



**Board of Directors Regular Meeting  
March 11, 2019**

Frank J. Lichtanski Administrative Building  
Board Room, First Floor  
19 Upper Ragsdale Dr., Suite 100, Monterey 93940  
**10:00 a.m.**

**TRANSPORTATION:** Ride Line 8 from Monterey Transit Plaza (Munras Gate) at 9:15 a.m. or Sand City Station at 9:30 a.m. Request a taxi voucher from MST Customer Service at the board meeting for your return trip or a trip to the destination of your choice up to \$17.00.

**1. CALL TO ORDER**

- 1-1. Roll Call.
- 1-2. Pledge of Allegiance.
- 1-3. Review Highlights of the agenda. (Carl Sedoryk)

**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 MST 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**

*These items will be approved by a single motion. Anyone may request that an item be discussed and considered separately.*

- 3-1. Adopt Resolution 2019-22 recognizing Reymund Rivera, Coach Operator, as Employee of the Month for March 2019. (Robert Weber)(Page 5)

*Advocating and delivering quality public transportation as a leader within our community and industry.*

**Transit District Members** Monterey County • Carmel-by-the-Sea • Del Rey Oaks • Gonzales • Greenfield • King City • Marina • Monterey  
Pacific Grove • Salinas • Sand City • Seaside • Soledad **Administrative Offices** 19 Upper Ragsdale Drive, Suite 200 Monterey, CA 93940

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- 3-2. Minutes of the MST Board Meeting on February 4, 2019. (Jeanette Alegar-Rocha)(Page 7)
- 3-3. Minutes of the Business Administration Performance Committee (BAPC) on February 4, 2019. (Jeanette Alegar-Rocha)(Page 15)
- 3-4. Approve Mobility Advisory Committee (MAC) Appointments. (Cristy Sugabo) (Page 17)
- 3-5. Financial Reports – January 2019. (Lori Lee)(Page 19)
- 3-6. Disposal of Property Left On Board Buses. (Sonia Wills)(Page 27)
- 3-7. Appoint new member to the Measure Q Oversight Committee. (Hunter Harvath) (Page 29)
- 3-8. Revised Media Relations Policy. (Lisa Rheinheimer)(Page 35)
- 3-9. Revised Non-Transit Use of MST Property. (Hunter Harvath)(Page 43)
- 3-10. Retirement Resolution 2019-23 Charlie Armbruster - 32 Years of Service. (Robert Weber)(Page 49)
- 3-11. Retirement Resolution 2019-24 Jon Downing -18 Years of Service. (Robert Weber)(Page 51)

End of Consent Agenda

#### **4. RECOGNITION AND SPECIAL PRESENTATIONS**

- 4-1. March 2019 Employee of the Month, Reymund Rivera, Coach Operator. (Robert Weber)
- 4-2. Jon Downing Retirement 18 Years of Service. (Robert Weber)
- 4.3. Charlie Armbruster Retirement 32 Years of Service. (Robert Weber)

#### **5. PUBLIC HEARINGS**

None.

#### **6. ACTION ITEMS**

- 6-1. Purchase Authority Thresholds. (Carl Sedoryk) (Page 53)
- 6-2. Hear and Decide Pre-Award Protest Claim by DILAX. (Carl Sedoryk) (Page 55)
- 6-3. Award STC Construction Contract and Receive Update on Communication Plan. (Hunter Harvath, Carl Wulf, and Lisa Rheinheimer) (Page 71)

- 6-4. Authorize LCTOP Grant Application and Resolution. (Michelle Overmeyer) (Page 73)
- 6-5. Donation of Buses to Napa Valley Transportation Authority. (Sandra Amorim) (Page 79)

## **7. REPORTS & INFORMATION ITEMS**

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

- 7-1. General Manager/CEO Report – January 2019 (Page 81)
- 7-2. Washington, D.C. Lobby Report – February 2019 (Page 105)
- 7-3. State Legislative Advocacy Update – January 2019 (Page 109)
- 7-4. Staff Trip Reports (Page 111)
- 7-5. Correspondence

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

- 8-1. Reports on meetings attended by board members at MST expense (AB 1234)
- 8-2. Board member comments and announcements
  - a) CTA Spring Legislative Conference, May 22, 2019 in Sacramento, CA.
- 8-3. Board member referrals for future agendas
  - a) Received referral for presentation from MV Transit and Teamsters Local 890.

## **9. CLOSED SESSION**

*Members of the public may address the Board on any matter related to Closed Session. 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 individually, through staff, or on a subsequent agenda.*

*As permitted by Government Code §64956 et seq. of the State of California, the Board of Directors may adjourn to Closed Session to consider specific matters dealing with personnel and/or pending possible litigation and/or conferring with the Board's Meyers-Milias-Brown Act representative*

- 9-1. Conference with Monterey-Salinas Transit and ATU Labor Contract Negotiators, – Gov. Code § 54957.6.

## 10. RETURN TO OPEN SESSION

10-1 Report on Closed Session and possible action

## 11. ATTACHMENTS

11-1. The detailed monthly Performance Statistics and Disbursement Journal for January 2019 can be viewed online within the GM Report at <http://mst.org/about-mst/board-of-directors/board-meetings/>

## 12. ADJOURN

**NEXT MEETING DATE:** April 8, 2019

19 Upper Ragsdale Dr., Suite 100, Monterey, CA 93940  
Boardroom First Floor

**10:00 a.m.**

**NEXT AGENDA DEADLINE:** March 26, 2019

*\*Dates and times are subject to change.*

*Please contact MST for accurate meeting date and times or check online at <http://mst.org/about-mst/board-of-directors/board-meetings/>*

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

*Upon request, Monterey-Salinas Transit 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. Requests should be sent to MST – c/o Clerk to the Board, 19 Upper Ragsdale Dr., Suite 200, Monterey, CA 93940 or [clerk@mst.org](mailto:clerk@mst.org).*



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지원

**REYMOND RIVERA  
MARCH 2019  
EMPLOYEE OF THE MONTH**

WHEREAS, each month Monterey-Salinas Transit recognizes an outstanding employee as Employee of the Month; and

WHEREAS, the Employee of the Month is recognized for his positive contribution to MST and to the entire community; and

WHEREAS, Reymond Rivera began his career at Monterey-Salinas Transit District as a Coach Operator in January of 1999. During his career, he has received multiple safe driving awards and certificates of appreciation for his service as a Line Instructor; and

WHEREAS, Reymond Rivera was previously recognized as the Employee of the Month in October of 2010, when he avoided a collision on Highway 1. His defensive driving maneuvers avoided a head-on collision with the vehicle when it crossed over the center-line; and

WHEREAS, Reymond Rivera provided a assisted with MST's new BYD battery electric coach at the Salinas Valley Sustainability Fair in January of this year. During the event, he greeted elected officials and members of the public by offering information about the bus and provided a demonstration of the vehicle for those in attendance. After the event, MST received several positive comments about his professionalism and knowledge about the bus; and

THEREFORE BE IT RESOLVED that the Board of Directors of Monterey-Salinas Transit District recognizes Reymond Rivera as Employee of the Month for March 2019; and

BE IT FURTHER RESOLVED that Reymond Rivera is to be congratulated for his outstanding performance, dedication, and supreme effort toward the success of MST completing its mission.

THE BOARD OF DIRECTORS OF MONTEREY-SALINAS TRANSIT  
PASSED AND ADOPTED RESOLUTION 2019-22 this 11<sup>th</sup> day of March 2019.

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Michael LeBarre  
Board Chair

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Carl G. Sedoryk  
Board Secretary

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**MST BOARD OF DIRECTORS**

Frank J. Lichtanski Administrative Building  
19 Upper Ragsdale Dr., Suite 100, Monterey 93940

**MEETING MINUTES**

**February 4, 2019**

<b>Present:</b>	Jeff Baron	City of Carmel-by-the-Sea
	Kristin Clark	City of Del Rey Oaks
	Lorraine Worthy	City of Gonzales
	Yanely Martinez	City of Greenfield
	Mike LeBarre	City of King
	Frank O'Connell	City of Marina
	Dan Albert	City of Monterey
	Luis Alejo	County of Monterey
	Joe Amelio	City of Pacific Grove
	Tony Barrera	City of Salinas
	Mary Ann Carbone	City of Sand City
<b>Absent:</b>	Dave Pacheco	City of Seaside
	Anna Velazquez	City of Soledad
<b>Staff:</b>	Carl Sedoryk	General Manager/CEO
	Hunter Harvath	Assistant General Manager
	Robert Weber	Chief Operating Officer
	Norman Tuitavuki	Deputy Chief Operating Officer
	Kelly Halcon	Directory of HR &Risk Management
	Mark Eccles	Director of Information Technology
	Lisa Rheinheimer	Director of Planning and Marketing
	Jeanette Alegar-Rocha	Executive Assistant /Clerk to the Board
	Andrea Williams	Accountant and Budget Manager
	Michelle Overmeyer	Grants Analyst
	Alvin Johnson	Contract Transportation Supervisor
	Sandra Amorim	Procurement and Contract Manager
	Marcus Medina	Inventory Clerk
	Beronica Carriedo	Community Relations Coordinator
	Kevin Allshouse	Interim Mobility Coordinator

Claudia Valencia	Mobility Specialist
Erin Heatley	Mobility Specialist
Lesley Van Dalen	Mobility Specialist
Ruben Gomez	Mobility
Elena Grigorichina	Operations Analyst
Carrol Jamey McCallon	Communications Systems Specialist

<b>Public:</b>	Don Parslow	MV Transportation
	Luis Torres	Resident of the City of Greenfield
	Medina Family	Residents of the City of Salinas

*Apology is made for any misspelling of a name.*

## **1. CALL TO ORDER**

1-1. Roll Call.

**Chair LeBarre called the meeting to order at 10:00 am with a roll call. The new board member Lorraine Worthy for the City of Gonzales was announced.**

1-2. Pledge of Allegiance.

