

MST BOARD OF DIRECTORS

Monterey Bay Unified Air Pollution Control District
24580 Silver Cloud Ct., Monterey

Minutes

May 12, 2014

10:00 a.m.

1. CALL TO ORDER

1-1 Roll call.

1-2 Pledge of Allegiance.

Chair Orozco called the meeting to order at 10:07 a.m. Roll call was taken the Pledge of Allegiance followed.

Present:	Fernando Armenta	County of Monterey
	Tony Barrera	City of Salinas
	Victoria Beach	City of Carmel-by-the-Sea
	Alan Cohen	City of Pacific Grove
	Libby Downey	City of Monterey
	Alvin Edwards	City of Seaside
	Randy Hurley	City of Greenfield (10:15am)
	Frank O'Connell	City of Marina
	Maria Orozco	City of Gonzales
	David Pendergrass	City of Sand City
	Patricia Stephens	City of Soledad
Absent:	Kristin Clark	City of Del Rey Oaks
	Terry Hughes	City of King
Staff:	Carl Sedoryk	General Manager/CEO
	Hunter Harvath	Asst. General Manager/Finance & Administration
	Deanna Smith	Executive Assistant/Clerk to the Board
	Kelly Halcon	Director of Human Resources & Risk Management
	Mark Eccles	Director of Information Technology
	Dave Bielsker	Transit Scheduler
	Andrea Williams	General Accounting & Budget Manager
	Robert Weber	Director of Transportation Services
	Tom Hicks	CTSA Manager
	Dave Laredo	De Lay & Laredo
	Miriam Gutierrez	MST Customer Service Representative
Public:	Greg Findley	CT
	Jason Snow	MV Transportation
	Jim Fink	MST Rider
	MaryAnn Leffel	MCBC
	Micheon Balmer	Bickmore/CalTIP
	Chrissy Mack	Bickmore/CalTIP

Elizabeth Pope
Debbie Hale

CCCIL
TAMC

Apology is made for any misspelling of a name.

2. CONSENT AGENDA

2-1. Review Highlights of the agenda.

Mr. Sedoryk provided the highlights of the agenda.

2-2. Adopt Resolution 2014-20 recognizing Dave Bielsker, transit scheduler, as Employee of the Month for May 2014.

2-3. Disposal of property left aboard buses.

2-4. Minutes of the regular meeting of April 14, 2014.

2-5. Financial Report – March 2014.

2-6. Claim Rejection – Morgan, Kristina.

2-7. Approve MST's triennial Title VI Report submittal to the Federal Transit Administration Office of Civil Rights.

2-8. Receive and adopt the MST Continuity of Operations Plan.

Director Downey pulled item 2-4 and clarified that Director Armenta, under item 11-1, stated that he would provide a verbal report of his attendance at the APTA Legislative Conference in Washington, D.C., March 8-11, at the next board meeting. He did not provide an update at the April 14 meeting.

Director Beach pulled item 2-4 and asked if the motion she made for item 9-1 was correct regarding officer terms and the restriction on serving consecutive terms. Dave Laredo, MST general counsel, confirmed that the language was accurate.

Public Comment – none.

Director Barrera made a motion to approve the Consent Agenda with correction to item 11-1 in the minutes, and was seconded by Director Edwards. The motion carried unanimously 10-0 with Director Hurley not present for the vote.

3. SPECIAL PRESENTATIONS

3-1. May Employee of the Month – Dave Bielsker, transit scheduler.

Mr. Harvath recognized Dave Bielsker, transit scheduler, as the May Employee of the Month for his outstanding service to MST and the entire community.

3-2. Transit 101: California Transit Insurance Pool.

Mr. Sedoryk introduced Micheon Balmer with the California Transit Indemnity Pool (CalTIP) who provided a PowerPoint presentation detailing the services provided by CalTIP on behalf of MST.

Director Downey asked if any of the MST committees were responsible for overseeing the services provided by CalTIP. She felt the information provided was very complex and wanted to make sure there was proper oversight over the program and thorough understanding of its complexities.

Mr. Sedoryk stated that the Finance Committee receives updates on the insurance pool. Mr. Laredo stated that he also provides some oversight when necessary. Director Downey suggested having her attend Finance Committees more frequently to keep directors properly educated.

Mr. Armenta asked about the Errors and Omissions coverage for Mr. Sedoryk.

Public Comment – none.

3-3. TAMC Update: Multimodal Corridor Alignment Plan.

This presentation was moved to the June 2014 board meeting.

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Mary Ann Leffel, president of the Monterey County Business Council, announced that on June 24 the Council would be hosting a Regional Critical Conversation in the Ferrante Room at the Monterey Marriott. The meeting is part of the Governor's Economic Development Plan, and our region has been chosen as a region's study area for program development. Areas of focus will be transportation, infrastructure, business and employment. In August the state will use input from all regions to develop the statewide plan.

