$ |
| Cadmium | $<1.0$ | 4.8 | 2.5 feet bgs in B-12 | 1.7/7.5 CHHSL |
| Lead | 3.1 | 3,300 | 2.5 feet bgs in B-17 | 80/320-CHHSL |

As noted, CHHSLs (California Human Health Screening Level, DTSC) were used as the primary screening limit, but ESLs (Environmental Screening Level, SF Bay Water Board) were used when no CHHSLs available for a specific contaminant compound.
1.06. Soil Gas: The soil gas samples collected from the site indicate that there is no risk from vapor intrusion at the site.
1.07. Groundwater: None of the PAHs, TPH or metals have been detected in shallow groundwater beneath the site, except for arsenic and antimony. Arsenic was detected at a concentration below the drinking Maximum Contaminant Level (MCL) specified by the California Department of Public Health. Antimony was detected in one of the three groundwater samples collected at the site at a concentration slightly exceeding its drinking water MCL. This single, low-level detection of Antimony at a concentration, which only slightly exceeded its' MCL, is not considered significant.

## ATTACHMENT B

1.08. As the cleanup goals for the Property, as detailed in the Remedial Action Plan, were based upon the future use of the Property as a multi-use Metro Center which would include bus loading and commercial businesses at street level, parking on the second level and residences on the third and upper levels, the remedial actions taken pursuant to the approved Remedial Action Plan mitigates all human health risk at the Property. The Department concludes that the Property, subject to the restrictions of this land use covenant, does not present an unacceptable threat to human health or safety or to the environment.

## ARTICLE II

## DEFINITIONS

2.01. Department. "Department" means the California Department of Toxic Substances Control and includes its successor agencies, if any.
2.02. Environmental Restrictions. "Environmental Restrictions" means all protective provisions, covenants, restrictions, prohibitions, and terms and conditions as set forth in any section of this Covenant.
2.03. Improvements. "Improvements" include, but is not limited to: buildings, structures, roads, driveways, improved parking areas, wells, pipelines, or other utilities.
2.04. Lease "Lease" means lease, rental agreement, or any other document that creates a right to use or occupy any portion of the Property
2.05. Occupant. "Occupant" means Owners and any person or entity entitled by ownership, leasehold, or other legal relationship to the right to occupy any portion of the Property.
2.06. Owner. "Owner" means the Covenanter, its successors in interest, and their successors in interest, including heirs and assigns, who at any time hold title to all or any portion of the Property.

## ATTACHMENT B

## ARTICLE III

## GENERAL PROVISIONS

3.01. Runs with the Land. This Covenant sets forth Environmental Restrictions, that apply to and encumber the Property and every portion thereof no matter how it is improved, held, used, occupied, leased, sold, hypothecated, encumbered, or conveyed. This Covenant: (a) runs with the land pursuant to Health and Safety Code section 25355.5 and Civil Code section 1471; (b) inures to the benefit of and passes with each and every portion of the Property, (c) is for the benefit of, and is enforceable by the Department, and (d) is imposed upon the entire Property unless expressly stated as applicable only to a specific portion thereof.
3.02. Binding upon Owners/Occupants. Pursuant to the Health and Safety Code, this Covenant binds all owners of the Property, their heirs, successors, and assignees, and the agents, employees, and lessees of the owners, heirs, successors, and assignees. Pursuant to Civil Code section 1471, all successive owners of the Property are expressly bound hereby for the benefit of the Department.
3.03. Written Notice of the Presence of Hazardous Substances. Prior to the sale, lease or sublease of the Property, or any portion thereof, the owner, lesser, or sublessor shall give the buyer, lessee, or sublessee written notice of the existence of this Covenant and its Environmental Restrictions.
3.04. Incorporation into Deeds and Leases. This Covenant and its Environmental Restrictions shall be incorporated by reference in each and every deed and Lease for any portion of the Property.
3.05. Conveyance of Property. The Owner shall provide written notice to the Department not later than thirty (30) days after any conveyance of any ownership interest in the Property (excluding Leases, and mortgages, liens, and other nonpossessory encumbrances). The written notice shall include the name and mailing address of the new owner of the Property and shall reference the site name and site code as listed on page one of this Covenant. The notice shall also include the Assessor's Parcel Number (APN) noted on page one. If the new owner's property has been assigned a different APN, each such APN that covers the Property must be

## ATTACHMENT B

provided. The Department shall not, by reason of this Covenant, have authority to approve, disapprove, or otherwise affect proposed conveyance, except as otherwise provided by law, or by administrative order.
3.06 Costs of Administering the Covenant to be paid by Owner. The Department has already incurred and will in the future incur costs associated with the administration of this Covenant Therefore, the Owner hereby covenants for himself and for all subsequent Owners that, pursuant to California Code of Regulations, title 22, section 67391.1(h), the Owner agrees to pay the Department's cost in administering the Covenant.

## ARTICLEIV

## RESTRICTIONS

4.01. Prohibited Activities. The following activities shall are prohibited:
(a) Raising of food (cattle, food crops) on Capped Property.
4.03. Non-Interference with Cap Owner agrees that:
(a) Activities that may disturb the Cap, (e.g. excavation, grading, removal, trenching, filling, earth movement, or mining) shall not be permitted on the Property without prior review and approval by the Department.
(b) All uses and development of the Capped Property shall preserve the integrity of the Cap.
(c) The Cap shall not be altered without written approval by the Department.
(d) Owner shall notify the Department of each of the following: (i) the type, cause, location and date of any damage to the Cap, and (ii) the type and date of repair for such damage. Notification to the Department shall be made as provided below within ten (10) working days of both the discovery of any such disturbance and the completion of any repairs. Timely and accurate notification by any person falling within the definition of Owner or Occupant shall satisfy this requirement on behalf of all persons falling within the definition of Owner and/or Occupant.

## ATTACHMENT B

4.04. Access for Department. The Department shall have reasonable right of entry and access to the Property for inspection, monitoring, and other activities consistent with the purposes of this Covenant as deemed necessary by the Department in order to protect the public health or safety, or the environment.
4.06. Inspection and Reporting Requirements. The Owner shall conduct an annual inspection of the Property verifying compliance with this Covenant and shall submit an annual inspection report to the Department for its approval by January $15^{\text {th }}$ of each year. The annual inspection report must include the dates, times, and names of those who conducted the inspection and reviewed the annual inspection report. It also shall describe how the observations were performed that were the basis for the statements and conclusions in the annual inspection report (e.g., drive by, fly over, walk in, etc.). If violations are noted, the annual inspection report must detail the steps taken to return to compliance. If the Owner identifies any violations of this Covenant during the annual inspections or at any other time, the Owner must within ten (10) days of identifying the violation: determine the identity of the party in violation, send a letter advising the party of the violation of the Covenant and demand that the violation ceases immediately. Additionally, copies of any correspondence related to the violation of this Covenant shall be sent to the Department within ten (10) days of its original transmission.

