

BOARD OF DIRECTORS
MINUTES OF THE REGULAR MEETING
MONTEREY-SALINAS TRANSIT
March 19, 2012

1. CALL TO ORDER

Chair Armenta called the meeting to order at 10:00 a.m. in the MST Conference Room. Roll call was taken and the Pledge of Allegiance followed.

Present:	Fernando Armenta	County of Monterey
	Kristin Clark	City of Del Rey Oaks
	Alan Cohen	City of Pacific Grove
	Libby Downey	City of Monterey
	Alvin Edwards	City of Seaside
	John Huerta, Jr.	City of Greenfield (arrived at 10:32 a.m.)
	Susan Kleber	City of King
	Frank O'Connell	City of Marina
	David Pendergrass	City of Sand City
	Sergio Sanchez	City of Salinas
	Karen Sharp	City of Carmel-by-the-Sea
	Patricia Stephens	City of Soledad
Absent:	Maria Orozco	City of Gonzales
Staff:	Carl Sedoryk	General Manager/CEO
	Mark Eccles	Director of IT
	Mike Gallant	Planning Manager
	Kelly Halcon	Director of Human Resources & Risk Management
	Hunter Harvath	Asst. General Manager/Finance & Administration
	Michael Hernandez	Asst. General Manager/COO
	Tom Hicks	Mobility Manager
	Deanna Smith	Executive Assistant to the GM/CEO
	Robert Weber	Director of Transportation Services
	Sonia Bannister	Office Administrator
	Rosemary Bayles	Human Resources Generalist
Others:	Dave Laredo	General Counsel/De Lay & Laredo
	Lance Atencio	MV Transportation
	Jim Fink	Citizen, MST Customer
	Larry Hawkins	Seaside Resident
	Eric Petersen	Monterey County Green Party
	Jose Gil	Gil Basketball
	Susie Gonzales	Gil Basketball
	Isabella Gonzales	Gil Basketball

Amparo Saldana	Gil Basketball
Aldo Saldana	Gil Basketball
Alec Saldana	Gil Basketball
Junior Avila	Gil Basketball
Belynda Johnson	Majic Consulting
Richard Meza	MST

Apology is made for any misspelling of a name.

2. CONSENT AGENDA

2-1. Review highlights of Agenda. (Carl Sedoryk)

Mr. Sedoryk read the highlights of the agenda.

2-2 Adopt Resolution 2012-17 recognizing Rosemary Bayles, Human Resources Generalist, as Employee of the Month for February, 2012.

2-3 Adopt Resolution 2012-19 recognizing Richard Meza, Coach Operator, as Employee of the Month for March, 2012.

2-4 Disposal of property left aboard buses.

2-5 Minutes of the regular meeting of February 13, 2012.

2-6 Financial Report – January, 2012.

2-7 Minutes from Public Hearing, Salinas, February 4, 2012.

2-8 Minutes from Public Hearing, Carmel, February 6, 2012.

2-9 Minutes from Public Hearing – Seaside, February 8, 2012.

2-10 Minutes from Public Hearing – Prunedale, February 9, 2012.

2-11 2011 Community Stakeholder Survey.

2-12 Purchase One Replacement Engine.

Public Comment – None

Director Pendergrass made a motion to approve the Consent Agenda and was seconded by Director Clark. The motion carried unanimously.

3. SPECIAL PRESENTATIONS

3-1 February Employee of the Month – Rosemary Bayles, Human Resources Generalist.

Ms. Halcon recognized Rosemary Bayles, Human Resources Generalist, as the February Employee of the Month for her positive contribution to MST and the entire community; for helping to create new, efficient and streamlined processes within the Human Resources Department; and for leading the recruitment efforts in filling over 30 vacant or newly created positions in 2011.

3-2 March Employee of the Month – Richard Meza, Coach Operator.

Mr. Weber recognized Richard Meza, Coach Operator, as the March Employee of the Month for his positive contribution to MST and the entire community; for two years of consecutive safe driving; and for working for six months as a Temporary Operations Supervisor, during which he received positive commendations from his fellow employees.

3-3 Donation of Vehicle -- Gil's Basketball Academy.

Director Sanchez introduced Jose Gil of Gil's Basketball Academy and thanked him for his positive work with youth in Monterey County. Mr. Gil and members of the academy thanked MST for their donation of a van and presented a photo of the newly refurbished vehicle as a token of their appreciation. Mr. Gil stated that the van has been very useful to the group and is a source of pride for the students of the Academy.

Chair Armenta called a 5 minute recess at 10:15 a.m. to allow the Board time to view the donated van.