**The pledge of allegiance was led by Director Worthy.**

1-3. Review Highlights of the agenda. (Carl Sedoryk)

**Mr. Sedoryk reviewed the highlights of the agenda.**

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

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## **3. CONSENT AGENDA**

*These items will be approved by a single motion. Anyone may request that an item be discussed and considered separately.*

3-1. Adopt Resolution 2019-17 recognizing Michelle Overmeyer, Grants Administrator, as Employee of the Month for January 2019. (Hunter Harvath)

3-2. Adopt Resolution 2018-21 recognizing Ruben Gomez, Mobility Specialist, as Employee of the Month for February 2019. (Cristy Sugabo)

3-3. Adopt Resolution 2019-20 recognizing Marcus Medina, Inventory Clerk, as



Employee of the Year 2018. (Sandra Amorim)

- 3-4. Minutes of the MST Board Meeting on December 10, 2018. (Jeanette Alegar-Rocha)
- 3-5. Financial Reports – November and December 2018. (Lori Lee)
- 3-6. Disposal of Property Left On Board Buses. (Sonia Wills)
- 3-7. Claim Rejection - John Lenner Saldivio. (Kelly Halcon)
- 3-8. Minutes of the Ops / BOPC Committee on December 10, 2018. (Jeanette Alegar-Rocha)
- 3-9. Minutes of the MST Board Meeting and Strategic Planning Workshop on January 14, 2019. (Jeanette Alegar-Rocha)
- 3-10. Minutes of the MAC Committee on September 26, 2018. (Claudia Valencia)
- 3-11. Adopt Resolution 2019-16 recognizing Robert Tadman, Entry Level Mechanic, for his 29 years of service. (Norman Tuitavuki)
- 3-12. Adopt Resolution 2019-19 recognizing Enrique Fernandez, Coach Operator for his 29 years of service. (Robert Weber)
- 3-13. Approve Revisions to Lost and Found Policy and Public Hearing Policy. (Lisa Rheinheimer)
- 3-14. Approve Purchase of REMIX Planning Software. (Lisa Rheinheimer)
- 3-15. Authorize Measure Q expenditures not to exceed \$84,000 for exterior paint and decal work on fourteen (14) new RIDES mini-buses. (Norman Tuitavuki)
- 3-16. Authorize Measure Q expenditures not to exceed \$50,000 for on-board video surveillance camera equipment, wiring, and other related components for fourteen (14) new RIDES paratransit buses. (Norman Tuitavuki)
- 3-17. Authorize Measure Q expenditures not to exceed \$28,000 for video camera installation services on fourteen (14) new RIDES mini-buses. (Norman Tuitavuki)
- 3-18. Approve purchase of TransitMaster radio network controllers from Trapeze Group in an amount not to exceed \$35,000. (Mark Eccles)
- 3-19. Receive MST's audited FY 2018 Comprehensive Annual Financial Report. (Hunter Harvath)

End of Consent Agenda

Public Comment – None

**Director Clark made the motion to approve all items on the consent agenda**

and was seconded by director Martinez. The motion passed unanimously.

#### **4. RECOGNITION AND SPECIAL PRESENTATIONS**

- 4-1. Employee of the Month, January 2019 – Michelle Overmeyer, Grants Administrator. (Hunter Harvath)

**The MST Board unanimously adopted Resolution 2019-17 recognizing Michelle Overmeyer, Grants Administrator, as the January 2019 Employee of the Month for her outstanding contribution to MST and to the entire community.**

- 4-2. Employee of the Month, February 2019 – Ruben Gomez, Mobility Specialist. (Robert Weber)

**The MST Board unanimously adopted Resolution 2019-21 recognizing Ruben Gomez, Mobility Specialist, as the February 2019 Employee of the Month for his outstanding contribution to MST and to the entire community.**

- 4-3. Employee of the Year 2018 – Marcus Medina, Inventory Clerk. (Sandra Amorim)

**The MST Board unanimously adopted Resolution 2018-20 recognizing Marcus Medina, Inventory Clerk, as the 2018 Employee of the Year for his outstanding contribution to MST and to the entire community.**

- 4-4. 2018 Management Excellence Award – Norman Tuitavuki, Deputy Chief Operating Officer. (Carl Sedoryk)

**The MST Board recognized Norman Tuitavuki, Deputy Chief Operating Officer, as the recipient of the GM Excellence Award 2018 for successful completion of several key projects and quality service to Monterey-Salinas Transit.**

- 4-5. 30 Years of Service – Carrol “Jamey” McCallon, Communications Systems Specialist. (Robert Weber)

**The MST Board and Staff recognized Carrol Jamey McCallon, Communications Systems Specialist, for his 30 years of service with Monterey-Salinas Transit.**

- 4-6. 29 Years of Service – Enrique Fernandez, Coach Operator. (Robert Weber)

**Mr. Fernandez was not present at the board meeting.**

- 4-7. 29 Years of Service – Robert Tadman, Entry Level Mechanic. (Norman Tuitavuki)

**Mr. Tadman was not present at the board meeting.**

#### **5. PUBLIC HEARINGS**

None

## 6. ACTION ITEMS

- 6-1. Approve \$1 million line of credit extension from Rabobank, N.A. (Hunter Harvath)

Public Comment – None

**Director Albert made the motion to approve and was seconded by Director Martinez. The MST Board unanimously approved the renewal of a \$1million revolving line of credit with Rabobank, N.A., to maintain cash flow as unexpected events occur – such as the partial shutdown of the federal government (including the Federal Transit Administration) – that delay grant funding reimbursements and other short-term financing needs.**

- 6-2. Approve purchase of King City fencing and security systems in an amount not to exceed \$290,000. (Hunter Harvath)

Public Comment – None

**Director Clark made the motion to approve and was seconded by Director Martinez. The MST Board unanimously approved the safety and security expenditures up to \$290,000 for the Monterey-Salinas Transit's (MST) South County Maintenance and Operations facility in King City.**

- 6-3. Approve purchase of First Alarm March camera system for facilities expansion in an amount not to exceed \$250,000. (Mark Eccles)

Public Comment – None

**The MST Board unanimously approved the purchase and configuration of March surveillance video and camera equipment hardware and software not to exceed \$250,000 and to upgrade, expand, and integrate the security surveillance video and camera equipment at additional Monterey-Salinas Transit (MST) locations.**

- 6-4. Update on Status of Federal Government Shutdown on MST.  
(Carl Sedoryk/Hunter Harvath) (No Enclosure)

Public Comment – None

**The MST Board received an update from Carl Sedoryk on the status and impact of the Federal Government Shutdown and the impacts on Monterey-Salinas Transit (MST).**

## 7. REPORTS & INFORMATION ITEMS

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

- 7-1. General Manager/CEO Report – November and December 2018.

- 7-2. Washington, D.C. Lobby Report – January 2019
- 7-3. State Legislative Advocacy Update – November and December 2018
- 7-4. Staff Trip Reports
- 7-5. Correspondence

Public Comment – None

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

- 8-1. Reports on meetings attended by board members at MST expense (AB 1234)
- 8-2. Board member comments and announcements
  - a) Monterey-Salinas Transit Mobility Center Ribbon Cutting and Dedication Ceremony:
    - Date: Wednesday, February 6, 2019
    - Time: 11:30 a.m. to 2:00 p.m.
    - Location: 15 Lincoln Avenue, Salinas, CA 93901
- 8-3. Board member referrals for future agendas

Public Comment – None

**On behalf the MST Board and Staff, Chair LeBarre wished to honor the memory of Heidi Quinn's father, Robert C. Quinn who had recently passed away.**

## **9. CLOSED SESSION**

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- 9-1. Conference with Legal Counsel – Homet vs. Monterey-Salinas Transit, Gov.Code § 54956.95.
- 9-2. Conference with Legal Counsel – BlueScope vs. Monterey-Salinas Transit, Gov.Code § 54956.95.

9-3. Conference with Legal Counsel – AECOM vs. Monterey-Salinas Transit, Gov.Code § 54956.95.

9-4. Conference with Legal Counsel – LWP / JT2 vs. Monterey-Salinas Transit, Gov.Code § 54956.95.

Public Comment – None

## **10. RETURN TO OPEN SESSION**

10-1 Report on Closed Session and possible action


**Staff provided updates on the closed session items but no reportable action was taken.**

## **11. ATTACHMENTS**

11-1. The detailed monthly Performance Statistics and Disbursement Journal for November 2018 and December 2018 can be viewed online within the GM Report at <http://mst.org/about-mst/board-of-directors/board-meetings/>

## **12. ADJOURN**

There being no further business, Chair LeBarre adjourned the meeting at 11:02 a.m.

PREPARED BY:   
Jeanette Alegar-Rocha

REVIEWED BY:   
Carl G. Sedoryk

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**Board Administration Performance Committee (BAPC)**

19 Upper Ragsdale Drive, Suite 200  
Monterey, CA 93940

**Minutes**

February 4, 2019  
9:00 a.m.

**Present:** Alejo, Barrera (Chair), Clark, Martinez, O'Connell,

**Absent:** Pacheco

**Staff:** Carl Sedoryk, General Manager/CEO; Hunter Harvath, Assistant General Manager; Robert Weber, Chief Operating Officer, Lisa Rheinheimer, Director of Planning & Marketing; Mark Eccles, Director of Information Technology, Dave Laredo, De Lay & Laredo; Jeanette Alegar-Rocha, Clerk to the Board

**Public:** Luis Torres

1. Call to order.

**Chair Barrera called the meeting to order at 9:00am.**

2. Public comment on matters not on the agenda.

*Members of the public may address the Committee on any matter related to the jurisdiction of MST but not on the agenda. There is a time limit of not more than three minutes for each speaker. The Committee 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. **Reviewed and recommended changes to Lost and Found Policy.**  
(Lisa Rheinheimer)
4. **Reviewed and recommended changes to Public Hearing Policy.**  
(Lisa Rheinheimer)
5. **Reviewed and recommended changes to General Manager/CEO Purchasing Authority.** (Carl Sedoryk)

**Director Alejo arrived 9:27am**

Staff presented the following recommend changes to General Manager/CEO Purchasing Authority to the Board Administration Review Committee for recommendation to the full Board:

- Increase staff purchase authority to \$100,000
- Purchases over \$50K to be reflected on GM Report
- Purchase Authority to be reviewed with extension of GM/CEO employment agreement

**Director O'Connell made the motion to recommend changes to the General Manager /CEO Purchasing Authority Report to the full board as an agenda item at the March 2019 board meeting which was seconded by director Clark. The motion passed unanimously.**

- 6. Reviewed audited financial results from the MST FY 2018 Comprehensive Annual Financial Report. (Hunter Harvath)**
7. Closed session.

