

BOARD OF DIRECTORS
REGULAR MEETING
MONTEREY-SALINAS TRANSIT
August 13, 2007

1. CALL TO ORDER

Chair Armenta called the meeting to order at 10:00 a.m. in the Monterey-Salinas Transit Conference Room.

Present:	Kristin Clark	City of Del Rey Oaks
	James Ford	City of Marina
	Libby Downey	City of Monterey
	Vicki Stilwell	City of Pacific Grove
	Robert Russell	City of Salinas
	Thomas Mancini	City of Seaside
	Fernando Armenta	County of Monterey
	Lisa Senkir	City of Gonzales (Ex-Officio) (10:09)
Absent:	(Vacant)	City of Carmel-By-The-Sea
Staff:	Carl Sedoryk	General Manager/CEO
	Lyn Owens	Director of Human Resources
	Hunter Harvath	Director of Administration
	Michael Hernandez	Chief Operating Officer
	Robert Weber	Dir. Transportation Services
	Sonia Bannister	Office Administrator
	Mary Archer	Planner
	Tom Hicks	CTSA Manager
	Mark Eccles	Director of IT
	Carl Wulf	Facilities/Capital Projects Manager
Others:	Dave Laredo	DeLay & Laredo
	Charles Armbruster	Communication Systems Specialist
	Mike Cargile	Communication Systems Specialist
	Gary Wilmot	City of Marina
	Andy Cook	TAMC
	Jim Fink	Salinas resident

Apology is made for any misspelling of a name.

Chair Armenta welcomed Mr. James Ford, new representative for the City of Marina.

2-2. – 2-16. CONSENT AGENDA

The consent agenda items consisted of the following:

- 2-2. Adopt Resolution 2008-01 recognizing Luis Morales, Maintenance Supervisor, as Employee of the Month for July 2007.
- 2-3. Adopt Resolution 2008-02 recognizing Belem Cruz, Coach Operator, as Employee of the Month for August 2007.
- 2-4. Disposal of property left aboard buses.
- 2-5. Minutes of the regular meeting of June 11, 2007.
- 2-6. Financial Report – June 2007.
- 2-7. Financial Report – July 2007.
- 2-8. Approve expenditure for Injury Prevention Program.
- 2-9. Approve American Public Transportation Association dues in the amount of \$25,269 for FY 2007-2008.
- 2-10. Approve MST RIDES ADA paratransit eligibility appeals process.
- 2-11. Disposal of accountable property.
- 2-12. Receive report on renewal of property Receive report on renewal of Property and Liability Insurance, Excess Worker's Compensation, Directors & Officers and Employment Liability Insurance. (Lyn Owens)
- 2-13. Adopt Resolution 2008-03 terminating the California Public Entity Insurance Authority. (Lyn Owens)
- 2-14. Adopt Resolution 2008-04 Appreciation for services rendered by Gary Wilmot. (Carl Sedoryk)
- 2-15. Adopt Resolution 2008-05 Appreciation for services rendered by Michael Cunningham. (Carl Sedoryk)
- 2-16. Amend Monterey Bay BRT Contract by \$58,000 to include additional work tasks to be funded by University of California – Santa Cruz. (Hunter Harvath)

**Director Mancini moved to approve the items on the consent agenda.
Director Downey seconded and the motion carried unanimously.**

3. SPECIAL PRESENTATIONS

The Board presented Mr. Wilmot a resolution expressing their thanks for his service on the MST Board of Directors.

Director Senkir arrived at 10:09 a.m.

Michael Hernandez, Chief Operating Officer, recognized Charles Armbruster, Communication Systems Manager, for 20 years of service.

Robert Weber, Director of Transportation Services, introduced Belem Cruz, Coach Operator, as MST Employee of the Month for August 2007. On July 7, 2007, Belem contacted the Communication Center stating that a passenger had fallen outside her coach. Upon review of the DVR it shows that after a passenger had deboarded her coach and Belem began to pull away from the curb this passenger began running along side of her coach banging on the side panel with his hand-apparently wishing to re-board the coach. The passenger then lost his balance and fell to the ground near the rear wheels. Having seen the passenger fall through her side mirror, Belem initiated an emergency stop, opened the doors and immediately moved to aid the passenger. Belem then immediately notified the Communication Center of the incident after offering the passenger medical assistance, which he refused. If it were not for Belem's attentiveness and quick reaction in stopping her coach, this passenger could have been seriously injured.

Other awards this month included the following: Luis Morales, July Employee of the Month; Fernando Manansala, Advanced Mechanic – 20 Years of Service; and Appreciation for service on the MST Board of Directors – Michael Cunningham.