## ARTICLE V

ENFORCEMENT
5.01. Enforcement. Failure of the Owner or Occupant to comply with this Covenant shall be grounds for the Department to require modification or removal of any Improvements constructed or placed upon any portion of the Property in violation of this Covenant. Violation of this Covenant, including but not limited to, failure to submit, or the submission of any false statement, record or report to the Department, shall be grounds for the Department to pursue administrative, civil or criminal actions.

## ATTACHMENT B

## ARTICLE VI

## VARIANCE, TERMINATION, AND TERM

6.01. Variance. Owner, or any other aggrieved person, may apply to the Department for a written variance from the provisions of this Covenant. Such application shall be made in accordance with Health and Safety Code section 25233.
6.02 Termination or Modification. Owner, or any other aggrieved person, may apply to the Department for a termination or modification of one or more terms of this Covenant as they apply to all or any portion of the Property. Such application shall be made in accordance with Health and Safety Code section 25234.
6.03 Term Unless ended in accordance with paragraph 6.02, by law, or by the Department in the exercise of its discretion, this Covenant shall continue in effect in perpetuity

## ARTICLE VII

## MISCELLANEOUS

7.01. No Dedication Intended. Nothing set forth in this Covenant shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Property, or any portion thereof to the general public or anyone else for any purpose whatsoever.
7.02. Recordation. The Covenantor shall record this Covenant, with all referenced Exhibits, in the County of Santa Cruz within ten (10) days of the Covenantor's receipt of a fully executed original.
7.03. Notices. Whenever any person gives or serves any Notice ("Notice" as used herein includes any demand or other communication with respect to this Covenant), each such Notice shall be in writing and shall be deemed effective: (1) when delivered, if personally delivered to the person being served or to an officer of a corporate party being served, or (2) three (3) business days after deposit in the mail, if mailed by United States mail, postage paid, certified, return receipt requested:

## ATTACHMENT B

| To Owner: | and | To Department: |
| :---: | :---: | :---: |
|  |  | Barbara J. Cook, P.E., Chief |
| Santa Cruz Metropolitan Transit District |  | Northern California Coastal |
| Attn: General Manager | Cleanup Operations Branch |  |
| 110 Vernon Street | Department of Toxic Substances |  |
| Santa Cruz, CA 95060 | Control |  |
|  | 700 Heinz Avenue |  |
|  | Berkeley, California 94710 |  |

Any party may change its address or the individual to whose attention a Notice is to be sent by giving written Notice in compliance with this paragraph.
7.04. Partial Invalidity, If this Covenant or any of its terms are determined by a court of competent jurisdiction to be invalid for any reason, the surviving portions of this Covenant shall remain in full force and effect as if such portion found invalid had not been included herein.
7.05 Statutory References. All statutory references include successor provisions.
7.06 Incorporation of Attachments. All attachments and exhibits to this Covenant are incorporated herein by reference.

IN WITNESS WHEREOF, the Parties execute this Covenant.

Covenantor: Santa Cruz Metropolitan Transit District
By:
Title
Date:
Deneral Manager
Department of Toxic Substances Control
By:
Title
Date:

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## ATTACHMENT B

## STATE OF CALIFORNIA

## COUNTY OF SANTA CRUZ

On this___ in the year 2011, before me
appeared
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is /are subscribed to the within instrument and acknowledged
to me that he/she/they executed the same in his/her/their authorized capacity(ies), and
that by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature (Seal)

## ATTACHMENT B

## STATE OF CALIFORNIA

COUNTY OF SANTA CRUZ


#### Abstract

On this $\qquad$ day of $\qquad$ , in the year 2011, before me . Notary Public, personally appeared personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is /are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.


I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal

Signature $\qquad$ (Seal)

## ATTACHMENT B

# EXHIBITS <br> for the <br> COVENANT TO RESTRICT USE OF PROPERTY ENVIRONMENTAL RESTRICTION <br> Exhibit A: Tax Assessors Map \& <br> Legal Description (from Prelimiary Title Report) <br> Exhibit B: "Capped Property" \& Typical Excavation Profiles 

## ATTACHMENT B



## ATTACHMENT B

## EXHIBIT A <br> LEGAL DESCRIPTION (from Prelim Title Rpt)

The land referred to herein is situated in the State of California, County of Santa Crux, City of Santa Cruz, and described as follows:

CERTANN REAL PROPERTY SITUATE IN THE CITY OF SANTA CRUZ, SANTA CRUZ COUNTY, CALIFORNIA, BEING ALL OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED FROM GREYHOUND LINE, INC. TO WESTERN GREYHOUND LINES CO., DATED OCTOBER 1, 1986, AND RECORDED IN BOOK 4062 OF OFFICIAL RECORDS AT PAGE 972, RECORDS OF SAID COUNTY, BEING PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CHISELED SQUARE IN A CONCRETE SIDEWALK AT THE SOUTHWESTERLY CORNER OF SAID TRACT OF LAND, IN THE EASTERLY LINE OF PACIFIC AVE., FROM WHICH A CHISELED SQUARE IN CONCRETE BEARS S 81 DEGREES $17^{\prime} 15^{\prime \prime} \mathrm{W}, 12.11$ FEET DISTANT, AND RUNNING THENCE, ALONG THE SOUTHERLY BOUNDARY THEREOF
(1) N 81 DEGREES $17^{\prime} 15^{\prime \prime}$ E 259.42 FEET TO A CHISELED SQUARE IN CONCRETE AT THE SOUTHEASTERLY CORNER OF SAID TRACT OF LAND IN THE WESTERLY LINE OF FRONT STREET; THENCE ALONG SAID WESTERLY LINE AND THE WESTERLY BOUNDARY OF SAID TRACT OF LAND
(2) N 8 DEGREES $42^{\prime} 23^{\prime \prime} \mathrm{W}$, 85.53 FEET TO A CHISELED SQUARE IN CONCRETE AT THE NORTHEASTERLY CORNER OF SAID TRACT OF LAND; THENCE LEAVE SAID STREET LINE AND ALONG THE NORTHERLY BOUNDARY OF SAID TRACT OF LAND
(3) S 77 DEGREES $55^{\prime} \mathrm{W}, 264.17$ FEET TO THE NORTHWESTERLY CORNER OF SAID TRACT OF LAND, IN SAID EASTERLY LINE OF PACIFIC AVENUE, FROM WHCH A CHSELED SQUARE IN CONCRETE BEARS S 77 DEGREES $55^{\prime}$ W, 12.11 FEET DISTANT; THENCE ALONG THE WESTERLY BOUNDARY OF SAID TRACT OF LAND AND THE SAID EASTERLY STREET LINE.
(4) S 12 DEGREES $12^{\prime} 45^{\prime \prime} \mathrm{E}, 70.13$ FEET TO THE PLACE OF BEGINNING.