*As permitted by Government Code §54957 et seq. of the State of California, the Board of Directors may adjourn to Closed Session to consider specific matters dealing with personnel and/or pending possible litigation and/or conferring with the Board's Meyers-Millas-Brown Act representative.*

**None**

8. Staff and Committee member comments, questions, or referrals.
9. Adjourn.

**There being no further business, Chair Barrera adjourned the meeting at 9:39 a.m.**

PREPARED BY:

  
Jeanette Alegar-Rocha

REVIEWED BY:

  
Carl G. Sedoryk



To: Board of Directors  
From: Cristy Sugabo, Mobility Services Manager  
Subject: Mobility Advisory Committee Membership

**RECOMMENDATION:**

Appoint membership to your Mobility Advisory Committee.

**FISCAL IMPACT:**

None

**POLICY IMPLICATIONS:**

Your board appoints members to the MST Mobility Advisory Committee.

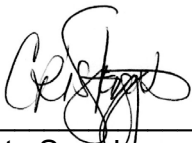
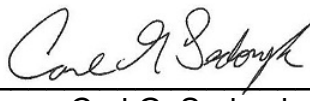
**DISCUSSION:**

The Mobility Advisory Committee (MAC) is a standing advisory committee of the MST Board of Directors. It makes recommendations to MST staff and to your Board regarding the transportation needs of seniors, veterans, persons with disabilities, low income, youth and isolated populations. The Committee acts as a liaison between MST and these communities to assure that their constituents and clients have input into the MST service planning process.

There are currently seven (7) vacancies on the MAC and its current members recommend that your Board appoint Alejandro Fernandez, MSW for the DaVita Dialysis; Melissa McKenzie, Director of Programs & Volunteer Services for the Carmel Foundation; Maureen McEachen, LCSW for the Visiting Nurse Association; Kathleen Murray-Phillips, Planner for the Area Agency on Aging to fill some of these vacancies. Staff will continue to seek volunteers to fill the remaining three vacancies.

Approval by your Board of this item shall appoint Alejandro Fernandez, Melissa McKenzie, Maureen McEachen and Kathleen Murray-Phillips to the MST Mobility Advisory Committee.

A current listing of Committee members for the MAC is attached.

PREPARED BY:  REVIEWED BY:   
Cristy Sugabo Carl G. Sedoryk

## ATTACHMENT 1

<b>N</b>	<b>MEMBER</b>	<b>ALTERNATE</b>	<b>ORGANIZATION</b>	<b>ADVOCACY</b>
1	Kasuko Wessendorf		Interim, Inc.	Adult Mental Health Services
2	<a href="#">Kathleen Murry-Phillips</a>		<a href="#">Area Agency on Aging</a>	<a href="#">Seniors</a>
3	<a href="#">Maureen McEachen</a>		<a href="#">Visiting Nurses Association</a>	<a href="#">Nonprofit Health Care Provider</a>
4	<a href="#">Melissa McKenzie</a>		<a href="#">Carmel Foundation</a>	<a href="#">Senior Services</a>
5	<a href="#">Alejandro Fernandez</a>		<a href="#">DaVita Dialysis Clinic</a>	<a href="#">Health Care Provider</a>
6	Kurt Schake		Veterans Transition Center	Veterans
7	Reyna Gross		Alliance on Aging	Seniors
8	Stefania Castillo		Transportation Agency for Monterey County	Transportation Authority
9	Diana Trapani	Esmeralda Ortiz	Blind and Visually Impaired Center	Blind and Visually Impaired
10	Amie Cuda		Central Coast Senior Services	Seniors
11	Maria Magana		Central Coast Center for Independent Living	People With Disabilities
12	Jessica McKillip	Cheryl Tsuchiura	Independent Transportation Network	Nonprofit Senior Transportation Provider
13	Vacant			
14	Vacant			
15	Vacant			

To: Board of Directors  
From: Lori Lee  
Subject: Financial Reports – January 2019

**RECOMMENDATION:**

1. Accept report of January 2019 cash flow presented in Attachment #1
2. Approve January 2019 disbursements listed in Attachment #2
3. Accept report of January 2019 treasury transactions listed in Attachment #3

**FISCAL IMPACT:**

The cash flow for January is summarized below and is detailed in Attachment #1.

Beginning balance January 1, 2019	\$8,902,852.66
Revenues	4,713,764.25
Disbursements	<u>&lt;6,118,559.00&gt;</u>
Ending balance January 31, 2019	<u>\$7,498,057.91</u>

**POLICY IMPLICATIONS:**

Disbursements are approved by your Board each month and are shown in Attachment #2. Treasury transactions are reported to your Board each month, and are shown in Attachment #3.

**DISCUSSION:**

By the end of January of FY 2019, a \$366,637 surplus on the fixed-route portion of the operations was offset by a nearly equal \$394,202 deficit on the MST RIDES operation, resulting with a modest year-to-date deficit of \$27,565, or just under one tenth of one percent (0.001%) of the year-to-date FY 2019 budget. This negative RIDES variance can be attributed in part to increased demand for paratransit services on weekends in Salinas, which must be provided for free in association with our “Free

40's" promotion for fixed-route buses in Salinas on weekends. Under the federal Americans with Disabilities Act regulations, when free fares are offered on fixed-route buses, comparable ADA paratransit trips must also be free. Staff has noted record high passenger boardings on the MST RIDES program.

The following fixed-route expenses have negative variances of greater than 5% or have a monetary value greater than \$5,000 as seen in the January Budget vs. Actual reports contained in Attachment #4:

1. **Maintenance** – This 29.8% negative variance can be primarily attributed to consuming a significantly higher amount – or value amount – of parts for MST's large transit buses. With a fleet of 26 new transit buses put into service last spring, staff had expected maintenance costs to be lower for this fiscal year. In that regard, staff has looked into the cause of this continued negative variance. It appears that maintenance costs on the new buses that are covered by the warranty are not factored into this expenditure category. As the FY 2020 budget is prepared, staff will be exploring how to best reflect the warranty refunds that are received in the months after covered work is performed.
2. **Utilities** – This 26.9% negative variance for the month of January is due to higher expenditures in categories of Water and Fire as well as Alarm Service. Despite this negative variance for the month, year-to-date expenses in the Utilities category are down by \$18,755 compared to budget.
3. **Leases & Rentals** – This \$5,289 negative variance barely exceeds the \$5,000 reporting limit. An unanticipated work truck rental continues as the new replacement vehicle purchased is outfitted with the appropriate equipment. For the year-to-date, this category has a negative variance of less than 1%.

A detail of disbursements can be viewed within the GM Report at <http://www.mst.org/about-mst/board-of-directors/board-meetings/>

PREPARED BY:  Lori Lee      REVIEWED BY:  Carl G. Sedoryk

**(REVENUES & DISBURSEMENTS)****CASH FLOW**

Beginning balance 01/01/19		8,902,852.66
Revenues		
Passenger Revenue	287,483.60	
DOD Revenue	282,795.00	
LTF / STA / 5307	1,861,473.68	
Sales Tax	832,087.54	
Grants	601,291.00	
Interest Income	1,157.51	
Non Transit Revenue	847,475.92	
Total Revenues		4,713,764.25
Disbursements		
Operations (See Attachment #2)	4,991,931.78	
Capital	1,126,627.22	
Total Disbursements		(6,118,559.00)
Ending balance 01/31/19		<b><u>7,498,057.91</u></b>

**COMPOSITION OF ENDING BALANCE**

Checking - Rabo Bank	949,987.05
Local Agency Investment Fund (LAIF)	2,326,761.08
Money Market - Homeland Security	501,363.87
Money Market - Rabo MM	67,626.98
Money Market - PTMISEA	2,227,353.87
Money Market - LCTOP	630,545.66
Money Market - Rabo Prop. 1 B	774,887.76
Bank of America - Escrow	8,986.64
Petty cash fund, STC Coin Machine, and 2 change funds	10,545.00
<b>Total</b>	<b><u>7,498,057.91</u></b>

**DISBURSEMENTS SUMMARY:**  
**GENERAL ACCOUNT DISBURSEMENTS FOR January 01, 2019 - January 31, 2019**

<b>VENDOR / DESCRIPTION</b>	<b>CHECKS</b>	<b>AMOUNT</b>
Accounts Payable 01/04/2019	51035 - 51041	18,165.17
Accounts Payable 01/11/2019	51042 - 51170	2,382,828.74
Accounts Payable 01/15/2019	51171 - 51191	1,307.25
Accounts Payable 01/17/2019	51192 - 51192	3,995.00
Accounts Payable 01/25/2019	51193 - 51269	341,455.02
Accounts Payable 01/24/2019	51270 - 51277	32,014.23
<b>TOTAL</b>		<b><u>2,779,765.41</u></b>

**CHECKS \$100,000 AND OVER**

<b>VENDOR / DESCRIPTION</b>	<b>BOARD APPROVED</b>	<b>CHECK NUMBER</b>	<b>CHECK DATE</b>	<b>AMOUNT</b>
BYD MOTORS, INC.	2 Electric Buses Board Approval 09/19/16	51058	1/11/19	1,039,395.83
MV TRANSPORTATION	Recurring Expense	51110	1/11/19	800,136.95
CALIFORNIA INSURANCE TRANSIT PO	Recurring Expense	51200	1/25/19	176,540.53

## ATTACHMENT 3

### RABOBANK MM ACCOUNT

<u>Date</u>	<u>Account</u>	<u>Bank</u>	<u>Deposit</u>	<u>Withdrawal</u>	<u>Balance</u>
Balance Forward at 01/01/19					1,443,708.89
01/04/19	479	AP/Payroll		425,000.00	1,018,708.89
01/07/19	212	Military/CC Sales	250,000.00		1,268,708.89
01/08/19	308	LTF	1,519,805.46		2,788,514.35
01/11/19	308	AP/Payroll		500,000.00	2,288,514.35
01/15/19	308	Workers Comp		541,122.04	1,747,392.31
01/17/19	308	AP/Payroll		655,000.00	1,092,392.31
01/24/19	308	Military/CC Sales	45,000.00		1,137,392.31
01/25/19	308	AP/Payroll		420,000.00	717,392.31
01/31/19	308	AP/Payroll		650,000.00	67,392.31
01/31/19		Interest @ 0.30%	234.67		67,626.98
RABO MM Balance at 01/31/19					67,626.98