Jim Fink stated that May 13th is his seventeen-year anniversary as an MST rider. He announced the upcoming 10th Annual Norcal AIDS Cycle, a 330 mile bike ride to be held from this Wednesday evening to Sunday noon.

5. COMMITTEE REPORTS

No action required.

5-1. Planning/Ops Committee minutes of April 14, 2014.

5-2. HR Committee minutes of April 28, 2014.

Public Comment – none.

6. MAJOR PROCUREMENTS

7. PUBLIC HEARINGS

8. UNFINISHED BUSINESS

8-1. Update on potential sales tax.

Mr. Sedoryk stated that staff has been continuing to conduct outreach and information meetings with community, business, veterans, and disabled groups, and no opposition has been lodged by any contacts to date. Staff is preparing a budget to develop an second poll to track the public's attitude toward additional sales tax options and to assess the cost of professional development of ballot and ordinance language. MST's enabling legislation also requires that a majority of jurisdictions approve placement of the sales tax measure on the November ballot, and staff is currently requesting placement on at least seven jurisdictions unless the board requests that all jurisdictions be addressed.

Chair Orozco stated that Mr. Sedoryk had addressed the Salinas Valley Mayors' Organization and asked if the Peninsula group had been addressed as well. Mr. Sedoryk stated that the Peninsula Mayors' Organization had requested a later date for the presentation.

Mr. Barrera asked Chair Orozco if she felt the Salinas group was supportive of the potential sales tax measure. She stated that there were just a few questions about South County representation, but overall it was well-received.

Public Comment

Debbie Hale, executive director of the Transportation Agency for Monterey County (TAMC). TAMC has worked closely with MST over the years and is very supportive of MST's fiscal needs. She stated that her Executive Committee asked her to address a couple of issues of concern. She is concerned with timing, that other cities are considering placing their own measures on the November ballot, TAMC is considering a 2016 multi-modal sales tax and hopes MST would be a part of that effort. There is also concern that MST does not have enough time to succeed with a November ballot. She requests that MST considers a coordinated effort with TAMC for a 2016 sales tax measure.

Director Downey stated that the City of Monterey TAMC representative is very proactive in support of the Monterey sales tax but she is not sure he has enough votes at this time. Ms. Hale has not asked her board to take a formal vote.

Elizabeth Polk of CCCIL spoke in support of the proposed sales tax measure, emphasizing the importance of public transit services for those who cannot otherwise get to work, school, or maintain their independence.

Mary Ann Leffel is President of the Monterey County Business Council, has served on the Workforce Investment Board, and is a former member of the Interim, Inc.,

board of directors. She stated that the two biggest barriers to employment are lack of childcare and transportation. She urges the board to move forward. She assists long-term unemployed individuals who must have public transportation to get back to work. She also requests that MST staff goes to all jurisdictions for support.

Mr. Fink is excited about the sales tax and urges MST to move forward. In San Jose one-half of a percent of sales tax goes to Bart and 1 percent goes to VTA.

Close Public Comment

Director Armenta is on the TAMC Executive Committee. He is concerned that MST needs to get going now to have an effective field operation. He does not believe MST needs to stay at the end of the line and that MST has waited long enough. If the November ballot does not work out, MST can work on the 2016 effort with TAMC.

Director Barrera asked if she was here on behalf of the Executive Committee or the Board. Ms. Hale stated she was here on behalf of the Executive Committee. Mr. Barrera stated that he supports the proposed sales tax one-hundred percent, as does Salinas Mayor, Joe Gunter. He believes this special tax will help people who want to be active in their community and who need transportation to get to work.

Director Beach said that she supports MST's tax effort and asked if there was a way to alter MST's sales tax in 2016 if TAMC's passes. Mr. Laredo stated that MST could take action in 2016 to alter the sales tax, but TAMC's measure could not overrule MST's.

Director Edwards wants a timetable for moving forward and would like MST staff to go to all 13 jurisdictions. He also wants a specific budget to complete the effort.

Director Cohen stated that MST has been discussing a sales tax measure for years. Constant schedule changes confuse the public and are not a good practice. He sees no real opposition to the tax measure and does not want to wait until 2016. He requests that MST staff step up to the plate and work a little harder to get the effort moving. He would like a detailed budget and timeline for the board to consider. MST needs to take responsibility for its finances.

9. NEW BUSINESS

- 9-1. Approve free fares for active duty military with ID on Line 81 Fort Hunter Liggett-San Jose Airport Express.

