SANTA CRUZ METROPOLITAN TRANSIT DISTRICT

Minutes- Board of Directors

December 16, 2005

A Regular Meeting of the Board of Directors of the Santa Cruz Metropolitan Transit District met on Friday, December 16, 2005 at the Santa Cruz City Council Chambers, 809 Center Street, Santa Cruz, CA.

Chair Keogh called the meeting to order at 9:02 a.m.

SECTION 1: OPEN SESSION

1. ROLL CALL:

DIRECTORS PRESENT

DIRECTORS ABSENT

Jan Beautz (arrived after roll call)

Dene Bustichi

Michelle Hinkle

Mike Keogh

Emily Reilly

Mike Rotkin

Dale Skillicorn

Pat Spence

Mark Stone

Marcela Tavantzis

Ex-Officio Wes Scott

Stephanie Harlan

STAFF PRESENT

Frank Cheng, MetroBase Project Manager Mark Dorfman, Assistant General Manager Terry Gale, IT Manager Margaret Gallagher, District Counsel Steve Paulson, Paratransit Administrator Elisabeth Ross, Finance Manager Robyn Slater, Human Resources Manager Judy Souza, Acting Operations Manager Tom Stickel, Maintenance Manager Les White, General Manager

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

Sandra Lipperd, UTU Paul Marcelin-Sampson, MAC / MRU Ian McFadden, SEA Bonnie Morr, UTU Will Regan, VMU
Mike Tomassee, "King of Marijuana"
Amy Weiss, Spanish Interpreter
Bob Yount, MAC / E&D TAC

Margaret Gallagher reported that a Special Board Meeting has been scheduled for 9:00 a.m., which ultimately will result in Closed Session and asked that the Chair indicate that the Roll Call just called was also for the Special Meeting, which was posted within the time limit so the Board

could hold it in conjunction with the Regular Meeting. Chair Keogh indicated that the Roll Call would be for both the Regular and Special Meetings.

2. ORAL AND WRITTEN COMMUNICATION

Written:

a. Dan Stevensonb. Marie D. SotoRe: Strike CommunicationRe: Route 13 Suspension

Oral:

Chair Keogh reminded the Board that nominations and elections of Board Officers and Appointments will take place next month with the nominations being fielded at the first and second meetings and the elections happening at the second meeting.

Bob Yount, MAC Vice Chair, reported that E&D TAC passed a motion at its last meeting requesting funding from the SCCRTC for new bus stops.

3. <u>LABOR ORGANIZATION COMMUNICATIONS</u>

lan McFadden, SEA, requested information on the Special Meeting Item. Ms. Gallagher replied that it is regarding Sister Karen Hall's potential action and that more information would be given during Item #17.

4. ADDITIONAL DOCUMENTATION TO SUPPORT EXISTING AGENDA ITEMS

Page 1 of the November Ridership Report, and Staff Reports for Items #10 and #15 were distributed to day and are attached to the file copy of these minutes.

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OPEN SESSION:

ADD TO ITEM #2 ORAL AND WRITTEN COMMUNICATION (Insert additional written communication)

CONSENT AGENDA:

ADD TO ITEM #5-2 ACCEPT AND FILE NOVEMBER 2005 RIDERSHIP REPORT

(Page 1 will be distributed at the December 16, 2005 Board

Meeting)

INSERT ITEM #5-8 ACCEPT AND FILE UNIVERSITY OD CALIFORNIA, SANTA CRUZ

SERVICE UPDATE FORT EH MONTH OF SEPTEMBER 2005

(Insert Staff Report)

DELETE ITEM #5-11 CONSIDERATION OF FINANCIAL STATEMENTS AND REPORT

OF INDEPENDENT AUDITOR FOR YEAR ENDING JUNE 30, 2005

(Will be included in the January 2006 Board Packet)

ADD ITEM #5-19 CONSIDERATION OF MODIFICATION TO CURRENT CLASS

SPECIFICATION (JOB DESCRIPTION) OF THE ADMINISTRATIVE

SECRETARY POSITION (Insert Staff Report)

