

**MEETING OF THE MST BOARD OF DIRECTORS**

**MEETING MINUTES**

**March 13, 2023**  
**10:00 am (Pacific)**

<b>Present:</b>	Anna Velazquez, Chair	City of Soledad
	Mary Ann Carbone, Vice Chair	City of Sand City
	Jeff Baron	City of Carmel-by-the-Sea
	Kim Shirley	City of Del Rey Oaks
	Lorraine Worthy	City of Gonzales
	Yanely Martinez	City of Greenfield
	Mike LeBarre	City of King
	Liesbeth Visscher	City of Marina
	Ed Smith	City of Monterey
	Joe Amelio	City of Pacific Grove
	Tony Barrera	City of Salinas
	Dave Pacheco	City of Seaside
	Luis Alejo (Conference)	County of Monterey
<b>Absent:</b>	None	
<b>Counsel:</b>	David C. Laredo	De Lay & Laredo
	Michael D. Laredo	De Lay & Laredo
<b>Staff:</b>	Carl Sedoryk	General Manager/CEO
	Lisa Rheinheimer	Assistant General Manager
	Michael Kohlman	Chief Information Officer
	Kelly Halcon	Director of HR & Risk Management
	Jeanette Alegar-Rocha	Deputy Secretary/Clerk to the Board
	Andrea Williams	Finance Manager
	Claudia Valencia	Mobility Specialist
	Cristy Sugabo	Mobility Services Supervisor
	David Bielsker	Transit Scheduler
	Elena Grigorichina	Operations Analyst
	Emma Patel	Associate Planner
	Ezequiel Rebollar	IT Technician
	Ikuyo Yoneda-Lopez	Marketing & Communications Manager
	Jacqueline Munoz	C/S Representative
	Kevin Allshouse	Contract Services Manager
	Matthew Deal	Grants Analyst
	Natalie Flores	Assistant Planner

Paul Lopez  
Scott Taylor  
Ursulla Scardina  
Vince Dang

Facilities Manager  
IT Manager  
Marketing Assistant  
Project Management Coordinator

**Public:**

Kevin Dayton  
Chris Duymich  
Jasmine Mejia-Cortez  
Tyson Sohagi  
Matt Wang

Salinas & Monterey Chambers of Commerce  
AMBAG  
Office of County Supervisor Luis Alejo  
The Sohagi Law Group, PLC  
The Sohagi Law Group, PLC

**1. CALL TO ORDER**

- a. Roll Call.
- b. Pledge of Allegiance.

**Chair Velazquez called the meeting to order at 10:01 a.m. Roll call was taken, and a quorum was established with Director Martinez (Illness) noted as absent. Director Shirley led the pledge of allegiance. Director Alejo indicated that he would need to leave the meeting early due to the declared state of emergency due to flooding within Monterey County.**

- c. Review Highlights of the agenda. (Carl Sedoryk)

**Carl Sedoryk reviewed the highlights of the agenda and shared a letter emailed by Molly Erikson at 11:58 pm on Sunday, March 12, 2023.**

**Director Martinez joined the meeting at 10:10 am.**

- d. Add Urgency Item to Vote on AB361 Resolution (2/3 vote required) (Carl Sedoryk)

**On a motion by Director Carbone, seconded by Director Worthy and carried by the following vote, which was conducted by roll call, the Board approved adding the urgency item to vote on AB361 Resolution 2023-31:**

**AYES: 13 Alejo, Amelio Baron, Barrera, Carbone, LeBarre, Martinez, Pacheco, Shirley, Smith, Velazquez, Visscher, and Worthy**  
**NOES: 0**  
**ABSENT: 0**  
**ABSTAIN: 0**

- e. Approve Resolution 2023-31 for the March 13 Board meeting to be Held Remotely (via Zoom teleconference) due to the State of Emergency in Monterey County from Severe Flooding. (Carl Sedoryk)

**On a motion by Director Worthy, seconded by Director Smith and carried by the following vote, which was conducted by roll call, the Board approved Resolution 2023-31 for the March 13 Board meeting to be held remotely (via Zoom teleconference) as allowed by AB 361 due to the State of Emergency in Monterey County from severe flooding:**

**AYES: 13 Alejo, Amelio Baron, Barrera, Carbone, LeBarre, Martinez, Pacheco, Shirley, Smith, Velazquez, Visscher, and Worthy**  
**NOES: 0**  
**ABSENT: 0**  
**ABSTAIN: 0**

## **2. CLOSED SESSION**

2-1. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Gov. Code section 54956.9(d)(1).) Keep Fort Ord Wild; The Open Monterey Project v. Monterey-Salinas Transit, Monterey County Superior Court, Case No. 21CV002192.

**David Laredo, MST General Counsel, reported that the Board received an update but no reportable action was taken.**

2-2. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION (Gov. Code section 54956.9(d)(1).) SNG Evariste, LLC v. Monterey-Salinas Transit, Monterey County Superior Court, Case No. 21CV002572.