Chair Armenta resumed the meeting at 10:22 a.m.

3-4 Presentation by Majic Consulting: "Onboard Passenger Survey and Attitude and Awareness Survey."

Ms. Shoats introduced Belynda Johnson of Majic Consulting who provided a PowerPoint presentation summarizing the survey results. She confirmed that the Onboard Survey was taken on all bus routes and at MST Transit Centers in an effort to reach a cross-section of all MST riders. 655 people returned the survey which provided a 95% confidence rating and a 5 % margin of error. She stated that many customers did not want to complete the survey due to its length. As requested by the Board, all survey respondents were provided with a sticker identifying them as having taken the survey. A link to survey results will be placed on the MST website, and a copy of the entire survey is available upon request.

Director Huerta arrived at 10:32 a.m.

Public Comment

Mr. Jim Fink stated that the distance between bus stops is too far. He wishes the buses could line up at the Transit Centers side by side to make it easier to identify the correct bus, and to make it easier to walk to the buses from the actual shelter.

Close Public Comment

Mr. Sedoryk stated that given the survey results and the possibility of reduced state and federal funding in the coming years, MST staff would like to hold a series of Public Hearings to gauge public sentiment regarding fare increases.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Mr. Fink stated that the bus driver on Line 20, specifically on the Sunday morning route, is very impatient. He stated that last Sunday the driver left his stop at 9:28:57 a.m., ahead of the scheduled 9:30 a.m. departure time. He requested that the flag stops be placed at intersections instead of mid-block to decrease the distance required to reach and board buses.

Mr. Eric Petersen requested information on the status of an alternate location for the MST Administrative Facility following the recent Board of Supervisors' rescission of the Whispering Oaks Environmental Impact Report. He offered his help and suggested the MST Board consider televising their Board meetings to increase public awareness of the positive role of MST in the community.

5. COMMITTEE REPORTS

5-1 Finance Committee Minutes from February 13, 2012.

6. BIDS/PROPOSALS

None.

7. PUBLIC HEARINGS

None.

8. UNFINISHED BUSINESS

8-1 Adopt Accessible Taxicab Distribution Policy.

Mr. Harvath stated that MST has purchased three (3) wheelchair accessible taxicabs through the New Freedoms grant, which is structured to assist the mobility needs of seniors and persons with disabilities who do not qualify for the MST RIDES program. The grant covers 80% of the cost of vehicle purchases, and MST has pledged 20% of its local capital dollars to cover the remaining cost. A policy is necessary to govern the fair and equitable distribution of the vehicles to taxicab companies who apply and qualify to provide the service. Approved taxicab companies would sign a lease with MST providing a monthly \$150 lease payment which would, over the life of the lease, repay MST's 20% capital investment. An RFP will be sent to all taxicab companies in Monterey County, with the requirement that all approved companies purchase an RTA permit.

Director Cohen asked who is responsible for taxi maintenance. Mr. Harvath stated that MST is responsible for ensuring the vehicles are properly maintained and serviced, but companies holding the leased vehicles would be required to pay for all required maintenance costs.

Director Edwards asked why this is not being discussed by the RTA. Staff explained that because MST is the recipient of the grant, the purchased taxis are the capital assets of MST and MST retains all liability for the vehicles. The taxis are being offered for lease to private companies; therefore, the policy governing their distribution should be set by MST.

Director Sanchez asked if south county taxicab companies are allowed to respond to the RFP, how long it would take for the program to be fully implemented, and if it was necessary for MST to charge the lease fee.

Mr. Harvath stated that while south county cities do not participate in the RTA, a cab company could apply for the service provided they apply for a permit and are approved by the RTA. It is anticipated that the program would be implemented by the end of the 2012 fiscal year, at which time approximately three (3) more vehicles are expected to be available. Mr. Harvath stated that it is staff's recommendation that the lease fee be charged to recoup MST's capital investment, free up the money for other capital needs, and to avoid directly subsidizing private taxicab businesses.

Director Edwards asked if MST could procure the vehicles locally. Mr. Harvath stated that federal requirements do not allow for a specific buy local policy, but it does allow all vehicles to be procured in the U.S A.

Public Comment

Mr. Fink spoke on behalf of his housemate, Sue Hecht, who asked to know if taxicabs will be required to pick up all riders who request a wheelchair accessible taxi, as she has found that some taxi companies do not honor Senior Vouchers.