ADD ITEM #5-20 CONSIDERATION OF A RESOLUTION TO AUTHORIZE

SUBMITTAL OF A \$500,000 PROJECT TO THE SCCRTC FOR THE 2006 STIP TO DEVELOP AN AUTOMATED TRAVELER INFORMATION SYSTEM FOR TRANSIT TRIP PLANNING

(Insert Staff Report)

ADD ITEM #5-21 CONSIDERATION OF METRO PARACRUZ ONE YEAR

OPERATIONAL REVIEW (Insert Staff Report)

REGULAR AGENDA:

INSERT ITEM #7 CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER

TO EXECUTE A CONTRACT TO MODIFY NINE BUS SHELTERS

(Insert Staff Report)

DELETE ITEM #9 CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER

TO EXECUTE A CONTRACT FOR FEDERAL LEGISLATIVE

SERVICES

(Will be included in the January 2006 Board Packet)

INSERT ITEM #10 CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER

TO EXECUTE A CONSTRUCTION CONTRACT FOR METROBASE FUELING AND SERVICING FACILITY AND RELATED SITE WORK (Will be distributed at the December 16, 2005 Board Meeting)

INSERT ITEM #11 CONSIDERATION OF APPROVAL OF 2006 STATE LEGISLATIVE

PROGRAM

(Insert Staff Report)

INSERT ITEM #12 CONSIDERATION OF APPROVAL OF 2006 FEDERAL

LEGISLATIVE PROGRAM

(Insert Staff Report)

ADD ITEM #15 CONSIDERATION OF REVISION TO SANTA CRUZ METRO'S

ADMINISTRATIVE REGULATION AR-1002, ADA COMPLAINT
PROCEDURE TO EXTEND THE DEADLINE OF THE ADA/504
REVIEW, AND RECEIVE STATUS REPORT OF THE ADA/504
REVIEW OF SANTA CRUZ METRO'S PROGRAMS, ACTIVITIES

AND SERVICES
(Insert Staff Report)

ADD ITEM #16 ACCEPT AND FILE REPORT ON ROSA PARKS DAY

(Insert Staff Report)

DIRECTOR BEAUTZ ARRIVED
DIRECTOR REILLY LEFT THE MEETING

CONSENT AGENDA

- 5-1. ACCEPT AND FILE PRELIMINARILY APPROVED CLAIMS FOR THE MONTH OF NOVEMBER 2005
- 5-2. ACCEPT AND FILE NOVEMBER 2005 RIDERSHIP REPORT
- 5-3. CONSIDERATION OF TORT CLAIMS: DENY THE CLAIM OF ANDREW CHINELLO, CLAIM #05-0025

- 5-4. <u>ACCEPT AND FILE THE METRO ADVISORY COMMITTEE (MAC) AGENDA FOR</u>
 DECEMBER 21, 2005
- 5-5. ACCEPT AND FILE MONTHLY BUDGET STATUS REPORT FOR AUGUST 2005 AND APPROVAL OF BUDGET TRANSFERS
- 5-6. ACCEPT AND FILE HIGHWAY 17 STATUS REPORT FOR JULY AND AUGUST 2005
- 5-7. <u>ACCEPT AND FILE PARACRUZ OPERATIONS STATUS REPORT FOR THE MONTH</u>
 OF SEPTEMBER 2005
- 5-8. ACCEPT AND FILE UNIVERSITY OF CALIFORNIA, SANTA CRUZ SERVICE UPDATE FOR THE MONTH OF SEPTEMBER 2005
- 5-9. ACCEPT AND FILE METROBASE STATUS REPORT
- 5-10. ACCEPT AND FILE MINUTES REFLECTING VOTING RESULTS FROM APPOINTEES TO THE SANTA CRUZ COUNTY REGIONAL TRANSPORTATION COMMISSION FOR THE NOVEMBER 2005 MEETINGS
- 5-11. <u>DELETED: WILL BE INCLUDED IN THE JANUARY 2006 BOARD PACKET</u>
 (CONSIDERATION OF FINANCIAL STATEMENTS AND REPORT OF INDEPENDENT AUDITOR FOR YEAR ENDING JUNE 30, 2005)
- 5-12. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH FOLGER GRAPHICS FOR THE PRINTING OF HEADWAYS
- 5-13. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO RENEW THE CONTRACT WITH CLASSIC GRAPHICS FOR VEHICLE BODY REPAIR AND PAINTING SERVICES
- 5-14. CONSIDERATION OF REPORT ON RESULTS FROM THE FREE FARE PROMOTION AFTER THE TRANSIT STRIKE
- 5-15. ACCEPT AND FILE SANTA CRUZ METRO'S PROPERTY INVENTORIES OF LEASED AND OWNED PROPERTY FOR 2005 WHICH INCLUDES A DETERMINATION OF PROPERTIES THAT ARE IN EXCESS OF METRO'S FORSEEABLE NEEDS
- 5-16. CONSIDERATION OF A RESOLUTION AUTHORIZING AN AMENDED TDA CLAIM FOR FY 2006
- 5-17. CONSIDERATION OF APPROVAL OF AN AMENDED AND RESTATED GREAT WEST ELIGIBLE DEFERRED COMPENSATION PLAN FOR GOVERNMENTAL EMPLOYERS AND AMENDED ADOPTION AGREEMENT
- 5-18. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONTRACT FOR STATE LEGISLATIVE SERVICES

