

## MONTEREY-SALINAS TRANSIT CORPORATION MEETING AGENDA AND NOTICE

**Meeting Date:** December 12, 2022  
**Meeting Time:** Immediately Following the Adjournment of the Regular MST Board Meeting (The MST Board meeting begins at 10:00 a.m.)  
**Location:** In-Person and Zoom Conference

Due to the expiration of certain directives contained in the Governor's Declaration of Emergency for the State of California (Executive Order N-29-20), the Board of Directors of the Monterey-Salinas Transit Corporation will hold meetings in-person and via Zoom virtual meeting as indicated below:

### **In-Person Participation:**

The Regular Meeting of the Monterey-Salinas Transit Corporation Board of Directors in-person meeting will be held on December 12, 2022 at 10:00 a.m. at 19 Upper Ragsdale Drive, Suite 100. *Members of the public are required to wear a face covering and will be socially distanced in the Board room.*

**OR**

### **Zoom Participation:**

The Regular Meeting of the Monterey-Salinas Transit Corporation Board of Directors Zoom virtual meeting will be held on December 12, 2022 at 10:00 a.m. via Zoom conference, click <https://us06web.zoom.us/j/84500836234?pwd=aFQ0YUdj3Y0eW94WmtRZ1Myc0Vldz09> and enter the following:

Meeting ID: 845 0083 6234 and Passcode: 652252.

By telephone: (669) 900-6833 same Meeting ID: 845 0083 6234 and Passcode: 652252.

*Public comments may be made either in person, via Zoom, or via email. Members of the public may attend the Board Meeting in person and request to speak to the Board when the Chair calls for public comment. 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](mailto:clerk@mst.org) by 3:00 pm on Friday, December 9, 2022; those comments will be distributed to the MST Board of Directors before the meeting. Written comments may be emailed to [clerk@mst.com](mailto:clerk@mst.com), and should include the subject line: "Public Comment Item # (insert the agenda item number relevant to your comment)."*

## **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 Corporation Administration Building at 19 Upper Ragsdale Dr., Suite 200, Monterey, CA 93940 during normal business hours.

Upon request, Monterey-Salinas Transit Corporation 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](mailto:clerk@mst.org) • **Phone:** (888) 678-2871

**TTY/TDD:** 831-393-8111 • 711 Relay



888-678-2871 / Free language assistance / Asistencia de Lenguaje Gratuito /  
Libreng tulong para sa wika / Hỗ trợ ngôn ngữ miễn phí / 무료 언어 지원

**Group: MONTEREY-SALINAS TRANSIT CORPORATION**

<b>Directors:</b>	Anna Velazquez (Chair)	City Soledad
	Mary Ann Carbone (Vice Chair)	City of Sand City
	Jeff Baron	City of Carmel-by-the-Sea
	Lorraine Worthy	City of Gonzales
	Yanely Martinez	City of Greenfield
	Mike LeBarre	City of King
	Andrea Renny	City of Monterey
	Joe Amelio	City of Pacific Grove
	Tony Barrera	City of Salinas
	Dave Pacheco	City of Seaside
	Luis Alejo	County of Monterey
<b>Staff:</b>	Carl Sedoryk	General Manager/CEO
	Lisa Rheinheimer	Assistant General Manager
	Kelly Halcon	Director of HR and Risk Management
	Norman Tuitavuki	Chief Operating Officer
	Michael Kohlman	Chief Information Officer
	Michelle Overmeyer	Director of Planning and Innovation

**1. CALL TO ORDER**

- 1-1. Roll call.
- 1-2. Approve Resolution 2023-01 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 Monterey Salinas Transit Corporation Meeting on December 13, 2021. (Jeanette Alegar-Rocha) (Page 7)

**4. ACTION ITEMS**

- 4-1. Receive Report on Corporation Matters from 2022. (Lisa Rheinheimer)

5. **REPORTS AND INFORMATION ITEMS**

None

6. **ADJOURN**

**NEXT SCHEDULED MEETING DATE:** December 11, 2023

**Immediately following the adjournment of the regular MST board meeting**

**NEXT SCHEDULED AGENDA DEADLINE:** November 28, 2023

*\*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. 2023-01  
MONTEREY-SALINAS TRANSIT CORPORATION  
REGARDING RALPH M BROWN ACT AND FINDING OF 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 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**, the Board of Directors for the Monterey-Salinas Transit Corporation (“MSTC”) is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,