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**MONTEREY-SALINAS TRANSIT**

Revenue & Expense - Consolidated

Budget vs Actual

For the Period from January 1, 2019 to January 31, 2019

(Amounts are in USD)

(Includes Fund: 001|004)

(Includes G/L Budget Name: BUDFY19)

	Cur Mo. Actual	Cur Mo. Budget	Cur Mo. Variance	YTD Actual	YTD Budget	YTD Variance
<b>Revenue</b>						
Passenger Fares	-282,551	-316,249	33,698	-2,111,297	-2,213,743	102,446
Special Transit	-339,510	-571,644	232,134	-2,730,851	-4,001,508	1,270,657
Cash Revenue	-26,413	-29,912	3,499	-328,753	-209,384	-119,369
Cash Grants & Reimbursement	-2,754,405	-2,753,652	-753	-19,267,317	-19,275,564	8,247
<b>Total Revenue</b>	<b>-3,402,879</b>	<b>-3,671,457</b>	<b>268,578</b>	<b>-24,438,217</b>	<b>-25,700,199</b>	<b>1,261,982</b>

**NOTES**

**Expenses**

Labor	1,267,496	1,366,996	-99,500	9,258,473	9,568,972	-310,499
Benefits	887,765	881,991	5,774	6,001,013	6,173,937	-172,924
Advertising & Marketing	9,644	7,434	2,210	51,063	52,038	-975
Professional & Technical	55,207	74,375	-19,168	364,924	520,625	-155,701
Outside Services	36,077	37,084	-1,007	261,898	259,588	2,310
Outside Labor	111,521	124,339	-12,818	595,850	870,373	-274,523
Fuel & Lubricants	190,185	307,865	-117,680	1,559,565	2,155,055	-595,490
Supplies	66,993	86,744	-19,751	469,811	607,208	-137,398
① Vehicle Maintenance	89,829	69,183	20,646	593,612	484,281	109,331
② Marketing Supplies	1,803	2,293	-490	21,416	16,051	5,365
Utilities	59,530	46,929	12,601	309,748	328,503	-18,755
Insurance	80,409	80,148	261	575,269	561,036	14,233
Taxes	18,245	17,633	612	116,790	123,431	-6,641
Purchased Transportation	414,035	465,159	-51,124	3,225,094	3,256,113	-31,019
Miscellaneous Expenses	37,734	46,904	-9,170	272,390	328,328	-55,938
Interfund transfers						
Pass Thru/Behalf of Others						
Interest Expense	19,261	16,667	2,594	114,299	116,669	-2,370
③ Leases & Rentals	45,002	39,713	5,289	280,365	277,991	2,374

**Total Operating Expenses**

**Operating (Surplus) Deficit**

<b>3,390,736</b>	<b>3,671,457</b>	<b>-280,721</b>	<b>24,071,580</b>	<b>25,700,199</b>	<b>-1,628,619</b>
<b>-12,143</b>		<b>-12,143</b>	<b>-366,637</b>		<b>-366,637</b>

**MONTEREY-SALINAS TRANSIT**  
Revenue & Expense - Consolidated  
Budget vs Actual  
For the Period from January 1, 2019 to January 31, 2019  
(Amounts are in USD)  
(Includes Fund: 002)  
(Includes G/L Budget Name: BUDFY19)

	Cur Mo. Actual	Cur Mo. Budget	Cur Mo. Variance	YTD Actual	YTD Budget	YTD Variance
<b>Revenue</b>						
Passenger Fares	-19,586	-23,171	3,585	-168,903	-162,197	-6,706
Special Transit						
Cash Revenue						
Cash Grants & Reimbursement	-435,443	-435,443		-3,048,101	-3,048,101	
<b>Total Revenue</b>	<b>-455,029</b>	<b>-458,614</b>	<b>3,585</b>	<b>-3,217,004</b>	<b>-3,210,298</b>	<b>-6,706</b>
<b>Expenses</b>						
Labor	7,738	10,473	-2,736	64,851	73,311	-8,460
Benefits	6,869	5,562	1,307	48,825	38,934	9,891
Advertising & Marketing		417	-417		2,919	-2,919
Professional & Technical		417	-417		2,919	-2,919
Outside Services						
Outside Labor	10,058	8,375	1,683	41,197	58,625	-17,428
Fuel & Lubricants	51,310	38,070	13,240	359,827	266,490	93,337
Supplies	419	1,957	-1,538	2,589	13,699	-11,110
Vehicle Maintenance				474		474
Marketing Supplies						
Utilities	120		120	760		760
Insurance						
Taxes						
Purchased Transportation	420,943	374,490	46,453	2,963,120	2,621,430	341,690
Miscellaneous Expenses	18,494	18,853	-359	129,564	131,971	-2,407
Interfund transfers						
Pass Thru/Behalf of Others						
Interest Expense						
Leases & Rentals						
<b>Total Operating Expenses</b>	<b>515,950</b>	<b>458,614</b>	<b>57,336</b>	<b>3,611,206</b>	<b>3,210,298</b>	<b>400,908</b>
<b>Operating (Surplus) Deficit</b>	<b>60,921</b>		<b>60,921</b>	<b>394,202</b>		<b>394,202</b>

To: Board of Directors  
From: Sonia Wills, Customer Service Supervisor  
Subject: Disposal of unclaimed property left on MST property

**RECOMMENDATION:**

Receive report on unclaimed property left on MST property.

**FISCAL IMPACT:**

There are no fiscal impacts to receiving this report.

**POLICY IMPLICATIONS:**

Your Board adopted MST's Disposal of Lost and Found Property Policy.

**DISCUSSION:**

Per MST's Disposal of Lost and Found Property Policy adopted on February 4, 2019, lost items listed below which are left on buses, bus benches, at transit centers, at bus stops, and/or which have been turned in to bus or RIDES Operators, Customer Service Representatives, or any MST employee will be held at one of MST's Customer Service locations for a three (3) month period.

MST makes an attempt to contact the owners of Lost and Found items. Prescriptions, ID cards, and items with an estimated fair market value under \$100 and have been turned in to MST are either disposed of properly or donated to non-profit charitable organizations.

Only the items listed below with an estimated fair market value of \$100 or more and are unclaimed after three months will be auctioned off per Policy:

*Items with an estimated fair market value of \$100 or more:*

- 8 Bicycles
- 3 Pairs of women's prescription eyeglasses
- 1 Turquoise cigarette case
- 1 Black, gray, green jacket in pristine condition
- 1 Husky tool bag with tools

PREPARED BY: Sonia Wills  
Sonia Wills

REVIEWED BY: Carl G. Sedoryk  
Carl G. Sedoryk

To: Board of Directors  
From: Hunter Harvath, Assistant General Manager  
Subject: Appoint new member to the Measure Q Oversight Committee

**RECOMMENDATION:**

Appoint Kevin Dayton to the Measure Q Oversight Committee.

**FISCAL IMPACT:**

None

**POLICY IMPLICATIONS:**


Your Board appoints members to the Measure Q Oversight Committee (MQC).

**DISCUSSION:**

Ordinance 2015-01 stipulates that an oversight committee be formed to oversee the expenditure of Measure Q funds in accordance with the Measure Q Expenditure Plan. On January 29, 2019, Kevin Dayton submitted an application (Attachment) to serve on the Measure Q Oversight Committee. If appointed by your Board, Mr. Dayton would serve on the committee to represent a local taxpayer organization as required by Measure Q. This seat is now vacant as the previous taxpayer organization representative recently passed away.

On behalf of MQC Chairman Sid Williams, I respectfully forward the nomination of Kevin Dayton for your Board's consideration and appointment to the Measure Q Oversight Committee.

Attachment: Application for Appointment

PREPARED BY:   
Hunter Harvath

REVIEWED BY:   
Carl G. Sedoryk

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**Date:**

January 29, 2019

**Measure Q Oversight Committee****Application for Appointment***Please print or type**Resume may be attached, but not substituted for a completed application.***PERSONAL INFORMATION:**

Name	Kevin Dayton	Years in Monterey County	4+
Street (home address)	City/State/Zip	Home Phone	
Email Address	Cell Phone		

**EMPLOYMENT:**

Current Employer		
Self-employed political and policy consultant		
Employer Address		
Position	Years at job	Employer Phone
President & CEO	7 running own business	
Please describe your work experience and job duties:		
<p>I've worked full time in government affairs and politics since 1992, including as a legislative assistant in the U.S. House of Representatives and as a government affairs executive for a construction trade association at the federal, state, and local levels. I've also written studies and reports for organizations and think tanks on various issues, including municipal bonds.</p>		

**EDUCATION:**

Majors	Degrees	Certifications
History	BA	
Colleges attended:		
Graduated from Yale in 1992.		

**COMMUNITY INVOLVEMENT:**

Government Affairs Director, Salinas City Center Improvement Association; Government Affairs Liaison, Monterey Peninsula Chamber of Commerce; Executive Committee/Board of Directors/VP of Government Relations, Salinas Valley Chamber of Commerce; President, Salinas Taxpayers Association; Secretary, Monterey Peninsula Taxpayers Association; Legislative Representative, Clear Honest Options in Clean Energy (CHOICE) - a watchdog group for Monterey Bay Community Power; Secretary, Covenant Presbyterian Church of Monterey Bay Board of Trustees.

**Send completed application to: MST clerk of the board, 19 Upper Ragsdale Drive, Suite 200, Monterey, CA 93940, fax to 831-899-3954, or email [clerk@mst.org](mailto:clerk@mst.org). Questions? Call 831-264-5002**

Please list prior community involvement:  
See above and below for examples.

Do you presently serve on a board or committee?    **Yes** ☐    **No** ☒    Not for MST.

If yes, please list name of boards or committees:

#### INTEREST STATEMENT:

Explain your interest in this committee:

Both the Monterey Peninsula Taxpayers Association board and the Salinas Taxpayers Association board approved formal motions to authorize my application to MST as a representative of taxpayer organizations. I enjoy this type of volunteer work and I believe I can serve the people and the needs of the district.

List any relevant experience or skills that will benefit this committee:

Member of TAMC Measure X Oversight Committee and served as chairman in its first two years (2017-2019). Member of reactivated Bond Oversight Committee for Salinas City Elementary School District.