APN: 005-152-30
(End of Legal Description)

## ATTACHMENT B



## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: $\quad$ February 25, 2011
TO: Board of Directors
FROM: Robyn D. Slater, Human Resources Manager

## SUBJECT: CONSIDERATION OF APPROVAL TO REINSTATE CLASS SPECIFICATIONS AND UPDATE WAGE SCALES PREVIOUSLY REMOVED FROM THE SEIU, LOCAL 521 MEMORANDUM OF UNDERSTANDING (MOU)

## I. RECOMMENDED ACTION

Staff recommends that the Board of Directors include Class Specifications and updated wage scales for Account Clerk, Accountant I/II, Custodial Service Worker II, Senior Accountant, and Upholsterer which were removed from the MOU with SEIU Local 521 in 2005. Staff recommends Board of Directors include the Class Specification and revised wage scale for the Administrative Specialist position.

- In June 2005 METRO and SEIU agreed to a wage increase for one year with no additional changes to the contract.
- Rather than print a new contract the Information Technology department provided Human Resources and SEIU with the revised wage scale which was distributed.
- METRO and SEIU approved the revised wage scale without realizing that class specifications that were not currently filled had been deleted from the list.
- Subsequent MOU's were printed, excluding the class specification titles and wage scales for positions that were not filled.
- METRO staff in interested in using the Administrative Specialist class specification when the incumbent for the Senior Facilities Maintenance Worker retires
- The Board approved changes to the wage scales to Administrative positions in July 2006.
- It is suggested that the wage scale adjustments for the Administrative career ladder positions also be applied to the Administrative Specialist position.
- The revised wage scale for the Administrative Specialist is close to the wage scale for the position being vacated.


## III. DISCUSSION

In 2005 METRO and SEIU Local 521 agreed to extend the terms of the MOU for one year. Only the wage scales changed. Rather than print a new contract it was agreed that METRO

Board of Directors
Board Meeting of February 25, 2011
Page 2
would increase the wage scales by one percent. The Information Technology department provided Human Resources with the adjusted wage scales.

SEIU and METRO representatives reviewed and approved the adjusted wage scales without realizing that the unfilled class specifications at the time of contract ratification were deleted from the class specification list. The deleted class specifications and wage scales are: Account Clerk, Accountant I/II, Administrative Specialist, Custodial Service Worker II, Supervising Accountant, and Upholsterer I

Subsequent contracts were printed using the 2005 class specification list and wage scales.
The incumbent in the Senior Facilities Maintenance Worker class specification will be retiring in March. Most of the work performed by this individual is now administrative in nature. The Administrative Specialist class specification better fits the needs of the Facilities department.

In July 2006 the Board approved changes to the Administrative positions which make up a career ladder within the SEIU MOU. The Administrative Specialist position is not included in the career ladder but performs high level Administrative tasks including research and data analysis.

METRO staff is requesting that the same wage scale adjustments applied to the other Administrative positions also be applied to the Administrative Specialist. The revised wage scale for the Administrative Specialist is close to the wage scale for the position being vacated. METRO will attempt to fill this position internally.

Staff met with representatives of SEIU who agreed with reinstating the class specifications and wage scales.

## IV. FINANCIAL CONSIDERATIONS

The wage scale for the Administrative Specialist is higher than the Sr. Facilities Worker (maximum difference of $\$ 2,000 / \mathrm{yr}$ ). The incumbent receives longevity and the maximum number of annual days off so the actual cost will be less

## V. ATTACHMENTS

Attachment A: Account Clerk Class Specification and wage scale
Attachment B: Accountant I/II Class Specification and wage scale
Attachment C: Administrative Specialist Class Specification and wage scale
Attachment D: Custodial Service Worker II Class Specification and wage scale
Attachment E: Supervising Accountant Class Specification and wage scale
Attachment F: Upholsterer I Class Specification and wage scale

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Prepared By: Robyn D. Slater, Human Resources Manager
Date Prepared:
February 18, 2011
15.3

# Attachment A SANTA CRUZ METROPOLITAN TRANSIT DISTRICT ACCOUNT CLERK 

## DEFINITION

Under supervision, performs a variety of specialized clerical accounting duties; processes and maintains financial records; performs a variety of clerical duties; and performs related duties as required.

## EXAMPLES OF DUTIES

Prepares statistical and accounting reports.
Prepares monthly budget status reports summaries for revenue, capital and operating expenditures.

Accepts, records and processes payments from District vendors for rents and services.

Computes grant percentages of District invoices as applicable.
Enters data and maintains computer records for monthly reports.
Administers fixed asset program. Organizes and maintains the fixed asset inventory files.

Organizes and maintains the office library; assists in information retrieval.
Inventories and requisitions office supplies.
Process Workers Compensation reports and maintains log of daily activity.
Assists in performing general clerical and clerical accounting back-up support as assigned.

Types reports, memoranda, records, purchase orders, contracts, letters, specifications, minutes, agendas, documents, statistical and other data from rough drafts as assigned.

Maintains and updates general administrative files.
Handles confidential materials, records, files and other privileged information. Inserts and extracts information and documents from files.

Answer telephone and assist the public by referring them to the appropriate personnel and giving out standard forms.

May perform receptionist duties.
Operates standard office equipment such a typewriter, photocopy machine, microfilm reader, microfiche reader and word processor.

Utilizes District computer terminals and software in performing job tasks.
Provides vacation other temporary relief as required.
Performs general office duties and other related tasks as assigned.

## EMPLOYMENT STANDARDS

## Knowledge of:

- Office procedures and practices including correspondence, reports and filing.
- Basic book keeping.
- Correct spelling, grammar and punctuation.


## Ability to:

- Make arithmetical calculations quickly and accurately.
- Maintain confidentiality of materials, records, files and other privileged information.
- Type finished copy from rough draft.
- Accurately maintain files and records.
- Perform a variety of difficult clerical accounting work under pressure.
- Establish and maintain cooperative relationships with the public and others contacted in course of work.
- Type at a corrected rate of 50 words per minute from clear copy.
- Work independently.
- Coordinate workload of several projects concurrently.
- Learn and effectively use the District's computer hardware and software.
- Use standard office equipment.


## Training and Experience

Any combination of training and experience equivalent to:
Two years full-time office experience including typing, filing, clerical accounting and complex record keeping. Secretarial business education may be substituted for up to six months of the required work experience. Experience in computer data entry preferred. Six months training in bookkeeping/accounting or equivalent experience. Possession of a valid California driver's license or ability to obtain one.