**WHEREAS**, MSTC has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of MSTC’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 MSTC Board of Directors deems it necessary to find that meeting in person for meetings of all MSTC-related legislative bodies subject to the Ralph M. Brown Act would present 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 MSTC Board of Directors as follows:

1. The Board of Directors finds that meeting in person for meetings of all MSTC- related legislative bodies subject to the Ralph M. Brown Act would present risks to the health or safety of attendees;
2. This finding applies to all MSTC-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 with an item for the Board to consider making the findings required by AB 361 in order to continue meeting under its provisions; and
4. The MSTC General Manager/CEO and MSTC Counsel are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

**PASSED AND ADOPTED this 12th day of December 2022, by the following vote:**

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**ANNA VELAZQUEZ, BOARD CHAIR  
MONTEREY-SALINAS TRANSIT CORPORATION**

---

**CARL G. SEDORYK, GENERAL MANAGER/CEO  
MONTEREY-SALINAS TRANSIT CORPORATION**

**ATTEST:**

---

**JEANETTE ALEGAR-ROCHA  
CLERK TO THE BOARD**

**MST CORPORATION BOARD OF DIRECTORS**  
ZOOM Teleconference Meeting

**Minutes**  
December 13, 2021

<b>Present:</b>	Jeff Baron	City of Carmel-by-the Sea
	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
<b>Absent:</b>	John Gaglioti	City of Del Rey Oaks
	Yanely Martinez	City of Greenfield
<b>Staff:</b>	Carl Sedoryk	General Manager/CEO
	Lisa Rheinheimer	Assistant General Manager
	Norman Tuitavuki	Chief Operating Officer
	Kelly Halcon	Director of HR and Risk Management
	Michael Kohlman	Chief Information Officer
	Michelle Overmeyer	Director of Planning and Innovation
	Andrea Williams	General Accountant & Budget Manager
	Jeanette Alegar-Rocha	Clerk to the Board
	Marzette Henderson	Contract Transportation Manager
	Lisa Cox	Risk and Safety Manager
	Deanna Smith	Civil Rights Officer
	Ikuyo Yoneda-Lopez	Marketing & Customer Service Manager
	Sonia Wills	Customer Service Supervisor
	Sandra Amorim	Procurement Manager
	Lesley van Dalen	Mobility Coordinator
	Claudia Valencia	Mobility Coordinator
	Elena Grigorichina	Operations Analyst
	Beronica Carriedo	Community Relations Coordinator

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

**Public:** Douglas Thomson MV Transportation

## 1. CALL TO ORDER

1-1. Roll call.

**Chair Albert called the meeting to order at 12:30 p.m. and roll call was taken as the meeting was held via ZOOM teleconference. A quorum was established. General Manager/CEO Carl Sedoryk reviewed the highlights of the agenda.**

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

**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 Resolution 2022-01:**

<b>AYES:</b>	<b>10</b>	<b>Albert, Alejo, Amelio, Baron, Barrera, Burnett, Carbone, Pacheco, Velazquez, and Worthy</b>
<b>NOES:</b>	<b>0</b>	<b>None</b>
<b>ABSENT:</b>	<b>2</b>	<b>Gaglioti and Martinez</b>
<b>ABSTAIN:</b>	<b>1</b>	<b>LeBarre</b>

## 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.*

**There were no public comments.**

## 3. CONSENT AGENDA

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

**There were no public comments on the Consent Agenda.**

**On a motion by Director Amelio, seconded by Velazquez and carried by the following vote, which was conducted by roll call, the Board approved all items on the Consent Agenda:**



**AYES: 11 Albert, Alejo, Amelio, Baron, Barrera, Burnett, Carbone, LeBarre Pacheco, Velazquez, and Worthy**  
**NOES: 0 None**  
**ABSENT: 2 Gaglioti and Martinez**  
**ABSTAIN: 0 None**

**4. ACTION ITEMS**

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

**There were no public comments on Action Items.**

**The MST Corporation Board received a report that there were no new matters from 2021.**

**5. REPORTS AND INFORMATION ITEMS**

**There were no Reports and Information Items.**

**6. ADJOURN**

**With no further business to discuss, Chair Albert adjourned the meeting at 12:35 p.m. (Pacific).**

PREPARED BY: 

Jeanette Alegar-Rocha

REVIEWED BY: 

Carl G. Sedoryk

**Blank Page**