4. PUBLIC COMMENTS

Jim Fink, Salinas resident, commented that the more he travels he appreciates MST more. The timetable for line 20 is skewed. He is anxious to have BRT service and would also like to see BRT and possibly light rail in Salinas. He appreciates having line 28.

5-1. – 5-5. COMMITTEE MINUTES

The Board accepted and filed the MST RIDES Advisory Committee Minutes – May 21, 2007; the Planning/Operations Committee Minutes – June 11, 2007; the HR Committee Minutes – June 25, 2007; the Facilities Committee Minutes – July 9, 2007; and the MST RIDES Advisory Committee minutes – June 18, 2007.

6-1. BUS WASHER REPAIR CONTRACT

MST has one bus washer at each of its two operating facilities. These washers are used regularly to wash MST's 78 buses and are designed for heavy-duty equipment. The TDA washer was replaced in approximately 1985 and the CJW bus washer was built in 1986, and then upgraded in 1991. Both units have excessive rust and corrosion. The TDA washer has signs of metal fatigue and there is a concern about potential structural failure should corrective action not be taken. The repair work will replace all ceiling supports and all of the sidewall sheet metal. Electrical repair work will also be completed on both the washers.

Director Mancini moved to: 1) Award a \$37,047 contract to Salinas Steel Builders and Cypress Painting & Decorating for the repair of two bus washers; and 2) Authorize \$7,000 for Brent Electric for associated electrical repairs. Director Stilwell seconded and the motion carried unanimously.

6-2. PASSENGER & NON-PASSENGER SURVEYS

Public transit agencies regularly conduct passenger and non-passenger surveys to gauge opinions of customers and to find out information about those individuals who do not currently take public transit. This data can then be used to improve services for existing passengers as well as to increase ridership by marketing MST more effectively to non-riders. These surveys are conducted approximately every two years to ensure data is current and remains valid as economic, social and population conditions change.

Director Downey moved to award a contract to Moore & Associates for \$27,348 to conduct passenger and non-passenger surveys. Director Clark seconded and the motion carried unanimously.

7. PUBLIC HEARING

None.

8-1. MARINA TRANSIT EXCHANGE UPDATE

Construction at the site started in January 2007 with a projected completion date by the end of September. In March 2007, the MST Board also approved a contingency budget of \$263,600, not including preliminary site work, city fees and other required permits, to allow for change orders, unknown project costs and complete the project.

The contingency budget has been used for several change orders, design modifications, safety upgrades and signage, including but not limited to a sprinkler system, siding change, On-Street signage and security camera systems. Most of the preliminary site work, City fees and permits were completed early on and are not included in the contingency budget.

A project update and site visit was provided to the Facilities Committee on July 9. Progress on the project is essentially on track with a project completion date estimated to be in the first week in October. A ribbon cutting ceremony is scheduled for September 21.

8-2. PROPERTY DEVELOPMENT POLICY

Assembly Bill No. 1937 (Dutra), enacted in February 2002, allows a transit operator to enter into agreements with a public agency, public utility or person or entity for the purpose of joint development. This legislation gives MST the authority to develop and manage real property for transit-oriented development (TOD), and to retain ownership of that property as an ongoing source of revenue for the Agency. Transit Oriented Development consists of a project that is a commercial, residential, or mixed-use development that is undertaken in connection with existing, planned or proposed transit facilities and is located ¼-mile or less from the boundaries of the transit facility. The financial need to jointly develop MST property to create a continuous revenue source to support transit and increase the utilization potential of public transit is the driving force behind the joint development program.

At this point in time, MST has no comprehensive process for evaluating development proposals at joint development sites. It is important that MST has a public process that affords the development community equal notice and opportunity to make development proposals on MST property. It is also important for MST to achieve the best possible project proposals from the best developers and design professionals and for MST to earn the highest revenue returns from land assets. While achieving these goals, MST must coordinate closely with member cities to assure that projects proposed within each city's jurisdiction meets local planning goals and objectives.

The proposed MST Joint Development Policy would reflect support for the Designing For Transit Manual as a handbook for successful transit-oriented development. Implicit within the Policy is the vision of the Designing For Transit Manual "...shaping our community to create patterns of development that are compatible with needs of transit". These "new development patterns", often termed transit-oriented development or TOD, will be established at transit stations where the movement of people and location residences, shopping and employment will be increasingly concentrated. MST has an opportunity through joint development to provide models for TOD. As urban infill, redevelopment and increased intensities and densities of land use occur around transit stations, it will be increasingly important to preserve quality of life and by creating successful, attractive and livable environments.