**David Laredo, MST General Counsel, reported that the Board received an update but no reportable action was taken.**

## **3. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

**There were no public comments.**

## **4. CONSENT AGENDA**

4-1. Adopt Resolution 2023-28 Recognizing Marzette Henderson, Transportation Manager, as Employee of the Month for March 2023. (Norman Tuitavuki)

4-2. Approve Minutes of the MST Board Meeting on February 13, 2023. (Jeanette Alegar-Rocha)

4-3. Receive Draft Minutes of the MST Board Operations Performance Committee Meeting on February 13, 2023. (Jeanette Alegar-Rocha)

4-4. Receive Report on Lost and Found Items Left on MST Property for the Month of October 2022. (Beronica Carriedo)

- 4-5. Financial Reports – January 2023. (Lori Lee)
  - a) Accept reports of January 2023 Cash Flow
  - b) Approve January 2023 Disbursements
  - c) Accept Report of January 2023 Treasury Transactions
- 4-6. Receive Draft Minutes of the Mobility Advisory Committee Meeting on January 25, 2023. (Ruben Gomez)
- 4-7. Reject Claim by the Claimant LaTasha Nichole Weston. (Lisa Cox)

**There were no public comments on the consent agenda.**

**On a motion by Director Barrera, seconded by Director Amelio and carried by the following vote, which was conducted by roll call, the Board approved items 4-1 through 4-7 on the consent agenda:**

**AYES: 13 Alejo, Amelio, Baron, Barrera, Carbone, LeBarre, Martinez, Pacheco, Shirley, Smith, Velazquez, Visscher, and Worthy**  
**NOES: 0**  
**ABSENT: 0**  
**ABSTAIN: 0**

**5. RECOGNITIONS AND SPECIAL PRESENTATIONS**

- 5-1. March 2023 Employee of the Month – Marzette Henderson (Norman Tuitavuki)

**Marzette Henderson was not present at the Board meeting due to transit support needed for the State of Emergency in Monterey County from severe flooding.**

**Board members asked to have Mr. Henderson return to the April 10<sup>th</sup> meeting to be recognized in person.**

- 5-2. 35 -Year Service Anniversary – Tiziano Minelli (Norman Tuitavuki)

**Tiziano Minelli was not present at the Board meeting due to transit support needed for the State of Emergency in Monterey County from severe flooding.**

**Board members asked to have Mr. Minelli return to the April 10<sup>th</sup> meeting to be recognized in person.**

**6. PUBLIC HEARINGS**

None

**7. ACTION ITEMS**

- 7-1. Introduce and Hold a First Reading of an Ordinance Adopting Rules of Conduct for Attending Meetings of Legislative Bodies at MST Facilities, as Previously Presented at the February 13th Board Meeting. (Carl Sedoryk/ Michael Laredo)

**Director Alejo moved to introduce and hold a first reading of the proposed ordinance to adopt rules of conduct for attending meetings of legislative bodies at MST facilities which was seconded by Director Shirley.**

**A substitute motion by Director LeBarre was made to not adopt rules of conduct for attending meetings of legislative bodies at MST facilities which was seconded by Director Smith. A roll call vote on the substitute motion was held and the motion passed as follows:**

**AYES: 7 Amelio, Barrera, LeBarre, Martinez, Pacheco, Smith, and Worthy**  
**NOES: 6 Alejo, Baron, Carbone, Shirley, Velazquez, and Visscher**  
**ABSENT: 0**  
**ABSTAIN: 0**

**Director Alejo left the meeting at approximately 11:00 am.**

- 7-2. Adopt Resolution 2023-29 Authorizing Remote Meeting Participation for Members of the Public at All MST Legislative Bodies. (Carl Sedoryk/ Michael Laredo)

**On a motion by Director LeBarre, seconded by Director Amelio and carried by the following vote, which was conducted by roll call, the Board approved Resolution 2023-29 authorizing remote meeting participation for members of the public at all MST legislative bodies:**

**AYES: 12 Amelio Baron, Barrera, Carbone, LeBarre, Martinez, Pacheco, Shirley, Smith, Velazquez, Visscher, and Worthy**  
**NOES: 0**  
**ABSENT: 1 Alejo**  
**ABSTAIN: 0**

- 7-3. Public Meeting to Review and Consider Comments and Responses on the SURF! Busway and Bus Rapid Transit Project (“Project”) California Environmental Quality Act (CEQA) Exemptions under Senate Bill 922 [2022] (Public Resources Code Section 21080.25) (“CEQA Exemptions”), to Adopt a Resolution Approving CEQA Exemptions for the SURF! Busway and Bus Rapid Transit Project, to Adopt Project Conditions, and to Direct Staff to File a Notice of Exemption. (Lisa Rheinheimer)