I know what is appropriate conduct for a public agency oversight committee. At its best, an oversight committee can be a valuable asset for the public AND for the agency.

#### "Diversity Matters"

Membership on this oversight committee is open to all interested residents of Monterey County subject to the qualifications determined by the MST board of directors and as designated within MST Ordinance 2015-01. There shall be no discrimination of applicants based on race, color, religion, sex, age, national origin, physical or mental disability, marital status, familial status, status as a Vietnam-era or special disabled veteran, or membership in any other group protected by law in accordance with applicable federal, state and local laws.

**NOTE:** *This committee may require meeting biannually (twice per year) and the meeting day and hours may depend on the preference of the committee members. Some additional investment of time outside of the regularly scheduled meetings may be required.*

*The information requested herein becomes public record upon submittal. A written request to not disclose certain information may be submitted to the Clerk of the Board of MST for consideration.*

**I certify that the foregoing information is true and correct.**

**Send completed application to: MST clerk of the board, 19 Upper Ragsdale Drive, Suite 200, Monterey, CA 93940, fax to 831-899-3954, or email [clerk@mst.org](mailto:clerk@mst.org). Questions? Call 831-264-5002**





1/29/19

Signature of Applicant

Date

**For Office Use Only**

Date Received: \_\_\_\_\_

Term Assigned: \_\_\_\_\_

Date Appointed: \_\_\_\_\_

Website Updated: \_\_\_\_\_

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To: Board of Directors  
From: Lisa Rheinheimer, Director of Planning and Marketing  
Subject: Media Relations Policy

**RECOMMENDATION:**

Approve revised Media Relations Policy.

**FISCAL IMPACT:**

There are negligible fiscal impacts in approving the revised policy.


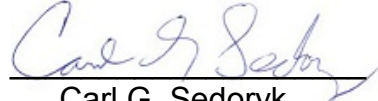
**POLICY IMPLICATIONS:**

Your Board sets policy matters including the Media Relations Policy. The revisions reflect pragmatic changes needed to implement the Policy.

**DISCUSSION:**

The revised Media Relations Policy makes minor additions and corrections (Attachment) and adds the Director of Planning and Marketing to the list of employees designated to speak on behalf of MST in the absence of or by direction of the General Manager/CEO or Assistant General Manager. Other minor corrections are made to reflect the current positions designated to speak with the news media on behalf of MST. The Policy has also been reformatted to be consistent with a new tool used by MST to manage policies and standard operating procedures called Zavanta.

Attachment: Revised Media Relations Policy

PREPARED BY :  REVIEWED BY:   
Lisa Rheinheimer Carl G. Sedoryk

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# MEDIA RELATIONS POLICY

(Adopted 9/8/2014)

## MST Board Adopted Policy

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### *General Description*

#### **Description:**

This Media Relations Policy covers media relations between Monterey-Salinas Transit (MST) spokespersons and news media outlets.

#### **Objective Purpose:**

To ensure all communications between the media and MST are consistent and handled in a professional manner, effectively and accurately informing Monterey County residents, stakeholders, businesses, and customers of MST-related activities.

MST recognizes that one of the most effective and quickest ways to communicate MST policies and activities to its stakeholders is by working in partnership with the news media.

Inquiries from the news media are given a high priority by Monterey-Salinas Transit and should be responded to as quickly and efficiently as possible. Every effort should be made to meet media deadlines and to ensure that all information released is accurate.

#### **Scope:**

All Employees

#### **Responsibility:**

As Needed

As Required by MST Business Needs

Assistant General Manager

Director of Planning and Marketing

General Manager/CEO

Marketing Manager

When Appropriate to Accomplish MST Mission

The MST Board of Directors sets policy.

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## Requirements

### Approvals:

All Press Releases are issued by the Marketing Manager or Director of Planning and Marketing and must be reviewed by the General Manager/CEO or his/her designate.

### Relevant Knowledge:

In order to comply with this policy you should know:

Federal, state and local laws and regulations

Standard company policies

Public relations and communications

Effective communication and public relations/communications.

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## Policy Provisions

### ① MST Spokespersons

#### *Description:*

The designated spokespersons for all media relations are the General Manager/CEO and Assistant General Manager ~~of Finance and Administration~~. In the event that the General Manager/CEO and Assistant General Manager ~~of Finance and Administration~~ are unavailable, the Director of Planning and Marketing or Marketing Manager are designated to speak on behalf of MST.

#### *Scope and Exceptions:*

All MST employees should notify the General Manager/CEO or his/her designate about media inquiries. Because the media often works on tight deadlines, it is important that all departments respond as soon as possible when the General Manager/CEO requests departmental information or assigns a spokesperson ~~for to~~ the media inquiry.

### ② MST-Initiated Information

#### *Description:*

Most proactive media contact is initiated through the Marketing Manager. This includes issuing press releases and media advisories, and personal contacts with reporters and editors for coverage.

#### Scope and Exceptions:

Other departments should not initiate news media contacts.

### ③ Crisis or Emergency Issues

#### Description:

Crisis or emergency issues may arise due to natural disaster or a manmade crisis. Responding to a crisis or emergency in a timely manner is important for the health and welfare of MST's policy makers, stakeholders, and the general public. In the event of a major crisis or emergency, the General Manager/CEO designates a Public Information Officer as a main point of contact between MST and the media.

#### Scope and Exceptions:

During a crisis or major emergency (natural or manmade disaster), the procedure for handling the media is highlighted in the District's "Continuity of Operations Plan for Disasters and other Emergencies" and in the "News Media: MST Media Relations & Guidelines – Standard Operating Procedure (SOP)." The Plan and SOP call for the General Manager/CEO to designate the District's Public Information Officer as the main point of contact for the media.

### ④ Media Inquiries

#### Description:

Media inquiries received by other MST staff should be referred immediately to the Office of the General Manager/CEO and/or the Assistant General Manager ~~of Finance and Administration~~. An appropriate response to the media would be, "I'm sorry I don't have the full information regarding that issue. I will give your request to the General Manager/CEO who will respond to you as soon as he/she is available." ~~Please~~ Obtain the reporter's name, contact information, topic or question, and deadline.

#### Scope and Exceptions:

##### Additional Guidance

Any employee who speaks to the media is responsible for what he/she says. District employees should understand that their comments on policies and other public issues will be interpreted as District's point of view. To the public, especially press and media representatives, each employee is the District.

##### Litigation, Personnel, and Election Issues

Generally, the business conducted by MST is public and, therefore, is public information. Inquiries regarding pending litigation, matters involving a significant exposure to litigation and certain personnel-related information are exceptions.

Inquiries regarding pending litigation or exposure to litigation should be referred to the Office of the General Manager/CEO. Inquiries regarding personnel-related information should be referred to the Director of Human Resources.

#### Personal Points of View

It is recognized that all employees have the right to their personal points of view regarding any issue. However, personal points of view may conflict with MST's official policy. Therefore, MST employees who write letters to the editor of any newspaper may not use official MST stationery nor may they send such letters from an MST email address. If an employee chooses to identify himself or herself as an MST employee in any personal letter or email to the editor, he or she must include language which states "The views set forth in this letter do not represent the views of MST, but rather are my personally held opinions." Similar disclaimers must be given if an employee addresses a public meeting, participates in a radio talk show, or is interviewed for a radio or television program unless the employee is officially representing MST. Employees who are representing MST in any of the above formats must identify themselves as an official spokesperson for the District.

#### Quotes by a Board Member

Quotes attributed to a Board member should be cleared with that Board member and ~~for~~ by ~~Designated~~ MST Spokespersons listed above before being provided to the media.

#### Sensitive or Controversial Issues

Television, radio, newspaper or other media inquiries regarding sensitive or controversial issues should always be referred immediately to the Office of the General Manager/CEO and the employee's Department Director who will coordinate a response including designating a spokesperson.

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### **Performance Evaluation**

#### **Desired Outcome:**

Consistent messaging to the news media about MST policies, projects, and services, especially during emergency situations.

#### **Consequences of Policy Violation:**

Disciplinary Action up to and including Termination of Employment

#### **Example Violations:**

Inaccurate and defamatory statements made on behalf of MST to the news media.



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## *Related Documents*

### **Related Documents:**

<b>Document Type:</b>	<b>Document Name:</b>	<b>Document Number:</b>
Procedure	News Media: MST Media Relations & Guidelines	TP-025

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## *Revision Management*

### **Revision History Log:**

<b>Revision #:</b>	<b>Date:</b>	<b>Nature of Change:</b>	<b>Recorded By:</b>
v1.1	2/5/2019 9:56 AM	Adds Director of Planning and Marketing to Policy and conforms with Zavanta format.	Lisa Rheinheimer
v1.0	12/18/2018 9:48 AM	New document	Jeanette Alegar-Rocha

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To: Board of Directors  
From: Hunter Harvath, Assistant General Manager  
Subject: Non-Transit Uses of MST Property Policy

**RECOMMENDATION:**

Approve revised Non-Transit Uses of MST Property Policy.

**FISCAL IMPACT:**

There are negligible fiscal impacts in approving the revised policy.

**POLICY IMPLICATIONS:**

Your Board sets policy matters including the Non-Transit Uses of MST Property Policy. The revisions reflect pragmatic changes needed to implement the Policy.

**DISCUSSION:**

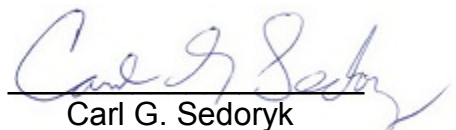
The revised Non-Transit Uses of MST Property Policy makes minor additions and corrections (Attachment) and now addresses concerns over lack of on-site parking at and/or adjacent to MST properties and facilities when third parties submit these requests. In addition, references to specific locations (e.g., Marina Transit Station) have been largely removed, making the policy more universal to all of MST's properties and facilities.

Attachment: Revised Non-Transit Uses of MST Property Policy

PREPARED BY:

  
Hunter Harvath

REVIEWED BY:

  
Carl G. Sedoryk

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## NON-TRANSIT USES OF MST PROPERTY POLICY

Adopted: ~~7/12/2010~~6/11/2012

Revised: ~~6/11/2012~~3/11/2019

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**OBJECTIVE:** To define and administer non-transit activities and uses of MST Property.