 (Moved to Consent Agenda at the December 9, 2005 Board Meeting. Retained original numbering as Item #8)
- 5-19. CONSIDERATION OF MODIFICATION TO CURRENT CLASS SPECIFICATION (JOB DESCRIPTION) OF THE ADMINISTRATIVE SECRETARY POSITION
- 5-20. CONSIDERATION OF A RESOLUTION TO AUTHORIZE SUBMITTAL OF A \$500,000 PROJECT TO THE SCCRTC FOR THE 2006 STIP TO DEVELOP AN AUTOMATED TRAVELER INFORMATION SYSTEM FOR TRANSIT TRIP PLANNING

Item #5-21 was pulled from the Consent Agenda for discussion and moved to the Regular Agenda as #16a.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SKILLICORN

Approve the remainder of the Consent Agenda

Motion passed by unanimous affirmative voice vote in lieu of a roll call vote for Items #5-16 and #5-20 with Directors Harlan and Reilly being absent.

REGULAR AGENDA

6. PRESENTATION OF EMPLOYEE LONGEVITY AWARDS

The following employees were awarded longevity certificates for their years of service:

TWENTY YEARS

Richard C. Gabriel, FM Lead Mechanic Frank Q. Jacinto, Bus Operator Ian McFadden, Transit Planner Gillian S. McGlaze, Transit Supervisor Peter I Milburn, Bus Operator David W. Moreau, Transit Supervisor Rosalio L. Ramos, Bus Operator Serena M Tovar, Bus Operator

TWENTY-FIVE YEARS

Frank H. Bauer, Safety & Training Coordinator Roland T. Owens, Vehicle Service Technician

Manny Martinez reported that David Moreau was currently at Dominican Hospital and that Mr. Moreau had requested his award be postponed to next month so he could attend at that time.

7. <u>CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A</u> CONTRACT TO MODIFY NINE BUS SHELTERS

Tom Stickel reported that the modification is to correct the roof lines that are too close to the curb. Director Tavantzis commented on the situation that public agencies are in and how it is not a matter of choice that contracts are not always awarded to local companies. Tom Stickel added that although T. Boyd recently relocated to Idaho, it previously was a local company.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HINKLE

Authorize the General Manager to execute a contract for the modification of nine bus shelters with T. Boyd Construction

Motion passed unanimously with Directors Harlan and Reilly being absent.

10. CONSIDERATION OF AUTHORIZING THE GENERAL MANAGER TO EXECUTE A CONSTRUCTION CONTRACT FOR METROBASE FUELING AND SERVICING FACILITY AND RELATED SITE WORK

Summary:

Frank Cheng reported that there were two bids received for the construction contract for the MetroBase fueling and service facility and related site work and that Staff is recommending the contract be awarded to Arntz Builders. The engineer's estimate was \$8,514,000 and the contractor's bid was \$7,979,000 and the difference will be used towards change orders against the contract.