## Attachment A

| Account Clerk | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
| :--- | :---: | :--- | :--- | :--- | :--- | :--- | :--- |
| $7 / 6 / 2000$ | 12.26 | 12.90 | 13.54 | 14.21 | 14.94 |  |
| $7 / 5 / 20014.25 \%$ | 12.78 | 13.45 | 14.12 | 14.81 | 15.57 | 16.35 |
| $6 / 20 / 20024.25 \%$ | 13.32 | 14.02 | 14.72 | 15.44 | 16.24 | 17.04 |
| $6 / 19 / 20034.25 \%$ | 13.89 | 14.62 | 15.34 | 16.10 | 16.93 | 17.77 |
| 9/8/2005 1\% | 14.03 | 14.76 | 15.49 | 16.26 | 17.10 | 17.95 |
| $7 / 13 / 20062 \%$ | 14.31 | 15.06 | 15.80 | 16.59 | 17.44 | 18.31 |
| 6/28/2007 2\% | 14.60 | 15.36 | 16.12 | 16.92 | 17.79 | 18.67 |
| 6/26/2008 2\% | 14.89 | 15.67 | 16.44 | 17.26 | 18.14 | 19.05 |
| $7 / 9 / 20093 \%$ | 15.33 | 16.14 | 16.94 | 17.77 | 18.69 | 19.62 |
| 6/29/2010 3\% | 15.79 | 16.62 | 17.44 | 18.31 | 19.25 | 20.21 |

# Attachment B SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

ACCOUNTANTI<br>ACCOUNTANT II<br>(Series Specification)

## DEFINITION

Under general direction, performs professional accounting and fiscal working the establishment an maintenance of fiscal records; prepares a variety of accounting, statistical and narrative reports; analyzes the need and requirements for and assists in the development of new accounting systems, improves existing accounting systems; and performs related work as required.

Accountant I is the first working level I the Accountant series. Incumbents perform professional operating or cost accounting work requiring the standardized application of well-established accounting principles, theories, concepts and practices, and receives detailed instructions and close supervision. Incumbents are closely supervised but receive less supervision as they acquire additional organizational experience.

Accountant II is the journey level in the Accountant series. Incumbents perform professional operating or cost accounting work, which requires the application of established accounting principles to a wide variety of problems. As distinguished from the Accountant I level, accounting assignments are relatively more wide ranging and complex. Incumbents receive general direction in assignments. Also, incumbents may train and supervise incumbents of the Accountant I class and other finance department personnel.

## EXAMPLES OF DUTIES

Utilizing appropriate cost accounting procedures, assists in preparing cost allocation plans for the District, calculates indirect costs of District operations and allocates these costs to the appropriate departments, sections or projects as required.

Maintains accounting records, depreciation schedules and assets purchased under Federal grants. Post accounts distribution for all revenue/grant receipts.

Maintains the District fixed assets program by reviewing and approving purchase orders to ensure that they are in conformity with budgetary appropriations.

Maintains fixed asset and reserve for depreciation accounts including calculation of depreciation amounts using appropriate depreciation schedules and processes.

Prepares financial statements and special reports as assigned for special funds, specific departments and other functions, including those required by State and

Federal governments which require knowledge of varying requirements and schedules.

Performs accounting for financial transactions of departments including analysis of expenditure data and determination of reimbursements, which can be collected from the State and Federal governments.

Analyzes and investigates variances between actual and budgeted expenditures necessitating realignment of appropriations, encumbrances and/or payments to reflect proper cost accounting within budget constraints.

Analyzes and reconciles a variety of District, State and Federal accounting records which vary because of different grant and fiscal year periods, differences in payments and receipts and co-mingled funds.

Performs special accounting system development assignments, such as development of subsystems for recording of data necessary for control purposes.

Reconciles general ledger cash balance to the County Treasurer's cash balance, including analyzing and taking appropriate action to resolve variances.

Performs year-end closing of fiscal and accounting records utilizes District computer hardware and software in the performance of job duties.

May assign, review and evaluate the work performance of account clerical personnel.

May provide training to other finance department personnel.

## EMPLOYMENT STANDARDS

## Accountant I

## Knowledge of:

- Principles and practices of general and cost accounting.
- Business law.
- Uses and limitations of data processing applications to accounting operations.
- Governmental accounting principles and practices.


## Ability to:

- Perform a wide variety of governmental accounting work under general day to day guidance.
- Analyze and evaluate accounting problems and take appropriate action.
- Effectively use the District's computer hardware and software in the performance of job duties.
- Express oneself clearly and concisely, orally and in writing.
- Develop pertinent accounting and related data in the preparation of reports and statements.
- Establish and maintain effective working relationships with those contacted in the course of work.


## Accountant II

In addition to the above:

## Knowledge of:

- Governmental budgetary operations.
- Governmental grant accounts and auditing principles.


## Ability to:

- Effectively perform a variety of general governmental and cost accounting assignments, including the preparation of required reports and financial statements.
- Design and implement the more complex accounting system modifications.
- Analyze and evaluate the more difficult accounting problems and take appropriate action
- Supervise and train accounting staff.
- Express oneself clearly and concisely, orally and in writing.


## Training and Experience

Any combination of training and experience equivalent to:

## Accountant I

BA degree from an accredited four year college with a major in accounting for a closely related field, including at least 15 semester units in elementary and advanced accounting, management accounting, business law and cost accounting. Experience that demonstrates substantial knowledge and abilities pertinent to specific job-functions may be substituted for the education.

## AND

One year of responsible technical accounting experience that demonstrates application or possession of the required knowledge and abilities listed.

## Accountant II

In addition to the above:
Two years of experience performing duties comparable to an Accountant I in the District.

## Attachment B

Accountant I
$6 / 19 / 2003$
$9 / 8 / 20051 \%$
$7 / 13 / 20062 \%$
$6 / 28 / 20072 \%$
$6 / 26 / 20082 \%$
$7 / 9 / 20093 \%$
$6 / 24 / 20103 \%$

Accountant II
6/19/2003
9/8/2005 1\%
7/13/2006 2\%
6/28/2007 2\%
6/26/2008 2\%
7/9/2009 3\%
6/24/2010 3\%

| Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
| :---: | :---: | :---: | :---: | :---: | :---: | ---: |
| 21.23 | 22.28 | 23.41 | 24.57 | 25.83 | 27.13 |
| 21.44 | 22.50 | 23.64 | 24.82 | 26.09 | 27.40 |
| 21.87 | 22.95 | 24.12 | 25.31 | 26.61 | 27.95 |
| 22.31 | 23.41 | 24.60 | 25.82 | 27.14 | 28.51 |
| 22.75 | 23.88 | 25.09 | 26.33 | 27.69 | 29.08 |
| 23.43 | 24.60 | 25.84 | 27.12 | 28.52 | 29.95 |
| 24.13 | 25.33 | 26.62 | 27.94 | 29.37 | 30.85 |