Close Public Comment

Director Sanchez made a motion to adopt the Taxicab Distribution Policy, changing Item 5 "Peninsula communities and City of Salinas" to "Monterey County cities" and to authorize the General Manager/CEO to implement an accessible taxi cab program and execute lease agreements with successful applicants who qualify for receipt of vehicles. Director Edwards seconded and the motion carried unanimously.

8-2 Adopt MST Bylaw changes re: election of officers, Article VI (b).

Mr. Sedoryk directed the Board to the recommended changes to the MST Bylaws regarding rotation of officers. At a previous meeting, the Board had requested changes that encouraged the regular rotation of officers, encouraged participation in leadership roles, and promoted diversity of leadership positions among representatives of all MST jurisdictions. Staff recommends directing the Nominating Committee to solicit interest among all Board members and to make nominations with diversity in mind. Mr. Sedoryk

cautioned that if specific requirements are made within the Bylaws, it could lead to non-compliance if the requirements are not able to be met.

The Board requested that the proposed changes be rewritten to set officer term limits at a maximum of one (1) two-year (2 year) term. The Board will review the new language and consider approval at the next Board meeting.

Public Comment

Mr. Fink asked why MST Board members are appointed and not elected.

Close Public Comment

9. NEW BUSINESS

- 9-1 Authorize adding discounts for residential complexes serving the elderly and disabled to the Group Discount Program.

Ms. Shoats explained the proposed additions to the Group Discount Program.

Director Stephens stated that she could not support the program if contained language allowing developers to reduce the required parking for any development project. Mr. Harvath stated that language regarding parking reduction could be eliminated.

Director Clark asked if participating residential complexes could be required to provide shelters for their residents. Mr. Harvath stated that he would look into that requirement.

Director Edwards made a motion to approve the addition of group discounts for residential complexes serving the elderly and disabled, excluding any language authorizing a reduction in required parking spaces, and was seconded by Director Kleber. The motion carried unanimously.

10. REPORTS & INFORMATION ITEMS

- 10-1 General Manager/CEO Report – January 2012.
- 10-2 TAMC Highlights – February, 2012.
- 10-3 Washington D. C. Lobbyist report – February, 2012.
- 10-4 State Lobbyist report – February, 2012.
- 10-5 Staff trip reports.
- 10-6 Correspondence.

11. COMMENTS BY BOARD MEMBERS

- 11-1 Reports on meetings attended by Board members at MST expense (AB1234).

Director Edwards thanked Chair Armenta for representing MST and standing up for the Whispering Oaks project at the February Board of Supervisors meeting. Director Pendergrass echoed the appreciation.

Director Sanchez requested that MST begin discussions about revenue opportunities.

12. ATTACHMENTS

- 12-1 Disbursement Journal for January, 2012.

13. ANNOUNCEMENTS

14. CLOSED SESSION

- 14-1 Conference with property negotiators, Gov. Code § 54956.8. (Parcel # APN 032-171-005, L.2.3, L.2.4.1, L.2.4.2, APN 031-011-056-000) Agency negotiator, Carl Sedoryk. Negotiating party, Monterey County Redevelopment Agency.
- 14-2 Conference with Legal Counsel-Litigation, Existing Litigation, Gov. Code § 54956.9(a). Landwatch v. County of Monterey. (Monterey Superior Court Case No. M113552)
- 14-3 Conference with Legal Counsel-Litigation, Existing Litigation, Gov. Code § 54956.9(a). ArrivalStar S.A. and Melvino Technologies Limited, Plaintiffs, v. Monterey-Salinas Transit Corporation, Defendant (CV 12 0990), and action filed in U.S District Court for the Northern District of California (San Francisco).
- 14-4 General Manager Performance Evaluation, Gov. Code § 54957 (b) - (No enclosure) (K. Halcon)

Chair Armenta opened the Monterey-Salinas Transit Corporation Regular Meeting at 11:48 a.m. and roll call was taken. He opened Public Comment for the MST Board Meeting Closed Session and the MST Corporation meeting which immediately followed.

Public Comment

Mr. Fink stated that too much attention has been paid to low income riders like himself. He stated that MST fares should be raised annually to reflect inflation.

Close Public Comment

Mr. Sedoryk explained that the MST Corporation was established as a financial entity that holds title to MST capital assets and leases that are being purchased through private financing programs.

The Board moved to Closed Session at 11:51 a.m., to be immediately followed by the MST Corporation meeting Closed Session.

15. RETURN TO OPEN SESSION

15-1 Report on Closed Session and possible action.

No reportable action taken.

16. ADJOURN

There being no further business, Chair Armenta adjourned the meeting at 12:25 p.m.

Prepared by: 
Deanna Smith, Deputy Secretary