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1. **General.** This policy is established to define and administer non-transit activities and uses of MST property.
2. **Scope.** This policy applies to all MST real property, owned or leased, and the facilities contained thereon.
3. **Background.** MST ~~frequently~~occasionally receives requests from private, public and non-profit organizations to conduct business activities and organizational activities on property owned by MST.

In some cases the organization requests to conduct sales and perform services to the public. Recent examples include car wash fundraisers, Drive-up coffee vending kiosk, concessions cart, farmer's market, and fireworks sales. Some organizations request facilities space to store goods and to conduct meetings or training. Examples of this type activity include lease of warehouse space and use of administrative building for CPR training. In the past, MST has made subjective determination on a case-by-case basis whether the activity is appropriate.

Criteria used to approve usage includes: safety, possible conflict with on-going MST operations, ~~and~~liability, and availability of on-site parking on weekdays during business hours. If an activity were approved, MST generally creates a Memorandum of Agreement (MOA) with the organization to define their specific requirements, responsibilities and limitations.

4. ~~**Solicitation.** MST will periodically conduct an open solicitation for non-transit activities and uses.~~
5. **Agreements.** For each activity approved, MST will coordinate an MOA. Specific to that activity, the MOA will discuss in detail, the description of the event, the responsibilities of both MST and the organization, administrative requirements including insurance and fees, prohibited uses and activities, indemnification of MST, specific timeframes, authorized days and hours of operation, resolution of conflicts, and other provisions.
6. **Organization Status.** All organizations, whether private or public, for-profit or not-for-profit, are eligible to request use of MST property and facilities for non-transit purposes. Any requests from not-for-profit activities will require verification of its non-profit status. MST reserves the right to require copies of annual profit and loss statements for the organization.
7. **Prohibited and Restricted Activities.** Inappropriate or illegal activities will not be allowed while on MST property, including, but not limited to, the following:

- Events utilizing false, misleading, libelous or deceptive advertising or statements
- Sale or promotion of unlawful or illegal goods (including drugs), services or activities [as defined by federal, state, and/or local laws](#)
- Implications or declarations of an endorsement by MST of any goods, services or activities
- Sale or promotion of products, including art forms, depicting nudity, obscenity or sexual activity.
- Sale or promotion of tobacco or tobacco related products
- Sale or promotion of wine, liquor, beer, or distilled spirits
- Demonstrating support or opposition of a political affiliation, candidate, issue, or cause
- Demonstrating support or opposition of a religious affiliation, denomination, creed, tenet, or belief
- Activities which are overly graphic, dangerous or sensational to the degree that they are likely to interfere with, mislead, or distract traffic
- Activities which are unable to secure a business license and, if required, a use permit from the applicable jurisdiction.
- Activities for which MST-dictated insurance requirements are not or cannot be met
- Activities that will, in MST's sole determination, interfere with or disrupt transit operations
- Sale or promotion of products or services which will, in MST's sole determination, present ~~a~~ any risk to the public safety, or any risk to MST property and other property, or an unacceptable liability or risk to MST
- Activities that will, in MST's sole determination, require an unacceptable level of MST involvement, coordination and/or resources

**8. Potentially Acceptable Activities.** Subject to the restrictions above, activities which make services or products available for the benefit of the public, for an individual group, or for profit are eligible for consideration, including but not limited to, the following:

- Vendor carts
- Seasonal fairs; holiday crafts
- Farmers market; flea market
- Civic events
- Public meetings
- Meetings of political groups or activist groups, with the condition that no messages, advertising, endorsements or publicity are directed to or visible to the public.

- Meetings of religious groups, with the condition that no messages, advertising, notices or publicity are directed to or visible to the public.
  - ~~Storage of goods, inventory (i.e. if space is available at the Marina Transit Station)~~
  - ~~Employer provided/sponsored shuttle operation and requisite parking (i.e. Marina Transit Station)~~
  - Public District/Service Provider professional training for employees (i.e. Public Safety, Fire, Emergency Medical Services)
  - Community Awareness and Training by Public Agencies/ Public Serve Providers (i.e. CPR, First Aid, displays/demonstrations of equipment)
  - Fundraising activities (i.e. car wash; barbecue sales)
  - Temporary vehicle parking for events off site
  - Specialty sales
9. **Fees.** Once an activity has been approved, that organization will pay a minimum \$100 administrative fee in order to cover the miscellaneous costs of processing the request and, if necessary, coordinating and monitoring the activity or use. The administrative fee will be increased if it appears that MST staff involvement or coordination requirements will be greater than the minimum.

The organizer will bear the full cost of the event or activity. Depending on an organization's status and the nature of the activity, MST reserves the right to exact a fair market rate use fee for use of facilities, space, utilities, and other District property. The use fee is in addition to the administrative fee. Examples of use fees at market rate include 1) reimbursement for MST water and electricity used by a vendor or farmers' market, 2) lease of warehouse space at a competitive market rate ~~at 280 Reservation Road, Marina~~, 3) fees paid in advance to MST for use of custodial crew following an organizational meeting at MST offices, ~~One Ryan Ranch Road, Monterey~~.

10. **Insurance.**

- a. Without limiting an organization's duty to indemnify, the organization shall maintain in effect throughout the term of an Agreement a policy or policies of insurance with the following minimum limits of liability:

Comprehensive General Liability, including but not limited to premises, personal injuries, product, and completed operations, with a combined single limit of not less than \$1,000,000.00 per occurrence and general aggregate limit of not less than \$2,000,000.00; and Comprehensive Automobile Liability covering all motor vehicles, including owned, leased, non-owned, and hired vehicles, used in providing services under this Agreement, with a combined single limit of not less than \$1,000,000.00 per occurrence.

- b. Different activities present different risks and coverage limits would necessarily be higher as the risks increase. Depending on the nature of the activity, higher levels of coverage and/or other insurance policies may be required. MST, when considering a

specific activity request, will determine those levels. The amounts expressed above shall be considered the minimum.

- c. Comprehensive General Liability and Automobile Liability policies shall provide an endorsement naming MST, its officers, agents, and employees as Additional Insureds and shall further provide that such insurance is primary insurance to any insurance or self-insurance maintained by MST and that the insurance of the Additional Insureds shall not be called upon to contribute to a loss covered by the Event Organizer's insurance.
- 11. **Waiver of Requirements.** Waiver of administrative fees, use fees and/or insurance requirements, in full or in part, may be granted by the General Manager/CEO of MST or his designee, when warranted in the best interests of MST.
  - 12. **Non-exclusive Use.** MST reserves the right to authorize more than one activity at the same time on /at the same facility. In such situations, MST expects the respective organizations to coordinate directly with each other. MST will facilitate the co-use of the facility by the respective organizations. The Memorandum Of Agreement (MOA) with the respective organizations will address steps to de-conflict any simultaneous activities. The General Manager/CEO or his designee will determine if simultaneously scheduled activities are competing or are in conflict and will determine the required actions to resolve the schedule conflict with the respective organizers.
  - 13. **Assignment.** Any MOA resulting from an organization's approved request shall not be assigned, sold, sublet or otherwise transferred to another party without the written consent of MST.



**CHARLES AMBRUSTER  
32 YEARS OF SERVICE**

WHEREAS, Charles Armbruster began his career with the Monterey-Salinas Transit in August 1987. During his 32 year career as an MST Coach Operator, Dispatcher, Transit Supervisor, Communications System Supervisor / Manager Charles Armbruster supported MST's Transportation Department and MST customers, and

WHEREAS, Charles Armbruster has been recognized for his outstanding contributions to quality service delivery with multiple certificates, commendations, and awards; and

WHEREAS, Charles Armbruster has been recognized for his commitment to MST's Mission as the Employee of the Month in; September 1994, July 1996, April 1999, September 2010, and as Employee of the Year in 1996 and 1999; and

WHEREAS, after 32 years of service to MST and its customers Charles Armbruster shall retire on March 15, 2019; and

THEREFORE BE IT RESOLVED that the Board of Directors of Monterey-Salinas Transit recognizes and congratulates Charles Armbruster for his excellent support and service to MST and our customers; and

BE IT FURTHER RESOLVED the Board of Directors expresses its sincere gratitude to Charles Armbruster and wishes him success and satisfying retirement.

THE BOARD OF DIRECTORS OF MONTEREY-SALINAS TRANSIT  
PASSED AND ADOPTED RESOLUTION 2019-23 this 11th day of March 2019.

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Mike LeBarre  
Chairperson

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Carl G. Sedoryk  
Secretary

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**JON DOWNING  
18 YEARS OF SERVICE**

WHEREAS, Jon Downing began his career with the Monterey-Salinas Transit in March 2001. During his 18 year career as a MST Coach Operator, Jon Downing supported MST's Transportation Department and MST customers, and

WHEREAS, Jon Downing was recognized for his safety record - accumulating 11 years of safe driving and has received written commendations for his service as a Line Instructor, his attention to safety, and for his superb driving skills; and

WHEREAS, Jon Downing was recognized for his commitment to MST's Mission as the Employee of the Month in June of 2004; and

WHEREAS, after 18 years of service to MST and approximately 458,000 miles behind the wheel serving his customers, Jon Downing retired on March 1, 2019; and

THEREFORE BE IT RESOLVED that the Board of Directors of Monterey-Salinas Transit recognizes and congratulates Jon Downing for his excellent support and service to MST and our customers; and

BE IT FURTHER RESOLVED the Board of Directors expresses its sincere gratitude to Jon Downing and wishes him success and satisfying retirement.

THE BOARD OF DIRECTORS OF MONTEREY-SALINAS TRANSIT  
PASSED AND ADOPTED RESOLUTION this 11th day of March 2019.

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Mike LeBarre  
Chairperson

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Carl G. Sedoryk  
Secretary

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To: Administrative Performance Committee

From: C. Sedoryk, General Manager/CEO

Subject: Change Purchase Threshold Levels

**RECOMMENDATION:**

Adopt changes to purchasing threshold levels as recommended by the Administration Performance Committee and summarized below.

**FISCAL IMPACT:**

None.

**POLICY IMPLICATIONS:**

The Monterey-Salinas Transit (MST) Board sets purchasing threshold levels.