Step 1 Step 2 Step 3 Step 4 Step 5 Step 6

| 22.28 | 23.41 | 24.57 | 25.83 | 27.11 | 28.46 |
| :--- | :--- | :--- | :--- | :--- | :--- |
| 22.50 | 23.64 | 24.82 | 26.09 | 27.38 | 28.74 |
| 22.95 | 24.12 | 25.31 | 26.61 | 27.93 | 29.32 |
| 23.41 | 24.60 | 25.82 | 27.14 | 28.49 | 29.91 |
| 23.88 | 25.09 | 26.33 | 27.69 | 29.06 | 30.50 |
| 24.60 | 25.84 | 27.12 | 28.52 | 29.93 | 31.42 |
| 25.33 | 26.62 | 27.94 | 29.37 | 30.83 | 32.36 |

# Attachment C SANTA CRUZ METROPOLITAN TRANSIT DISTRICT 

## ADMINISTRATIVE SPECIALIST

## DEFINITION

Under supervision, performs a variety of specialized administrative support services; collects, organizes and reviews documents and technical data for compliance with program requirements; maintains complex files, records, reports, correspondence and other documents; prepares detailed reports regarding budgetary and funding allocations and expenditures; and performs other related duties as assigned.

## EXAMPLES OF DUTIES

Reviews records, forms, correspondence, agreements, grants, contracts and other documents for accuracy, completeness, and verifies compliance with procedural and program requirements; processes documents, forms, correspondence and reports.

Develops administrative procedure manuals and forms; classifies correspondence, reports, documents, publications and other material in accordance with established index system; reviews dated files to purge or combine materials and updates index and cross reference files.

Assists in designing reporting, organizing, retrieving, and other procedures to be integrated into management information systems; conducts studies to determine the feasibility of modifying systems and procedures to incorporate efficiencies of automated records processing; inputs and accesses data using a computer; maintains automated and manual files and record-keeping systems.

Collects, complies and organizes data for reports, recommendations, policies, special projects, state and federal agencies, and public inquires; collects, assembles, and interprets data related to project and program operations.

Reviews and processes program requests from other departments, members of the public, and other agencies.

Conducts special studies and coordinates and monitors projects concerning District procedures or policies, programs, and grants.

Assists and provides support for complex administrative projects and studies; assists in the planning, implementation and evaluation of new programs and projects; makes recommendations on processing methods and procedures.

Researches and prepares responses as directed; composes and prepares correspondence and reports; prepares detailed narrative, oral, statistical and graphic reports; provides information and explains policies to staff and other agencies.

Designs and develops measurement techniques to assess needs and services and to evaluate program effectiveness; develops questionnaires and forms to gather, organize, and tabulate data and information; investigates, studies, and makes reports of operating procedures and administrative problems.

Reviews contracts, grants, operating plans and goals, program audit and progress reports, service reports, files, and fiscal and statistical data.

Develops and maintains working relationships with a wide variety of public officials with local, state, and federal agencies.

## EMPLOYMENT STANDARDS

## Knowledge of:

- Office procedures and practices including correspondence and report writing.
- Business English, spelling, grammar, and punctuation.
- Basic research and statistical methods and budgeting procedures.
- Communication skills and techniques required for gathering, evaluating and transmitting information.
- Manual and automated methods for records retention and filing.
- Word processing systems.

Ability to:

- Perform varied and difficult administrative support work including operate standard office equipment.
- Organize a variety of data into functional reports using an automated records processing system and maintain complex record keeping systems.
- Interpret and apply policies, procedures and Federal and/or State regulations related to program or project reporting requirements.
- Research data and prepare narrative and statistical reports, maintain accurate records, make routine arithmetical calculations, and monitor program expenditures.
- Investigate and document basic administrative, operational, and programmatic problems.
- Write clear, concise and detailed instructions, manuals and reports.
- Establish and maintain effective working relationships with staff, other agencies and the public.


## Training and Experience

Any combination of training and experience equivalent to:
Three years responsible administrative experience performing program monitoring and reporting including responsibility for complex records retention and filing. A college degree from an accredited college or university with related course work may be substituted for the required experience.

## Attachment C

| Administrative Specialist | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 6/19/2003 | 16.68 | 17.50 | 18.40 | 19.32 | 20.27 | 21.28 |
| 9/8/2005 $\%$ | 16.85 | 17.68 | 18.58 | 19.51 | 20.47 | 21.49 |
| $7 / 13 / 20067 \%$ wage adj. | 18.03 | 18.91 | 19.88 | 20.88 | 21.91 | 23.00 |
| $7 / 13 / 062 \%$ | 18.39 | 19.29 | 20.28 | 21.30 | 22.34 | 23.46 |
| 6/27/07 9\% wage adj. | 20.04 | 21.03 | 22.11 | 23.21 | 24.35 | 25.57 |
| 6/28/2008 2\% | 20.44 | 21.45 | 22.55 | 23.68 | 24.84 | 26.08 |
| $7 / 9 / 20093 \%$ | 21.06 | 22.09 | 23.23 | 24.39 | 25.59 | 26.86 |
| 6/29/2010 3\% | 21.69 | 22.75 | 23.92 | 25.12 | 26.35 | 27.67 |

This position was not listed in the Admin career ladder.
Same salary schedule as Admin Asst/Supervisor.

## Attachment D <br> SANTA CRUZ METROPOLITAN TRANSIT DISTRICT <br> CUSTODIAL SERVICE WORKER II

## DEFINITION

Under supervision, coordinates, assigns and monitors work of the other Custodial Service Workers, performs janitorial and cleaning tasks at the Santa Cruz Metro Center and other District facilities, maintains custodial service records and performs other related duties as required.

## EXAMPLES OF DUTIES

Assigns, schedules and coordinates custodial work performed by the Custodial Service Workers.

Trains and monitors work of the Custodial Service Workers.
Maintains daily log of custodial work performed and prepares summary reports.
Sweeps and collects trash in all bus and passenger circulation areas and adjacent areas.

Rakes and removes trash from landscaped areas.

## Empties trash receptacles.

Removes graffiti from Metro Center and other surfaces.
Cleans floors of Metro Center and other District facilities, including seeping, spot cleaning, dust mopping, and periodically scrubs and waxes lobby area as needed.

Cleans interior and exterior windows on the ground floor of Metro Center, shelters and other District facilities.

Cleans and dusts Metro Center and other facilities, shelters, and site furniture including doors, walls, ledges, posts, benches, signs, coin equipment.

Periodically sanitizes drinking fountains and disinfects trash receptacles.
Operates steam cleaning and buffing equipment.
Posts and removes District and public informational material.
Maintains proper records on all janitorial and cleaning supplies used; submits purchase requests to Building \& Grounds Maintenance Technician.

May clean and stock restrooms at Metro Center and other District facilities.