The development community needs a clear statement of MST's objectives for revenue enhancement, ridership potential and achieving transit-oriented development that enhances neighborhoods. The proposed Joint Development Policy provides guidance to developers as to the performance standards and design criteria required for successful transit-oriented development. Without a Policy, MST remains in a reactive

position and lacks a strong and clear statement of objectives to present to the development community

In conjunction with this joint development policy, an internal development strategy is required to direct the acquisition, maintenance and disposition of MST properties based on market conditions, current and future capital facility needs, and other related operational priorities. In that regard, there may be a property or properties that do not fit into this strategy and could be sold outright. Additionally, the coordination of MST's development strategies should be consistent with and supportive of long-term regional transportation plans and the stated land use visions of the jurisdictions in which MST's properties are located.

Director Mancini moved to adopt the Property Development Policy. Director Downey seconded and the motion carried unanimously.

8-3. AMEND JOINT POWERS AGREEMENT

In December 2006, the Board authorized the Chair to form an ad-hoc committee to meet with a sub-committee of County of Monterey Board of Supervisors to discuss local funding issues and possible amendment of the MST Joint Powers agreement related to the distribution of Local Transportation Funds (LTF) to Monterey-Salinas Transit and to suggest modifications to County of Monterey allocations of LTF, if necessary.

The Joint Powers Agreement that governs Monterey-Salinas Transit, which was last ratified in September 1981, addresses how Local Transportation Funds are distributed to MST from member jurisdictions. By state statute, LTF funds are designated to be used for bicycle, pedestrian, and transit programs before being allocated to streets and roads programs. The JPA agreement states that with regard to the County of Monterey these funds would be allocated "according to a ratio of – unincorporated population served by the Agency to the total unincorporated population of the County. The unincorporated population served is that within one-half mile of the Agency transit routes."

Since the mid-1990's, the federal Department of Transportation, Federal Transit Administration, as well as California Department of Transportation have all adopted a definition for the population that is served by either fixed-route or complimentary ADA paratransit services as being that within a $\frac{3}{4}$ mile corridor of transit routes. The sub-committee determined if it would be appropriate to modify the JPA to define the unincorporated population served by transit to include the population within three-quarter miles from Agency transit routes. It is estimated that the population between $\frac{1}{2}$ mile and $\frac{3}{4}$ miles from existing routes would generate an additional \$270,000 per year from County LTF funds.

The Committee ultimately recommended a phased implementation over 3 years to modify the percentage of County LTF funds allocated to MST. MST staff and County staff worked together to develop mutually agreeable language to modify the JPA to reflect the Committee agreement. The attached amendment to the Joint Powers Agreement has been reviewed and approved by both MST General Counsel and County Counsel.

The committee was also tasked with negotiating what repayment, if any was due from the County of Monterey due to misallocation of LTF funds resulting from a clerical error on the part of TAMC. While it was determined that the clerical error resulted in a net loss of County LTF distributed to MST of approximately \$70,000 per year since 2002, the committee determined that MST would not seek repayment.

Chair Armenta commented that if it is the pleasure of the MST Board, he is willing to take this matter back to Supervisor Potter to renegotiate the terms of the repayment.

Director Downey moved to hold off on revising the JPA Agreement until the State of California budget is passed. Director Mancini seconded the motion. After further discussion, Director Downey withdrew the motion.

Director Stilwell moved to: 1) Adopt the proposed amendment to Monterey-Salinas Transit Joint Powers Agreement changing the formula for allocation of County of Monterey Local Transportation Funds to MST; and 2) Direct staff to seek approval of amendment to JPA from member jurisdiction governing Boards and Councils. Director Clark seconded and the motion carried with Director Downey opposed.

9. NEW BUSINESS

None.

10-1. – 10-5. REPORTS & INFORMATION ITEMS

The reports consisted of the General Manager/CEO Report; TAMC Highlights – June 27, 2007; Washington D. C. Lobbyist Report – June 22, 2007; Sacramento Lobbyist report – July 1, 2007; and Staff trip reports.

Mr. Sedoryk reported that ridership for the year continues to grow even with all the challenges during the past year.

11. COMMENTS BY BOARD MEMBERS

Director Downey thanked Chair Armenta for his support in offering to renegotiate the terms of the JPA Agreement repayment. She also thanked Mr. Cunningham, Carmel representative, for his contributions to the MST Board.

12. ANNOUNCEMENTS

MST Marketing Committee Meeting – August 13, 2007, at 9:00 a.m.

Gillig plant tour in Hayward, Wednesday, August 29, 2007 at 8:30 a.m.

Mr. Sedoryk announced that Mary Archer, Planner, has accepted a position with Lane Transit in Eugene Oregon.

13. CLOSED SESSION

The Board adjourned to Closed Session to meet with legal counsel regarding labor negotiations with ATU; existing litigation; and the performance of the General Manager/CEO.

Upon returning to Open Session, Chairman Armenta announced that no reportable action was taken on any of the items.

14. ADJOURNMENT

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

PREPARED BY:



Sonia AR Bannister