**DISCUSSION:**

Your Board sets purchase authority thresholds for staff to follow and determine the parameters around the solicitation of competitive costs proposals for goods and services consumed by MST to ensure the best value if received while reducing overall administrative burden of the procurement. The current attached Purchasing Thresholds adopted by your board were last updated December 2010 and conform with Federal Transit Administration guidelines and requirements established in the MST District enabling legislation AB644.

Part of the Purchasing Threshold includes the level at which the General Manager/CEO must receive Board approval. The current amount of \$25,000 has not been updated since it was established in August 2002. A recent survey of several transit operators of either comparable size or operating within the central coast region was conducted to determine the current purchasing authority of the respective General Manager/CEO and the results are displayed in the table below:

Transit Operator	FY 17 Budget	GM/CEO Purchase Authority
Monterey Salinas Transit	\$45.9M	\$ 25,000
Santa Cruz METRO	\$46.4M	\$ 50,000
County Connection	\$39.0M	\$100,000
San Joaquin RTD	\$32.0M	\$150,000
Golden Empire Transit	\$27.7M	\$100,000
Santa Barbara MTD	\$24.9M	\$250,000

At their meeting of February 4, 2019 the Board Administration Committee made the following recommendation for adoption by the full board:

- Adopt revised purchasing thresholds as attached requiring Board Of Directors approval for procurements required and change orders for items of \$100,000 and above.
- General Manager/CEO shall provide a summary of purchases over \$50,000 within the monthly General Manager / CEO report .
- A review of the purchasing threshold levels shall be conducted with each GM /CEO employment contract extension.

PREPARED BY:



Carl G. Sedoryk

To: Board of Directors  
From: C. Sedoryk, General Manager/CEO  
Subject: Public Hearing of Bid Protest - DILAX Systems, Inc.

**RECOMMENDATION:**

Conduct public hearing of bid protest by DILAX Systems, Inc. and decide the procurement protest claim made by DILAX Systems, Inc.

**FISCAL IMPACT:**

None.

**POLICY IMPLICATIONS:**

This action is consistent with the Board adopted procurement Protest Procedures (Attachment 1).

**DISCUSSION:**

MST issued an Invitation for Bids (IFB) for an Automated Passenger Counter (APC) system on October 4, 2018. However, during the IFB process, MST staff concluded due to its technical complexity, the project could not be awarded on price alone as required by an IFB. As a result, on November 6, 2018, pursuant to the terms of the IFB, MST rejected all responsive bids, informing the apparent low bidders that “other factors besides pricing” were important.

MST recirculated the project as RFP #19-10 on November 14, 2018. Pursuant to the RFP, MST set forth evaluation and selection process criteria including the qualifications and experience of the firm, features, and benefits of the proposed product, service and warranty and price.

Based on the outcome of the RFP process, MST staff included a Board memo for the January 14, 2019, MST Board Meeting. MST recommended the award of the RFP to Urban Transportation Associates, Inc. (UTA).

On January 11, Dilax Systems Inc. (DILAX) filed a Pre-Award Protest regarding RFP #19-10 pursuant to the MST Formal Protest Procedures (Attachment 2). As a result, MST staff pulled the item from the Board Agenda and determined not to proceed further with the solicitation or award of the contract pending resolution of the Protest.

In accordance with the Protest Procedures, the General Manager on February 19, 2019, provided a written denial to DILAX, responding to each material issue raised in the Protest (Attachment 3). On February 28, 2019, the General Manager / CEO sent a supplemental letter (Attachment 4) providing the timeline for an appeal to the Board regarding the General Manager's response along with a copy of the Formal Protest Procedures.

DILAX has until March 5, 2019 to file a written protest directly with the Board of Directors of MST. The Board may hear and decide the claim or may delegate all or part of its authority to a hearing officer (other than the Purchasing Manager or the General Manager/CEO) or an ad hoc or standing committee of the Board. The Board's decision shall be in writing and shall be forwarded to the protestor, the contractor and all interested parties. The decision of the Board of Directors shall be final. The protestor shall also be informed of any available appeal rights to FTA.

Staff requests the Board hear and decide the claim at its meeting of March 11, 2019, if a timely appeal is received in accordance with MST Protest Procedures.

PREPARED BY:   
Carl G. Sedoryk

Attachment 1: MST Procurement Protest Procedures  
Attachment 2: January 11, 2019 Pre-Award Protest from DILAX.  
Attachment 3: February 19, 2019 letter to DILAX.  
Attachment 4: February 28, 2019 supplemental letter to DILAX.



**MONTEREY-SALINAS TRANSIT DISTRICT (MST)  
FORMAL PROTEST PROCEDURES**

PROCUREMENT PROTESTS

a. Any actual or prospective bidder, or contractor whose direct economic interest would be affected by the award of the contract or the failure to award the contract may file a protest, claim or dispute with MST pursuant to these protest procedures prior to filing any protest, claim or dispute with the Federal Transit Administration (FTA).

Protests, claims or disputes, where applicable, shall be in writing and filed with MST directed to the General Manager/CEO, 19 Upper Ragsdale Drive, Suite 200, Monterey, California 93940

b. Pre-Award Protest

A protest with respect to an invitation for bids or request for proposals shall be submitted in writing prior to the opening of bids or the closing date of proposals, unless the aggrieved person did not know and should not have known of the facts giving rise to such protest prior to bid opening or the closing date for proposals. In that case, the protest shall be submitted within five (5) calendar days after such aggrieved person knows or should have known of the facts giving rise to the protest. The protest shall clearly identify (1) the name, address, and telephone number of the protestor; (2) the grounds for the protest, any and all documentation to support the protest and the relief sought; and (3) steps that have been taken to date in an attempt to correct the alleged problem or concern.

In the event of a complete and timely pre-award protest under this section, the Procurement Manager shall not proceed further with the solicitation or award of the contract prior to five days after the Resolution of the protest, unless MST determines that:

- a. The items to be procured are urgently required;
- b. Delivery or performance will be unduly delayed by failure to make the award promptly; or
- c. Failure to make a prompt award will otherwise cause undue harm to MST or the Federal Government.

MST shall immediately notify FTA in the event it determines that the award is to be made during the five day period following the local protest decision or the pending of a protest.

When a pre-award protest, claim or dispute is received by MST the General Manager/CEO shall review it and prepare a written response to each material issue raised in the protest which shall be forwarded to all interested parties prior to the opening of the bids or proposals. This response shall be considered an addendum to the Request for Proposals or Invitation for Bids.

If the protestor is not satisfied with the General Manager/CEO's Response he/she shall file a written protest directly with the Board of Directors of MST within 5 calendar days after receipt of the General Manager/CEO's response, which shall include the information of the initial protest and the General Manager/CEO's response and any additional information deemed relevant. The Board may hear and decide the claim or may delegate all or part of its authority to a hearing officer (other than the Purchasing Manager or the General Manager/CEO) or an ad hoc or standing committee of the Board. The Board's decision shall be in writing and shall be forwarded to the protestor, the contractor and all interested parties. The decision of the Board of Directors of MST shall be final. The protestor shall also be informed of any available appeal rights to FTA. (See below)

If, prior to the bid opening or the closing date for receipt of proposals, the Purchasing Manager, or the General Manager/CEO, or the Board of Directors, after consultation with MST's legal counsel, determines that a solicitation is in violation of federal, state or local law, then the solicitation shall be canceled or revised to comply with the applicable law.

#### c. Award and Post-Award Protest

A protest, dispute or claim with respect to the award of a contract either through solicitation of bids or proposals or through direct negotiation shall be submitted in writing to the General Manager/CEO of MST for a decision no later than ten (10) calendar days from the notice of award or non-award of the procurement contract. Protests, disputes or claims include, without limitation, disputes arising from the actual selection of the contractor, disputes arising from the criteria utilized to select the contractor, disputes arising under the contract, and those based upon breach of contract, mistake, misrepresentation, or other causes for contract modification or rescission.

All claims shall clearly identify (1) the name, address, and telephone number of the protestor; (2) the grounds for the protest and the relief sought; and (3) the steps that have been taken to date in an attempt to correct the alleged problem or concern. Claims shall also contain all supporting documentation.

The decision of the General Manager/CEO shall be issued within a reasonable time period not to exceed 60 days and shall be in writing, and shall respond to each material issue raised in the protest, and shall be immediately mailed or otherwise furnished to the protester, contractor and all interested parties when completed. The decision shall

state the reasons for the decision; the means to correct any problem or concerns raised, if applicable, and shall inform the protestor of its appeal rights.

Within five calendar days from the date of receipt of the decision of the General Manager/CEO, the protestor shall mail or otherwise deliver a written appeal to the General Manager/CEO for consideration by the Board of Directors of MST. The Board may hear and decide the claim or may delegate all or part of its authority to a hearing officer (other than the Purchasing Manager or the General Manager/CEO) or an ad hoc or standing committee of the Board. The Board shall have 60 days to render a final decision. The Board's decision shall be in writing and shall be forwarded to the Protestor, the Contractor and all interested parties. The decision of the Board of Directors of MST shall be final. The Protestor shall also be informed of any available appeal rights to FTA.

If, after an award, the Purchasing Manager or General Manager/CEO or Board as appropriate, determines that a solicitation or award of a contract was in violation of applicable law, then the following provisions apply:

- (a) If the person awarded the contract has not acted fraudulently or in bad faith:
  - (i) The contract may be ratified and affirmed, provided MST determines that doing so is in the best interests of MST; or
  - (ii) The contract may be terminated and the person awarded the contract shall be compensated for the actual costs reasonably incurred under the contract, plus a reasonable profit, prior to the termination; or
- (b) If the person awarded the contract has acted fraudulently or in bad faith, the contract may be declared null and void or voidable, if the Transit MST determines such action is in the best interests of the Transit MST.

d. FTA Protests

Under certain limited circumstances, and after the protestor has exhausted all administrative protest remedies made available to him/her at MST level, an interested party may protest to the Federal Transit Administration (FTA) the award of a contract pursuant to an FTA grant within five days of the final decision on the protest filed with MST by the protestor or five days after the protestor knows or has reason to know that MST has failed to render a final decision.