Assists the Building \& Grounds crews at Metro Center and other facilities.
May paint and perform painting preparation work on District facilities as required.
Uses chemical cleaning materials as required.
Performs other duties as required.

## EMPLOYMENT STANDARDS

## Knowledge of:

- Janitorial and cleaning tools, equipment, and supplies, and their application and proper use.
- Safety practices related to janitorial work.
- Basic knowledge of interior and exterior painting.


## Ability to:

- Give and follow written instructions.
- Assign tasks and review quality of work performed.
- Communicate effectively with employees.
- Physical stamina to lift and operate equipment and to work outdoors.
- Deal effectively and courteously with the public where and when the job duties result in such interaction.
- Perform a wide variety of janitorial, cleaning and general housekeeping duties in an effective and safe manner.


## Training and Experience

Any combination of training and experience equivalent to:
Two years of full-time experience in performing janitorial and cleaning tasks.

## Special Requirements

Possession of a valid California driver's license or ability to obtain one.

## Attachment D

| Custodial Service Wkr II | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
| :--- | ---: | :--- | :--- | :--- | :--- | :--- | :--- |
| $7 / 6 / 2000$ | 12.86 | 13.52 | 14.20 | 14.89 | 15.62 |  |
| $7 / 5 / 20014.25 \%$ | 13.41 | 14.09 | 14.80 | 15.52 | 16.28 | 17.09 |
| $6 / 20 / 20024.25 \%$ | 13.98 | 14.69 | 15.43 | 16.18 | 16.98 | 17.82 |
| $6 / 19 / 20034.25 \%$ | 14.57 | 15.32 | 16.09 | 16.87 | 17.70 | 18.57 |
| 9/8/2005 1\% | 14.72 | 15.47 | 16.25 | 17.04 | 17.87 | 18.76 |
| $7 / 13 / 20062 \%$ | 15.01 | 15.78 | 16.57 | 17.38 | 18.23 | 19.13 |
| $6 / 28 / 20072 \%$ | 15.31 | 16.10 | 16.91 | 17.73 | 18.60 | 19.52 |
| $6 / 26 / 20082 \%$ | 15.62 | 16.42 | 17.24 | 18.08 | 18.97 | 19.91 |
| $7 / 9 / 20093 \%$ | 16.09 | 16.91 | 17.76 | 18.62 | 19.54 | 20.50 |
| $6 / 24 / 20103 \%$ | 16.57 | 17.42 | 18.29 | 19.18 | 20.12 | 21.12 |

# Attachment E SANTA CRUZ METROPOLITAN TRANSIT DISTRICT <br> SUPERVISING ACCOUNTANT 

## DEFINITION

Under direction, supervises and performs accounting functions involving the general ledger, accounts payable, accounts receivable, and grant processing; develops, implements, and administers accounting and financial reporting systems; prepares reports and financial statements; and performs other related duties as assigned.

## DISTINGUISHING CHARACTERISTICS

An incumbent in this class performs at the advanced journey level of the professional accounting series, possesses thorough knowledge of generally accepted accounting principles, and supervises and directs subordinate professional, technical, and clerical accounting staff.

## EXAMPLES OF DUTTIES

Supervises and participates in the preparation of periodic and annual financial statements and other reports including the State Controller Report; directs and prepares annual closing of accounting records; computes and prepares supplementary schedules; and prepares footnotes to financial statements.

Plans, organizes, directs, and supervises general accounting activities including maintenance of the general ledger, reconciliation of accounts and bank statements, accounts payable, accounts receivable, IRS reports, and grants processing.

Plans, coordinates, schedules, assigns and supervises the work of assigned staff involved in maintenance of the general ledger, accounts payable, accounts receivable, and grants accounting.

Participates in employee selection, training, and discipline; supervises and directs subordinate professional, technical and clerical accounting staff; and prepares and conducts employee performance evaluations.

Implements accounting systems and ensures they are in compliance with state and Federal regulations and guidelines; assures that records are complete and accurate; and keeps informed as to the changes in Federal and state accounting regulations.

Directs, reviews, and monitors the processing of grants; maintains subsidiary schedules and reconciles to the general ledger; calculates weighted labor rates; initiates and records fund transfers upon approval; and prepares final audit, summary financial information, fund requests, and deobligation requests.

Compiles financial statements for District's nonprofit corporation and supervises tax return filing; and provides cost/benefit analysis for debt activities. Coordinates fixed asset system; and. determines adjustments for accumulated depreciation and costs.


#### Abstract

Attachment E Participates in selection of audit firm; assists auditors in documenting compliance with single audit requirements; and provides information requested by auditors and responds to audit findings.

Determines and recognizes revenue and monitors receipt; transfers funds between accounts; and substantiates District's claim of income from other governmental entities.

Attends meetings and provides financial information. Assists in preparation of the budget; and provides financial information to departments.


## EMPLOYMENT STANDARDS

## Knowledge of:

- Generally accepted accounting principles.
- Enterprise fund and government accounting and budgeting desirable.
- Computerized data processing and accounting, and its application to financial analysis.
- Auditing theory, principles, techniques, and practices.
- Governmental laws, regulations and requirements related to public agency accounting.
- Principles of supervision.


## Abi1itv to:

- Analyze, research, evaluate and solve complex and unique accounting and financial reporting problems.
- Ensure the accuracy of posting to accounting journals and ledgers.
- Prepare complex financial reports and statements.
- Provide assistance to others concerning financial and accounting information and procedures.
- Plan, schedule, organize, prioritize, supervise and evaluate the work of others.
- Interpret, apply, and explain complex accounting regulations, standards, policies, and procedures.
- Establish and maintain cooperative working relationships with the public, District employees, and others.
- Communicate effectively in oral and written form and prepare clear and concise narrative reports.
- Perform mathematical calculations, ratios, percentages and analyses.


## Training and Experience

Any combination of training and experience equivalent to:
Bachelor's degree from an accredited college with a major in accounting, business administration, or related field.

AND
Three years professional accounting experience.

## Attachment E

| Supervising Accountant | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| 7/6/2000 | 23.23 | 24.39 | 25.60 | 26.89 | 28.22 |  |
| 7/5/2001 4.25\% | 24.22 | 25.43 | 26.69 | 28.03 | 29.42 | 30.89 |
| 6/20/2002 4.25\% | 25.25 | 26.51 | 27.82 | 29.22 | 30.67 | 32.20 |
| 6/19/2003 4.25\% | 26.32 | 27.63 | 29.00 | 30.47 | 31.97 | 33.57 |
| 9/8/2005 1\% | 26.58 | 27.91 | 29.29 | 30.77 | 32.29 | 33.91 |
| 7/13/2006 2\% | 27.11 | 28.47 | 29.88 | 31.39 | 32.94 | 34.59 |
| 6/28/2007 2\% | 27.66 | 29.04 | 30.48 | 32.01 | 33.60 | 35.28 |
| 6/26/2008 2\% | 28.21 | 29.62 | 31.09 | 32.65 | 34.27 | 35.98 |
| 7/9/2009 3\% | 29.06 | 30.51 | 32.02 | 33.63 | 35.30 | 37.06 |
| 6/29/2010 3\% | 29.93 | 31.42 | 32.98 | 34.64 | 36.36 | 38.17 |

# Attachment F SANTA CRUZ METROPOLITAN TRANSIT DISTRICT UPHOLSTERER I 

## DEFINITION

Under supervision, performs skilled upholstery repairs to seat cushions, backrest, and flooring; assists with general body repairs and replaces and repairs window and glass for District buses, automobiles, trucks and other District equipment, performs other duties as required.