**Lisa Rheinheimer, Assistant General Manager for MST stated the following:**

**The item before you this morning is for a Public Meeting to Review and Consider Comments and Responses on the SURF! Busway and Bus Rapid Transit Project (“Project”) California Environmental Quality Act (CEQA) Exemptions under Senate Bill 922 [2022] (Public Resources Code Section 21080.25) (“CEQA Exemptions”), to Adopt a Resolution Approving CEQA Exemptions for the SURF! Busway and Bus Rapid Transit Project, to Adopt Project conditions, and to Direct Staff to File a Notice of Exemption.**

**In July 2021, the MST Board approved the project by finding the project exempt from CEQA under SB 288 and approved an Initial Study-Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the project.**

**SB 288 by Senator Scott Wiener provided CEQA statutory exemptions for certain projects including pedestrian and bicycle facilities, transit signal prioritization, wayfinding, bus rapid transit, and charging and refueling of zero-emission transit buses.**

**Should the Board approve the recommendation today, the previous Board actions from July 2021 are still valid and in full force and effect.**

**Today, staff’s recommendation on SB922 is supported by the staff memo, resolution and exhibits, which meets the requirements of SB922.**

**SB922, went into effect on January 1, 2023 and provides for CEQA statutory exemptions until January 1, 2030 for projects listed at Public Resources Code section 21080.25(b), including (b)(1) [Pedestrian/Bike Facilities], (b)(2) [wayfinding], (b)(3) [transit prioritization], (b)(5) [Bus rapid transit, bus, or light rail service, including stations, terminals, or existing operation facilities], (b)(6) [Charging stations], and (b)(7) [Infrastructure]**

**This morning, MST received a comment about the Transit Oriented Development (TOD) Planning Study not being part of MST's scope and focus for the SURF! project and not analyzed under CEQA. MST’s response is that the SURF! project has independent utility regardless of the TOD study in that SURF! supports the goals of increasing ridership while using zero-emissions vehicles.**

**We also received a letter of support from Landwatch Monterey County earlier this morning.**

**The purpose of this recommended Board action is for the Board to determine that the Project is exempt based on the SB 922 statutory exemption.**

**Chair Velazquez asked for public comment.**

**Kevin Dayton stated that he was speaking on behalf of the Salinas Valley and Monterey Peninsula Chambers of Commerce. Mr. Dayton stated support for the item. Mr. Dayton stated that they condemn the abuse of the California Environmental Quality Act to stop projects such as this.**

**On a motion by Director LeBarre, seconded by Director Pacheco and carried by the following vote, which was conducted by roll call, the Board adopted Resolution 2023-30 approving CEQA exemptions for the SURF! Busway and Bus Rapid Transit Project, to adopt project conditions, and directed staff to file a Notice of Exemption:**

**AYES: 12 Amelio Baron, Barrera, Carbone, LeBarre, Martinez,  
Pacheco, Shirley, Smith, Velazquez, Visscher, and Worthy**  
**NOES: 0**  
**ABSENT: 1 Alejo**  
**ABSTAIN: 0**

## **8. REPORTS & INFORMATION ITEMS**

*The Board will receive and file these reports, which do not require action by the Board.*

- 8-1. General Manager/CEO Monthly Report – January 2023
- 8-2. Federal Legislative Advocacy Report
- 8-3. State Legislative Advocacy Update
- 8-4. Staff Trip Reports – None
- 8-5. Correspondence – None

## **9. BOARD REPORTS, COMMENTS, AND REFERRALS**

- 9-1. Reports on Meetings Attended by Board Members at MST Expense. (AB 1234)
- 9-2. Board Member Comments and Announcements.

**Director LeBarre and Chair Velazquez thanked MST staff for the response and support of the community during the State of Emergency in Monterey County from severe flooding.**

**Carl Sedoryk announced that MST was granted a \$22 million grant from FTA for the SURF! Busway and Bus Rapid Transit Project.**

**Carl Sedoryk announced the MST Transit Employee Appreciation Day is scheduled for March 17<sup>th</sup> at the MST operations facilities, weather permitting.**

- 9-3. Board Member Referrals for Future Agendas.

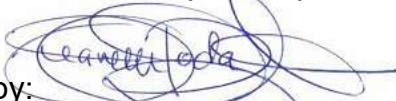
**The Board members requested that Marzette Henderson and Tiziano Minelli be invited to the April 10<sup>th</sup> meeting to be recognized and thanked in-person.**

**10. ATTACHMENTS**

10-1. The Detailed Monthly Performance Statistics and Disbursement Journal for January 2023 can be viewed online within the GM Report at <http://mst.org/about-mst/board-of-directors/board-meetings/>

**11. ADJOURN**

**With no further business to discuss, Chair Velazquez adjourned the meeting at 11:17 a.m. (Pacific).**

Prepared by:   
Jeanette Alegar-Rocha

Reviewed by:   
Carl G. Sedoryk