AGENDA & MEETING NOTICE

Group: Monterey-Salinas Transit Corporation

Date: December 13, 2021

Time: **Immediately Following the Adjournment of the Regular MST Board Meeting**
(The MST Board meeting begins at 10:00 a.m.)

Governor Newsom’s COVID-19 Executive Order N-29-20 allows MST to hold meetings via teleconference and to make meetings accessible electronically to protect public health. The December 13, 2021 will be held via Zoom conference. There will be NO physical location of the meeting. The public is asked to use the Zoom app for best reception. There may only be limited opportunity to provide oral comments during the meeting. Persons who wish to make public comment on an agenda item are encouraged to submit comments in writing by email to MST at clerk@mst.org by 3:00 pm on Friday, December 10, 2021; those comments will be distributed to the legislative body before the meeting.

Members of the public participating by Zoom are instructed to be on mute during the proceedings and to speak only when public comment is allowed, after requesting and receiving recognition from the Chair. Prior to the meeting, participants should download the Zoom app at: [https://zoom.us/download](https://zoom.us/download) A link to tutorials for use of the Zoom app is: [https://support.zoom.us/hc/en-us/articles/206618765-Zoom-Video-Tutorials](https://support.zoom.us/hc/en-us/articles/206618765-Zoom-Video-Tutorials) and [https://support.zoom.us/hc/en-us/articles/209743263-Meeting-and-Webinar-Best-Practices-and-Resources](https://support.zoom.us/hc/en-us/articles/209743263-Meeting-and-Webinar-Best-Practices-and-Resources)

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Monterey-Salinas Transit Corporation, Board and Committee Agendas
Accessibility, Language Assistance, and Public Comments

Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Monterey-Salinas Transit District Administration Building at 19 Upper Ragsdale Dr., Suite 200, Monterey, CA 93940 during normal business hours.

Upon request, Monterey-Salinas Transit District will provide written materials in appropriate alternative formats, including disability-related modifications or accommodations, auxiliary aids, or services to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number, description of the requested materials, and preferred alternative format or auxiliary aid or service at least three working days prior to the meeting at the address below.

Public comments may be submitted for any item on the agenda by contacting MST:

Mail: MST, Attn: Clerk to the Board, 19 Upper Ragsdale Dr., Suite 200, Monterey, CA 93940
Website: [https://mst.org/contact-us/](https://mst.org/contact-us/) ● Email: clerk@mst.org ● Phone: (888) 678-2871
TTY/TDD: 831-393-8111 ● 711 Relay
888-678-2871 / Free language assistance / Asistencia de Lenguaje Gratis / Libreng tulong para sa wika / Hỗ trợ ngôn ngữ miễn phí / 무료 언어 지원
1. CALL TO ORDER

1-1. Roll call.

1-2. Approve Resolution 2022-01 Authorizing Remote Teleconference Meetings. (Carl Sedoryk) (Page 5)

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Members of the public may address the Board on any matter related to the jurisdiction of MSTC but not on the agenda. There is a time limit of not more than three minutes for each speaker. The Board will not take action or respond immediately to any public comments presented, but may choose to follow-up at a later time, either individually, through staff, or on a subsequent agenda.

3. CONSENT AGENDA

3-1. Approve Minutes of December 2020 Meeting. (Jeanette Alegar-Rocha) (Page 9)

4. ACTION ITEMS

4-1. Receive Report on Corporation Matters from 2021. (Lisa Rheinheimer)

5. REPORTS AND INFORMATION ITEMS

6. ADJOURN

NEXT SCHEDULED MEETING DATE: December 12, 2022

Immediately following the adjournment of the regular MST board meeting

NEXT SCHEDULED AGENDA DEADLINE: November 29, 2022

*Dates, times and teleconference information are subject to change.

Please contact MST for accurate meeting date, times and teleconference information or check online at http://mst.org/about-mst/board-of-directors/board-meetings/
RESOLUTION NO. 2022-01
MONTEREY-SALINAS TRANSIT CORPORATION
REGARDING RALPH M BROWN ACT AND FINDING OF IMMINENT RISK TO
HEALTH AND SAFETY OF IN-PERSON MEETINGS AS A RESULT OF THE
CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY
GOVERNOR NEWSOM

WHEREAS, on March 4, 2020, Governor Newsom issued a Proclamation of State of
Emergency in response to the COVID-19 pandemic; and,

WHEREAS, the proclaimed state of emergency remains in effect; and,

WHEREAS, on March 17, 2020, Governor Newsom issued Executive Order N-29-20
that suspended the teleconferencing rules set forth in the California Open Meeting law,
Government Code section 54950 et seq. (the “Brown Act”), provided certain
requirements were met and followed; and,

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21 that
clarified the suspension of the teleconferencing rules set forth in the Brown Act, and
further provided that those provisions would remain suspended through September 30,
2021; and,

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 that provides
that a legislative body subject to the Brown Act may continue to meet without fully
complying with the teleconferencing rules in the Brown Act provided the legislative body
determines that meeting in person would present imminent risks to the health or safety
of attendees, and further requires that certain findings be made by the legislative body
every thirty (30) days; and,

WHEREAS, California Department of Public Health (“CDPH”) and the federal Centers
for Disease Control and Prevention (“CDC”) caution that the Delta variant of COVID-19,
currently the dominant strain of COVID-19 in the country, is more transmissible than
prior variants of the virus, may cause more severe illness, and that even fully vaccinated
individuals can spread the virus to others resulting in rapid and alarming rates of
COVID-19 cases and hospitalizations (https://www.cdc.gov/coronavirus/2019
-ncov/variants/delta-variant.html); and,

WHEREAS, other variants of COVID-19 exist, and it is unknown at this time whether
other variants may result in a new surge in COVID-19 cases; and,