## EXAMPLES OF DUTIES

Performs a variety of skilled tasks in the maintenance of and upholstery repairs to buses, automobiles, trucks and other District equipment.

Operates power sewing machine and other related upholstery equipment and tools.
Develops patterns for seat cushions, backrest \& flooring.
Cuts and installs upholstery for seats and backrests, flooring materials and glass.
Repairs and replaces seat springs and cushions.
Repairs and installs windows and glass on District vehicles.
Sews and fastens upholstery materials and welting for District vehicles.
Performs pickup and delivery functions to satellite facilities.
Removes and installs windows and glass on District vehicles.
Assists with minor body repairs as assigned.
Assists with final preparation and detailing of District vehicles.
Recommends the purchase of tools, supplies, materials and equipment needed for upholstery and glass repairs.

Maintains clean working area.
Maintains District-owned property, tools and equipment provided.
May perform emergency road service calls and operate buses for maintenance purposes.

Maintains written records of repairs on work orders.
Utilizes District computer hardware and software in the performance of job duties.

Performs other related duties as assigned.

## EMPLOYMENT STANDARDS

## Knowledge of:

- Basic upholstering principles and practices.
- $\quad$ Safe mechanical work practices.

Ability to:

- Operate a power sewing machine and other tools and equipment used in the repair and maintenance of District vehicles.
- Read and comprehend technical manuals.
- Read and legibly write English.
- Work shifts weekdays, nights and weekends.
- Understand and follow oral and written instructions.
- Work well with others.
- Learn and effectively use the District's computer hardware and software.
- Physical stamina to operate mechanical and servicing equipment.


## Training and Experience

Any combination of training and experience equivalent to:
One year full-time experience as an upholsterer.
OR
Completion of a suitable upholstering apprenticeship program.

## Special Requirements

Possession of a valid Class 2 driver's license or ability to obtain one.
Must possess or obtain the tools necessary to perform the duties of the position.
Safe driving record.
Availability for emergency or call-back duty 24 hours a day, seven days a week.

## Attachment F

| Upholsterer I | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 |  | Step 6 |
| :--- | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| $6 / 19 / 2003$ | 17.14 | 17.95 | 18.85 | 19.74 | 20.71 | 21.70 |  |
| 9/8/2005 $1 \%$ | 17.31 | 18.13 | 19.04 | 19.94 | 20.92 | 21.92 |  |
| $7 / 13 / 20062 \%$ | 17.66 | 18.49 | 19.42 | 20.34 | 21.34 | 22.36 |  |
| $6 / 28 / 20072 \%$ | 18.01 | 18.86 | 19.81 | 20.74 | 21.76 | 22.80 |  |
| $6 / 26 / 20082 \%$ | 18.37 | 19.24 | 20.20 | 21.16 | 22.20 | 23.26 |  |
| $7 / 9 / 20093 \%$ | 18.92 | 19.82 | 20.81 | 21.79 | 22.86 | 23.96 |  |
| $6 / 24 / 20103 \%$ | 19.49 | 20.41 | 21.43 | 22.45 | 23.55 | 24.67 |  |

## SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

DATE: February 25, 2011
TO: Board of Directors

FROM: Angela Aitken, Finance Manager \& Acting Assistant General Manager

## SUBJECT: SANTA CRUZ METRO SYSTEM RIDERSHIP REPORT FOR DECEMBER 2010

## I. RECOMMENDED ACTION

## This report is for informational purposes only. No action is required

## II. SUMMARY OF ISSUES

- Total ridership for the month of December 2010 was 325,448 , which is a decrease of 21,971 riders or $-6.32 \%$ versus December 2009. System Daily Averages for December include:
- 12,331 riders per Weekday, a loss of 8.93\% (1,209 riders)
- 7,391 riders per Saturday, a gain of 9.36\% (633 riders)
- 3,931 riders per Sunday, a loss of $12.67 \%$ ( 571 riders)
- Highway 17 Express ridership for the month of December 2010 was 19,576, which is a decrease of 92 riders or $-0.47 \%$ from December 2009. Daily averages include:
- 726 riders per Weekday, a loss of $3.85 \%$ (29 riders)
- 380 riders per Saturday, a loss of $1.81 \%$ ( 7 riders)
- 349 riders per Sunday, a gain of 31.01\% (83 riders)
- UCSC students and staff/faculty generated 96,737 rides in December 2010, a loss of $7.30 \%$. Revenue generated from UCSC was $\$ 124,859.12$, a $7.73 \%$ decrease from the December 2009.
- Overall system wide ridership remains steady with a slight YTD decrease of $1.47 \%$ despite a recent 10\% reduction in service implemented in September 2010.


## III. DISCUSSION

In the twenty-three (23) weekdays, three (3) Saturdays, and five (5) Sundays of December 2010, Santa Cruz METRO's total ridership was 325,448 riders. This was a slight loss from the previous year, decreasing by 21,971 riders or $-6.32 \%$. Less School Term service days at the University of California, Santa Cruz (UCSC), stagnate unemployment, and foul weather for most of the month most likely caused the decrease in ridership. Currently, FY11 YTD ridership is $2,595,055$, which is down $1.47 \%$ from FY10.

Board of Directors
Board Meeting of February 25, 2011
Page 2

Attachment A shows that during December 2010, Santa Cruz METRO averaged 12,331 riders per Weekday. This was a loss from the previous December of $8.93 \%$ which is most likely due to steady high unemployment, the holiday season, and poor weather. Weekends experienced a mix of gains and losses of $9.36 \%$ and $-12.67 \%$ on Saturdays and Sundays respectively for much of the same reasons.

Attachment A also shows Highway 17 Express total ridership at 19,576 riders. This was a slight gain from the previous year, increasing by 92 riders or simply $0.47 \%$. Ridership on Highway 17 Express have leveled off since the fares where raised nearly $25 \%$ in June of 2010.