Mr. Harvath directed the board to page 121 in the agenda, requesting board approval that active duty military personnel utilizing Line 81 to travel from San Jose to the military installation board for free, no matter which stop they board at.

Director Edwards asked is this was part of the funding issue with the Presidio of Monterey. Mr. Harvath stated that this did not affect the Presidio funding issue. Director Edwards asked if other military personnel would also request free fares if this was approved. Mr. Harvath stated that he hoped that would not be the case, but if they did the board would have to approve.

Public Comment

Mr. Fink stated that Line 81 needed to be advertised like the JAZZ line.

Close Public Comment

Director Barrera made a motion to approve free fares for active duty military with ID on Line 81 Fort Hunter Liggett-San Jose Airport Express and was seconded by Director Downey. The motion carried unanimously 11-0.

Director Beach left the meeting at 11:10am.

9-2. Appoint Ad Hoc Nominating Committee.

Ms. Smith stated that the terms of MST's current officers, Chair Orozco and Vice-Chair Downey will expire in July 2014. Officers are elected to serve a two-year term. MST's bylaws require the board to appoint a nominating committee to make officer recommendations to the full board, and it has been a practice for the Chair to appoint directors who have no interest in serving as officers to the committee.

Director Downey asked if it would be a problem for someone who served on the committee to be nominated by their committee members. Mr. Laredo stated that there is no rule against interested or nominated parties serving on the committee; it has just been a practice for disinterested directors to serve.

Director Armenta is concerned about the logistics of adhering to the rotation of officers by Salinas Valley, Salinas Urbanized Area, Seaside/Marina/Monterey Urbanized Area, Non-urbanized Area, and the County of Monterey. Mr. Laredo stated that this issue will be considered by the Nominating Committee to ensure the guidelines are adhered to.

Chair Orozco requested volunteers to serve Officers appointed to serve on the committee, and appointed the following: Directors Barrera (Chair), Edwards, Cohen, Hurley, and Stephens.

Public Comment – none.

10. REPORTS & INFORMATION ITEMS

No action required.

10-1. General Manager/CEO Report – March 2014.

10-2. Washington D. C. Lobbyist Report – April 2014.

10-3. State Legislative Advocacy Update – April 2014.

10-4. Revision to Gillig bus order.

10-5. TAMC Highlights – April 2014.

10-6. Staff Trip Reports.

10-7. Correspondence.

10-8. Staff Announcements.

Public Comment – none.

11. COMMENTS BY BOARD MEMBERS

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

Director Armenta stated that he was not prepared today to give a report on his attendance at the APTA Legislative Conference, but he did find the services provided by NAPTA worth following up on.

11-2. Board member Comments and Announcements.

Director Downey stated that she had questions regarding items 2-7 and 2-8 on the Consent Agenda, but overlooked pulling the items for discussion. Mr. Laredo asked her if her questions could be answered personally by staff after the meeting, and she agreed.

Director Barrera congratulated Mr. Fink on his 17 years as a rider with MST. He commended MST staff on their excellent customer service; he often hears good reports from members of the public.

11-3. Board member Referrals for future agendas.

Mr. Sedoryk confirmed that staff will provide a detailed sales tax timeline and budget for board consideration at the June meeting, as requested.

12. ATTACHMENTS

12-1. Detailed Monthly Performance Statistics and Disbursement Journal, March 2014.

Attachments can be found online within the GM Report at:
<http://www.mst.org/about-mst/board-of-directors/board-meetings/>

Chair Orozco moved to Closed Session.

13. CLOSED SESSION

13-1. Conference with Legal Counsel – Litigation - Existing Litigation, (§54956.9(a)): Monterey County Superior Court Case No. M 122629 Cal

Signal Corp. v. County of Monterey et al. (No enclosure)
(D. Laredo, C. Sedoryk)

13-2. Conference with property negotiators. (Parcel # APN 259-011-067, 003-171-024, 003-171-027, 002-248-009-010, 032-171-005, 013-313-002, L.2.1, 1.2.4.3, L.2.4.2, L.2.2.1, L.2.2.2, L.2.3, L.2.4.1).
(No enclosure) (C. Sedoryk)

13-3. Conference with Labor Negotiators – Monterey-Salinas Transit Employees' Association (MSTEA), and MST (§54957.6). (No enclosure)
(D. Laredo, K. Halcon)

13-4. Hold: Request for settlement authority – Rollie Parducho.

14. RETURN TO OPEN SESSION

14-1. Report on Closed Session and possible action.

Mr. Laredo reported that the board considered all items on Consent Agenda and provided direction. No reportable action was taken.

15. ADJOURN

There being no further business, Chair Orozco adjourned the meeting at 11:29am.

Prepared by:


Deanna Smith, Deputy Secretary