Discussion:

Chair Keogh commented that with all as much money as METRO has spent on architect's fees on this project, there should be very few change orders in this contract.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR HINKLE

Authorize the General Manager to execute a contract for construction of the MetroBase Fueling and Servicing Facility and related site work with Arntz Builders, Inc for \$7,979,000. Approve the following construction contract change order procedures that will apply to this construction contract:

- 1) For any change order request from the contractor the exceeds \$50,000, District Staff will review and present such request to the District's Board of Directors for approval;
- 2) For any change order request from the contractor that is \$50,000 or less, approval of the change order will require review and approval from the following three personnel: District's Construction Manager (Harris & Associates), District's Project Manager (Frank Cheng) and either the District's General Manager or Assistant General Manager; and
- 3) District Staff shall report every month to the Board of Directors on all change orders processed for this contract.

Motion passed unanimously with Directors Harlan and Reilly being absent.

11. CONSIDERATION OF APPROVAL OF 2006 STATE LEGISLATIVE PROGRAM

Summary:

Les White reported that METRO develops a list of legislative priorities each year for the Board's approval to be submitted to METRO's State legislative advocate. Mr. White read through the specific 2006 legislative goals and Capital Projects that Staff is recommending that the Board approve.

Mr. White also reported that the Board had received today, and may want to consider responding to, pages 5 and 6 of Santa Cruz County's Legislative Program, which is a proposal for termination provisions for non-elected Transit Board members that would modify section 98000 of the Public Utilities Code. This proposal was approved by the County Board of Supervisors on December 13th, without METRO's input, and would allow the appointing body to remove a non-elected appointee for cause. Mr. White added that it is his understanding that the final version of this proposal would not be restricted to non-elected members, but all members of

the Transit Board could be removed for cause by their appointing body. Currently, Transit Board members are appointed for 4-year terms and cannot be removed by their appointing body, but can be removed by the Transit Board for very specific reasons such as malfeasance, dishonesty, and the kind of things a public official would be removed for. The concern the Board of Supervisors is attempting to address is that currently, elected officials are subject to public recall procedures, while the non-elected members of the Transit Board are not subject to those recall procedures.

DIRECTOR REILLY RETURNED TO THE MEETING

Discussion:

Director Beautz reported that she did not vote for this proposal and believes the County should have gotten input from the Cities and the Transit District before approving it.

lan McFadden asked about the absence of the improved Operations Facility from the Capital Projects list. Mr. White replied that it would be included in the future once it has been determined how much funding METRO has to put towards it after the Maintenance Facility is completed.

Paul Marcelin-Sampson, MRU, urged the Board to reject the County's recall procedure proposal and to continue to publicize the amount of money METRO currently spends renting facilities because the public views many of METRO's projects as optional and don't see the drain on the operating budget.

Bob Yount, MAC, said he agreed with what Mr. Marcelin-Sampson said.

Several Directors made comments opposing the proposed recall process as presented, expressing willingness to discuss alternatives, and recommending that Staff get input from the four cities in Santa Cruz County regarding the proposed recall process.

ACTION: MOTION: DIRECTOR ROTKIN SECOND: DIRECTOR SPENCE

Adopt the proposed METRO 2006 State Legislative Program and direct Staff to send letters to the various agencies within Santa Cruz County to ask for their support for METRO's Legislative Program and express that the SCMTD Board of Directors does not support the current approach proposed by the Santa Cruz County Board of Supervisors to enable them to recall non-elected members of the public who are appointed to the SCMTD Board of Directors by the County Board of Supervisors. Make clear that SCMTD Board of Directors understands the concern the County Board of Supervisors is attempting to address and that the SCMTD Board of Directors is in favor of having an alternative process developed as quickly as possible to ensure that all members of the Board are held accountable to the public throughout the county.

Motion passed unanimously with Director Harlan being absent.