FY11 average weekday ridership on the Highway 17 Express was 726 riders per weekday, a 3.85\% decrease from 755 riders per weekday in FY10. Simultaneously Highway 17 Express has seen a $1.81 \%$ decrease in riders on Saturdays and a spike of $31.01 \%$ increase in riders on Sundays. These variations in ridership could be due to stable gasoline prices as well as continually high unemployment rates in both Santa Clara and Santa Cruz counties and weekend travel demands from UCSC students on the weekends.

Attachment B shows UCSC ridership continues to grow at a steady rate every month. In December 2010, UCSC generated 97,737 rides between students and staff/faculty. This accounts for roughly one third of Santa Cruz METRO's total ridership count even though school was not in session for most of the month. During school term days, UCSC ridership was 10,330 per "School Term" day, a loss of $0.34 \%$. Other Weekdays also saw a decrease of $13.12 \%$, while Weekends saw a gain of $22.47 \%$ in ridership. Total revenue derived from UCSC in December 2010 was $\$ 124,859.12$, a $7.73 \%$ decrease from December 2009.

Attachment C depicts Weekday, Saturday, and Sunday ridership by route. Many of Santa Cruz METRO's main-lines service are well ridden despite overall drops in ridership. December is generally an odd month for ridership counts due to winter break at UCSC and various holidays throughout the month. Overall, system wide ridership remains fairly steady with a YTD decrease of $1.47 \%$ despite a recent $10 \%$ service cut which was implemented in September 2010.

## IV. FINANCIAL CONSIDERATIONS.

Revenue derived from passenger fares and passes is reflected in the FY11 Revenue.

## V. ATTACHMENTS

## Attachment A: Monthly Ridership Summary

Attachment B: UCSC Ridership Summary
Attachment C: Ridership by Route

Prepared by: Erich Friedrich, Jr. Transportation Planner.
Date Prepared: February 17, 2011
Attachment A



## Ridership by Route

| DECEMBER 01, 2010 - DECEMBER 31, 2010 |  |  |  |  |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Route | Corridor | Weekday Ridership | Weekday Average | Saturday Ridership | Saturday Average | Sunday Ridership | Sunday Average | Monthly Riderhsip |
| 10 | UCSC via High St. | 12,049 | 524 | 712 | 237 | 541 | 108 | 13,302 |
| 13 | UCSC via Walnut | 4,378 | 190 |  |  |  |  | 4,378 |
| 15 | UCSC via Laurel West | 13,980 | 608 |  |  |  |  | 13,980 |
| 16 | UCSC via Laurel East | 32,964 | 1,433 | 4,486 | 1,495 | 2,830 | 566 | 40,280 |
| 16N | UCSC Night Owl - Laurel East | 654 | 28 | 330 | 110 | 141 | 28 | 1,125 |
| 19 | UCSC via Lower Bay | 10,368 | 451 | 871 | 290 | 578 | 116 | 11,817 |
| 19N | UCSC Night Owl - Lower Bay |  |  | 230 | 77 | 141 | 28 | 371 |
| 3 | Mission/ Beach | 2,476 | 108 |  |  |  |  | 2,476 |
| 4 | Harvey West/ Emeline | 3,702 | 161 |  |  |  |  | 3,702 |
| 8 | Emeline | 118 | 5 |  |  |  |  | 118 |
| 12A | UCSC East Side District | 394 | 17 |  |  |  |  | 394 |
| 20 | UCSC via West Side | 10,018 | 436 | 955 | 318 | 562 | 112 | 11,535 |
| 20 D | UCSC via West Side Supp. | 2,808 | 122 |  |  |  |  | 2,808 |
| 30 | Gramhill/ Scotts Valley | 514 | 22 |  |  |  |  | 514 |
| 33 | Lompico SLV/ Felton Faire | 246 | 11 |  |  |  |  | 246 |
| 34 | South Felton | 95 | 4 |  |  |  |  | 95 |
| 35/35A | Santa Cruz/ Scotts Valley/ SLV | 29,523 | 1,284 | 2,484 | 828 | 2,800 | 560 | 34,807 |
| 40 | Davenport/ North Coast | 1,142 | 50 | 47 | 16 | 103 | 21 | 1,292 |
| 41 | Bonny Doon | 1,475 | 64 | 21 | 7 | 37 | 7 | 1,533 |
| 42 | Davenport/ Bonny Doon | 161 | 7 | 82 | 27 | 101 | 20 | 344 |
| 54 | Capitola/ Aptos/ La Selva Beach | 173 | 8 | 51 | 17 | 54 | 11 | 278 |
| 55 | Rio Del Mar | 3,239 | 141 |  |  |  |  | 3,239 |
| 56 | La Selva Beach | 505 | 22 |  |  |  |  | 505 |
| 66 | Live Oak via 17th | 11,368 | 494 | 1,319 | 440 | 1,328 | 266 | 14,015 |
| 68 | Like Oak via Broadway/ Portola | 7,324 | 318 | 715 | 238 | 834 | 167 | 8,873 |
| 69 | Capitola Road | 7,592 | 330 | 47 | 16 | 32 | 6 | 7,671 |
| 69A | Cap. Road/ Cabrillo/ Watsonville | 17,621 | 766 | 1,922 | 641 | 2,279 | 456 | 21,822 |
| 69N | Capitola Road/ Cabrillo Night | 2,095 | 91 |  |  |  |  | 2,095 |
| 69W | Capitola Road/ Watsonville | 19,575 | 851 | 1,842 | 614 | 4,932 | 986 | 26,349 |
| 71 | Santa Cruz to Watsonville | 54,833 | 2,384 | 4,340 | 1,447 | 603 | 121 | 59,776 |
| 72 | Corralitos | 3,343 | 145 |  |  |  |  | 3,343 |
| 74 | Ohlone Parkway/ Rolling Hills | 2,108 | 92 |  |  |  |  | 2,108 |
| 75 | Green Valley Road | 4,510 | 196 | 579 | 193 | 15 | 3 | 5,104 |
| 79 | East Lake | 1,818 | 79 |  |  |  |  | 1,818 |
| $91 \times$ | Santa Cruz/ Watsonville Express | 3,759 | 163 |  |  |  |  | 3,759 |
| Hwy 17 | AMTRAK/ Hwy 17 Express | 16,691 | 726 | 1,140 | 380 | 1,745 | 349 | 19,576 |
|  | Monthly Total | 283,619 | 12,331 | 22,173 | 7,391 | 19,656 | 3,931 | 325,448 |
|  | Previous Year | 297,877 | 13,540 | 27,033 | 6,758 | 22,509 | 4,502 | 347,419 |
|  | \%Change | -4.79\% | -8.93\% | -17.98\% | 9.36\% | -12.67\% | -12.67\% | -6.32\% |


[^0]:    $3801312 / 13 / 10$
    $3801412 / 13 / 10$

[^1]:    Covenant To Restrict Use of Property
    Santa Cruz Metropolitan Transit District Site (Site Code 290006-00)

