

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> A link to tutorials for use of the Zoom app is: <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>

REMOTE CONFERENCE ONLY

Join from PC, Mac, Linux, iOS or Android:

Join Zoom Meeting

<https://us06web.zoom.us/j/84500836234?pwd=aFQ0YUdj3Y0eW94WmtRZ1Myc0Vldz09>

Meeting ID: 845 0083 6234

Passcode: 652252

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Find your local number: <https://us06web.zoom.us/j/84500836234?pwd=aFQ0YUdj3Y0eW94WmtRZ1Myc0Vldz09>

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/> • **Email:** clerk@mst.org • **Phone:** (888) 678-2871

TTY/TDD: 831-393-8111 • 711 Relay



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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/>*

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**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 status; 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**

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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
Alvin Johnson
Sandra Amorim
Kevin Allshouse
Lesley van Dalen
Claudia Valencia
Elena Grigorichina
Beronica Carriedo
Angelina Ruiz
David Bielsker

Customer Service Supervisor
Communications Systems Manager
Procurement Manager
Mobility Coordinator
Mobility Coordinator
Mobility Coordinator
Operations Analyst
Community Relations Coordinator
Human Resources Manager
Transit Planner

Counsel: David Laredo
Michael D. Laredo

General Counsel, De Lay & Laredo
Assistant Counsel, De Lay & Laredo

Public: Debbie Hale
Don Gilchrest
Jerry Benson
Douglas Thompson

Transportation Agency for Monterey County
Thomas Walters & Associates
3rd Wind Leadership
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.

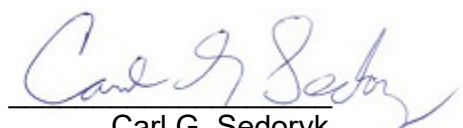
5. ADJOURN

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