WHEREAS, the CDC has established a “Community Transmission” metric with 4 tiers
designed to reflect a community’s COVID-19 case rate and percent positivity; and,
WHEREAS, Monterey County currently has a Community Transmission metric of “high” which is the most serious of the tiers; and,

WHEREAS, due to the seriousness of the current pandemic situation, the CDPH has required that all unvaccinated persons wear facial coverings indoors, and the CDC and CDPH recommend that all persons, regardless of vaccination status, wear facial coverings indoors; and,

WHEREAS, due to the seriousness of the current pandemic situation in the County of Monterey, the Board of Supervisors has recently adopted an indoor mask requirement for all persons regardless of vaccination statues; and,

WHEREAS, the Board of Directors for the Monterey-Salinas Transit Corporation (“MST”) is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,

WHEREAS, MST has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of MST’s various legislative bodies subject to the Brown Act; and,

WHEREAS, in the interest of public health and safety, as affected by the emergency caused by the spread of COVID-19, the MST Board of Directors deems it necessary to find that meeting in person for meetings of all MST-related legislative bodies subject to the Ralph M. Brown Act would present imminent risks to the health or safety of attendees, and thus intends to invoke the provisions of AB 361 related to teleconferencing.

NOW, THEREFORE, BE IT RESOLVED by the MST Board of Directors as follows:

1. The Board of Directors finds that meeting in person for meetings of all MST-related legislative bodies subject to the Ralph M. Brown Act would present imminent risks to the health or safety of attendees.

2. This finding applies to all MST-related legislative bodies subject to the Brown Act, including but not limited to, the Board Administrative Performance Committee, Board Operations Performance Committee, Mobility Advisory Committee, Measure Q Oversight Committee, and any other standing committees.

3. Staff is directed to return to the Board of Directors no later than thirty (30) days after the adoption of this resolution, or by the next Board of Directors meeting (whichever comes first), with an item for the Board to consider making the findings required by AB 361 in order to continue meeting under its provisions.

4. The MST General Manager/CEO and MST Counsel are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.
PASSED AND ADOPTED by the Board of Directors of the Monterey-Salinas Transit Corporation this 13th day of December 2021, by the following vote:

AYES: 
NOES: 
ABSTAIN: 
ABSENT: 

________________________________________
DAN ALBERT, BOARD CHAIR
MONTEREY-SALINAS TRANSIT CORPORATION

________________________________________
CARL G. SEDORYK, GENERAL MANAGER/CEO
MONTEREY-SALINAS TRANSIT CORPORATION
MST CORPORATION BOARD OF DIRECTORS
19 Upper Ragsdale Drive, Suite 100
Monterey, CA 93940

Minutes
December 14, 2020

Immediately Following the Regular Meeting of MST Board of Directors

1. CALL TO ORDER

1-1. Roll call

Chair Albert called the meeting to order at 11:45 a.m. and roll call was taken.

Present:  
Jeff Baron    City of Carmel-by-the Sea
Pat Lintell    City of Del Rey Oaks
Yanely Martinez     City of Greenfield
Lorraine Worthy   City of Gonzales
Mike LeBarre    City of King
David Burnett    City of Marina
Dan Albert       City of Monterey
Joe Amelio      City of Pacific Grove
Tony Barrera    City of Salinas
Mary Ann Carbone  City of Sand City
Dave Pacheco    City of Seaside
Anna Velazquez  City Soledad
Luis Alejo      County of Monterey

Absent: None

Staff: Carl Sedoryk  General Manager/CEO
Lisa Rheinheimer    Assistant General Manager
Robert Weber        Chief Operating Officer
Norman Tuitavuki  Deputy Chief Operating Officer
Kelly Halcon       Director of HR and Risk Management
Mark Eccles        Director of Information Technology
Michelle Overmeyer  Director of Planning and Innovation
Andrea Williams    General Accountant & Budget Manager
Jeanette Alegar-Rocha Deputy Secretary
Marzette Henderson Contract Transportation Manager
Lisa Cox            Risk and Safety Manager
Deanna Smith       Compliance Analyst
Ikuyo Yoneda-Lopez Marketing & Customer Service Manager
Sonia Wills  Customer Service Supervisor
Alvin Johnson  Communications Systems Manager
Sandra Amorim  Procurement Manager
Kevin Alshhouse  Mobility Coordinator
Lesley van Dalen  Mobility Coordinator
Claudia Valencia  Mobility Coordinator
Elena Grigorichina  Operations Analyst
Beronica Carriedo  Community Relations Coordinator
Angelina Ruiz  Human Resources Manager
David Bielsker  Transit Planner

Counsel:  David Laredo  General Counsel, De Lay & Laredo
          Michael D. Laredo  Assistant Counsel, De Lay & Laredo

Public:  Debbie Hale  Transportation Agency for Monterey County
          Don Gilchrest  Thomas Walters & Associates
          Jerry Benson  3rd Wind Leadership
          Douglas Thompson  MV Transportation

Apology is made for any misspelling of a name.

2.  PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

   None

3.  REPORTS AND INFORMATION ITEMS

   None

4.  ACTION ITEM

   4-1.  Receive Update regarding implementation of the US Build America Bureau
         Loan for South County Operations and Maintenance Facility. (Lisa
         Rheinheimer) (No enclosure)

         The MST Board received an update regarding the implementation of the US
         Build America Bureau loan for the South County Operations and Maintenance Facility
         project.

5.  ADJOURN

   With no further business to discuss, Chair Albert adjourned the meeting at
   11:55 a.m. (Pacific)

PREPARED BY:  Jeanette Alegar-Rocha
REVIEWED BY:  Carl G. Sedoryk