12. CONSIDERATION OF APPROVAL OF 2006 FEDERAL LEGISLATIVE PROGRAM

Les White reported that the main goal is to support appropriation of federal transit funds at the full authorized amount.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR ROTKIN

Adopt the proposed METRO 2006 Federal Legislative Program

Director Reilly, Chair Keogh and Vice Chair Rotkin praised Mr. White's tremendous efforts and skill in advocating for METRO's Legislative Programs over the years.

Motion passed unanimously with Director Harlan being absent.

13. CONSIDERATION OF APPOINTMENT OF NOMINEES TO MEMBERSHIP OF THE METRO ADVISORY COMMITTEE (MAC)

Summary:

Les White reported that there is currently one vacancy on the MAC. Mr. White said MAC has done an excellent job and that Staff recommends that the Board reappoint all existing members that are receptive to serving another 2-year term, as the current terms expire on December 31, 2005.

Discussion:

Director Reilly and Vice Chair Rotkin both commented that it is useful to have staggered terms and asked if that could be brought back for discussion within the next few months. Les White replied that the Board developed and can modify MAC's bylaws and that Staff can bring this to MAC's attention for their input at their next meeting and then Staff can bring recommendations back to the Board. Vice Chair Rotkin suggested advertising the vacancy of his MAC appointee through various agencies or maybe a press release.

Director Spence retracted her comment made at the December 9, 2005 meeting that she was discontent with the amount of interaction between MAC and the Board and also said that MAC really does come up with some good suggestions every now and then. Director Spence said she appreciates all the work they do, that their terms should be staggered and suggested that Director Harlan's appointee position should be held open to give her an opportunity to vote on it.

ACTION: MOTION: DIRECTOR TAVANTZIS SECOND: DIRECTOR REILLY

Reappoint the current members of MAC, ask MAC to address a possible solution to the overlapping terms and that METRO advertise vacancies on MAC

Paul Marcelin-Sampson, MAC Chair, stated that he is Director Harlan's appointment at the appointment of former Director Norton, and that he is not speaking on behalf of MAC because of the controversy that erupted last week that was not brought to MAC's attention and the comments that Director Spence made were completely new and MAC will have a chance to discuss all of these issues next week at the MAC meeting. Mr. Marcelin-Sampson said it seems to him that the Staff Recommendation was that the existing MAC members would be

reappointed and he is not clear now that Director Spence has suggested that he not be reappointed. Mr. Marcelin-Sampson said that one real concern for the Board to think about is the movement that occurred as a result of the Paratransit Coordination Task Force to try to create a general paratransit advisory committee that would be outside of METRO and would advise both of the main paratransit providers in the county and attempt to put strings on the TDA funds that now come to METRO. METRO needs to demonstrate it has a strong advisory committee and preserve the continuity of its membership.

Bob Yount, MAC Vice Chair, stated that he would like to continue on MAC and added that MAC almost has staggered terms now with the natural turnover with students from UCSC, so this may not be a problem.

Chair Keogh stated that he is very happy with his appointee and that MAC is doing an extraordinary job.

Director Spence reiterated her feeling that Director Harlan's appointment should be held open for her input and that her own appointment will be held in abeyance for four to six weeks.

Direct Beautz clarified that was not the motion, but that Director Spence could vote "no".

Motion passed with Director Spence voting no and Director Harlan being absent.

14. REVIEW NEW LEGISLATION (AB 1234) WHICH BECOMES EFFECTIVE JANUARY 1, 2006, REGARDING LOCAL PUBLIC AGENCIES' COMPENSATION AND EHTICS REQUIREMENTS INCLUDING TRAINING AND CONSIDERATION OF NECESSARY MODIFICATIONS TO METRO'S BYLAWS

Margaret Gallagher requested that this Item be continued to January 2006.

ACTION: MOTION: DIRECTOR BEAUTZ SECOND: DIRECTOR REILLY

Continue this Item to January 2006

Motion passed unanimously with Director Harlan being absent.

15. CONSIDERATION OF REVISION TO SANTA CRUZ METRO'S ADMINISTRATIVE REGULATION AR-1002, ADA COMPLAINT PROCEDURE TO EXTEND THE DEADLINE OF THE ADA/504 REVIEW, AND RECEIVE STATUS REPORT OF THE ADA/504 REVIEW OF SANTA CRUZ METRO'S PROGRAMS, ACTIVITIES AND SERVICES

Summary:

Mark Dorfman reported that in December of 2002, the Board approved AR-1002 which established an ADA Complaint Procedure. The regulation established a deadline of 36 months for the completion of an ADA/504 Review of METRO's current services, programs and activities. Due to delays from the strike, the work has been unable to be initiated. Staff is recommending that the deadline be extended from 36 to 48 months. Mr. Dorfman added that there had been a

kick-off meeting with the consultant, Pat Piras, who is utilizing students with disabilities from Cabrillo and UCSC to help do the assessment.

ACTION: MOTION: DIRECTOR REILLY SECOND: DIRECTOR SKILLICORN

Authorize the extension of the deadline for the completion of the ADA/504 Review for an additional 12 months

Paul Marcelin-Sampson, MAC, reported that he knew Pat Piras, who had appointed him to AC Transit's Accessible Advisory Committee when he lived in the Bay area and said that MAC supports this 12-month extension and plans to work closely with her during the review.

Motion passed unanimously with Director Harlan being absent.

16. ACCEPT AND FILE REPORT ON ROSA PARKS DAY

Les White reported on the various activities and a celebration METRO held on December 1st to recognize Rosa Parks' contribution to public transportation and the nation as a whole. Mr. White also acknowledged the participants and contributors that made the event possible.

16a. CONSIDERATION OF METRO PARACRUZ ONE YEAR OPERATIONAL REVIEW

Discussion:

Director Tavantzis stated she wished to acknowledge the unnamed ParaCruz mechanic mentioned in the Staff Report as far exceeding expectations in the volume and type of work performed. Director Tavantzis also commented on the impact of the strike on ride demand, which increased 16.12% in October and fell to below pre-strike levels during the period of fixed route "free fares", leading her to believe that free fixed route is more appealing to enough ParaCruz riders to make a significant difference, and suggested offering free monthly passes to ParaCruz riders that are able to use fixed route some of the time as incentive to use fixed route more often.

DIRECTOR REILLY LEFT THE MEETING

Steve Paulson explained that conditional eligibility is based on a rider's ability to use the fixed route system some or all of the time and it is very difficult to monitor.

Director Beautz expressed concern about the number of late cancellations and no-shows and asked when a revised policy would be brought to the Board. Mr. Paulson replied that it may be ready next month and explained that no-shows are considered anything within the customer's control and that late cancellations are any trips not cancelled by 5:00 p.m. the prior day.

Paul Marcelin-Sampson, MAC, commented that there is already a very strong built-in incentive for those with conditional certification to use fixed route at \$3 per round trip as opposed to \$6 per round trip using ParaCruz and said that METRO is providing more Paratransit service than the ADA requires, which has cost implications.

Mike Tomassee, "King of Marijuana", urged the Board to give ParaCruz "zero" money and let the poor people in wheelchairs ride for free and lower fixed route fares to 50 cents.

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

Margaret Gallagher reported that the Board would have a conference with their Labor Negotiator regarding SEIU Labor Negotiations and would have a conference with their Real Property Negotiator regarding price and terms of property at 25 Sakata Lane, Watsonville. Under the Special Meeting Agenda, the Board will be meeting with their Legal Counsel regarding anticipated litigation. Santa Cruz METRO received a letter from the FTA on November 8, 2005 indicating it had to take an affirmative position of carrying a ParaCruz rider in a side-facing securement. Information has now been obtained which the Board needs to review pertaining to this matter.

18. ORAL AND WRITTEN COMMUNICATIONS REGARDING CLOSED SESSION

None.

SECTION II: CLOSED SESSION

Chair Keogh adjourned to Closed Session at 11:03 a.m. and reconvened to Open Session at 11:59 a.m.

SECTION III: RECONVENE TO OPEN SESSION

19. REPORT OF CLOSED SESSION

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

ADJOURN

There being no further business, Chair Keogh adjourned the meeting at 12:00 p.m.

Respectfully submitted,

CINDI THOMAS
Administrative Services Coordinator