FTA's review of any protest will be limited to the following:

- a. FTA will only review protests regarding the alleged failure of MST to have written protest procedures or alleged failure to follow such procedures.

b. Alleged violations on other grounds are under the jurisdiction of the appropriate State or local administrative or judicial authorities. Alleged violations of a specific Federal requirement that provides an applicable complaint procedure shall be submitted and processed in accordance with that Federal regulation. See, e.g., "Buy America Requirements," 49 CFR Part 661 (Section 661.15); "Participation by Minority Business Enterprise in Department of Transportation Programs," 49 CFR Section 23.73.

c. FTA will only review protests submitted by an interested party as defined as a bidder or offerer whose direct economic interest would be affected by the award of the contract or by failure to award the contract.

A protest with the Federal Transit Administration must be filed in accordance with Federal Transit Administration Circular 4220.1E, as periodically updated.

The protest filed with FTA shall:

- (a) Include the name and address of the protestor.
- (b) Identify the grantee, project number and the number of the contract solicitation.
- (c) Contain a statement of the grounds for protest and any supporting documentation. This should detail the alleged failure to follow protest procedures or the alleged failure to have procedures. (The grounds for protest filed with FTA must be fully supported to the extent feasible. Additional materials in support of an initial protest will only be considered if authorized by the FTA regulations.)
- (d) Include a copy of the protest filed with the Transit MST, and a copy of MST's decision, if any.
- (e) Indicate the ruling or relief desired from FTA.
- (f) A copy of such protest shall be filed with the General Manager/CEO of MST.

MST shall not make an award during a properly filed protest with the Federal Transit Administration unless MST determines that:

- (a) The items to be procured are urgently required;
- (b) Delivery or performance will be unduly delayed by failure to make the award promptly;
- (c) Failure to make prompt award will otherwise cause undue harm to MST or the Federal Government.

The Transit MST shall notify the Contractor of the protest if award has been made or, if no award has been made, will notify all interested parties. The Transit MST shall

instruct all who receive such notice that they may communicate further directly with FTA.

When a protest, claim or dispute has been filed with FTA, the Transit MST shall submit the following information not later than 10 days after receipt of notification by FTA of the protest.

1. A copy of MST's protest procedure;
2. A description of the process followed concerning the protestor's protest; and
3. Any supporting documentation.

The protestor must submit any comments on MST's submission not later than ten days after the protestor's receipt of MST's submission.

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Mr. Carl Sedoryk  
General Manager  
Monterey Salinas Transit  
19 Upper Ragsdale Drive, Suite 200  
Monterey, CA 93940

DILAX Systems Inc.  
6 Desaulniers, Suite 406  
Saint Lambert, QC J4P 1L3  
Canada

T +1 450 358 3898  
F +1 450 358 1124  
www.dilax.com  
info@dilax.com

January 11, 2019

Ref: RFP# 19-10 Automatic Passenger Counter System

***Via Electronic Mail and FedEx***

Dear Sir,

This is a Pre-Award Protest regarding RFP# 19-10, submitted within five (5) calendar days of our becoming aware of the facts giving rise to the Protest, namely the posting of the Agenda for the January 14 board meeting (the "Agenda") on your agency's website.

A) Name, address, and telephone number of the protestor:

Alexander Okapuu  
DILAX Systems Inc.  
6 Desaulniers, Suite 406  
Saint Lambert, QC J4P 1L3  
Canada  
450-358-3898

B) Grounds for the protest:

***False or Misleading Statements in the Board Meeting Agenda***

It is stated the Agenda that "staff conducted meetings with Dilax and UTA staff and customers prior to finalizing its recommendation to your Board. Based on the feedback from Dilax customers and from key MST staff who met with Dilax personnel, significant concerns were raised that Dilax would not meet our objectives based substantially on issues such as lack of transit focus and experience with NTD reporting."

The underlined points are addressed in the following:

1) DILAX was never contacted with regards to RFP# 19-10, nor were any meetings conducted.

If DILAX was not contacted by your staff, then the statement above is false, and cannot be used to make a determination for the Board recommendation.

2) The references we provided (section 2.6 of our technical proposal) confirmed to us that they had not been contacted by MST staff.

If the references provided were not verified, then no feedback would have been provided, and thus it is not clear how any concerns may have been raised. Clearly, there is also no place for such statements in the Board recommendation.

3) DILAX does not lack transit focus.

DILAX has been in business for over 30 years and has a clear focus on Automatic Passenger Counting and public transit. There are over 70 transit agencies in the United States alone who use our products, not to mention



numerous others in North America, Europe and elsewhere. The blatantly false statement has no place in the Board recommendation.

4) NTD Reporting is the Agency's responsibility.

The process to get FTA approval for the use of APC systems to report ridership is the responsibility of the transit agency. An APC vendor can guide the agency on the process, but there is no such thing as an "FTA Certified" APC system.

DILAX previously provided contact information for a US-based certified statistician, Dr. Peter Furth, and there was ample communication between your staff, DILAX and him, to determine what would be required. Dr. Furth has years of experience in public transit reporting, statistics, and particularly in preparation of the required benchmarking, maintenance and sampling plans and statistical substantiation for the National Transit Database.

Any suggestion that this approach is inadequate is clearly insulting to Dr. Furth.

***Cancelled IFB and Preference Shown for One Vendor***

As you know, the subject RFP was preceded by an IFB 19-09, in which DILAX was the low bidder. The contract award for the IFB was cancelled and the RFP issued instead. Clearly, the results of the IFB were not pleasing to someone at your Agency, while the current results do seem to be.

A further statement is made in the Agenda, regarding installation of the UTA system: "*An additional five (5) will have been installed on the new trolley buses, which will begin service on Memorial Day weekend in May 2019.*"

This is very curious indeed, and we further refer to the attached email message, which we were provided subsequent to the IFB, to determine the timing of that procurement.

How is it that UTA would have received an order for APC systems for the Hometown Trolley buses coincident with the IFB, and before this RFP?

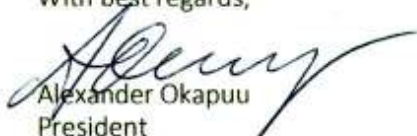
***Technology Demonstration by One Vendor***

A technology demonstration was done by UTA at your agency in early 2018, which involved equipping three buses. Clearly this vendor therefore had unprecedented access to your staff at all levels prior to any supposedly competitive procurement process.

C) Relief sought:

Based on the facts stated above, it is clear that the process by which the Board recommendation was reached was flawed. One vendor was favored over several others. The proposed contract award is not based on a true competitive process. We respectfully request that the Board not proceed with the proposed contract award under these circumstances.

With best regards,

  
Alexander Okapuu  
President





February 19, 2019

*Via Fax and Email*

Alexander Okapuu  
President  
DILAX Systems Inc.  
6 Desaulniers, Suite 406  
Saint Lambert, QC J4P 1L3  
Canada

Re: *RFP# 19-10 Automatic Passenger Counter System*

Dear Mr. Okapuu,

Monterey-Salinas Transit District (MST) received your January 11, 2019 Pre-Award Protest regarding Request for Proposal (RFP) #19-10 (Protest) pursuant to the MST Formal Protest Procedures (Protest Procedures).

DILAX Systems Inc. (DILAX) contends it was made aware of the facts giving rise to the protest by the posting of the January 14, 2019 MST Board of Directors (Board) meeting agenda and submitted the Protest. As a result, MST pulled the item from the Board Agenda, and determined not to proceed further with the solicitation or award of the contract pending resolution of the Protest.

DILAX asserts the following grounds for the protest and requests the Board not proceed with the proposed contract award:

- *False or Misleading Statements in the Board Meeting Agenda*
- *Canceled IFB*
- *Preference Shown for One Vendor*

*Advocating and delivering quality public transportation as a leader within our community and industry.*

**Transit District Members** Monterey County • Carmel-by-the-Sea • Del Rey Oaks • Gonzales • Greenfield • King City • Marina • Monterey  
Pacific Grove • Salinas • Sand City • Seaside • Soledad **Administrative Offices** 19 Upper Ragsdale Drive, Suite 200 Monterey, CA 93940

PH 1-888-MST-BUS1 (1-888-678-2871) • FAX (831) 899-3954 • WEB [mst.org](http://mst.org)

Per the Protest Procedures, I will respond to each of the allegations as set forth below.

***Board Meeting Agenda***

DILAX takes issue with a portion of the Staff Report that provides,

*“... staff conducted meetings with Dilax and UTA staff and customers prior to finalizing its recommendation to your Board. Based on the feedback from Dilax customers and from key MST staff who met with Dilax personnel, significant concerns were raised that Dilax would not meet our objectives based substantially on issues such as lack of transit focus and experience with NTD reporting.”*

Upon receipt of the Protest, MST pulled the staff report and recommendation from the Board Agenda; it was removed from Board consideration. Nonetheless, I will address each allegation raised.

1) DILAX alleges it was never contacted with regards to RFP# 19-10, nor were any meetings conducted.

**MST Response:**

MST issued an Invitation for Bids (IFB) on October 4, 2018 for an Automated Passenger Counter (APC) system. As part of the IFB process, MST staff met with DILAX staff and customers on numerous occasions. MST staff did not require further meetings with DILAX.

2) DILAX contends its references were not verified by MST.

**MST Response:**

MST staff met with DILAX staff and customers on numerous occasions during the IFB process. MST received negative reviews from at least one customer regarding DILAX. As a result of those meetings, MST determined it was not necessary to verify references.

3) DILAX contends it does not lack transit focus.

**MST Response:**

MST staff determined that as compared to UTA, DILAX could not meet MST's objectives based on issues such as the extent of transit focus and extent of experience with National Transit Database (NTD) reporting.

4) DILAX contends that NTD Reporting is MST's Responsibility.

**MST Response:**

Ultimately, NTD reporting is MST's responsibility. However, as specified in the RFP and Addendum, MST requires the contractor to provide certification and NTD reporting and expects guidance from the selected consultant in the NTD requirements. Although DILAX provided contact information for a US-based certified statistician (who initially stated he did not do this type of work any longer), DILAX did not establish that it has such resources in-house and such services were not specified in the RFP; MST concluded it would have had to contact separately for such support services.

***Canceled IFB***

MST initially issued an IFB for the APC system. However, during the IFB process, MST staff met with DILAX staff and customers on numerous occasions and determined the project described in the IFB was not confined to installation of a cloud-based system but would also require significant staff oversight, expertise and support. As such, MST concluded the project could not be awarded on price alone. In fact, MST understands APC procurements, due to their complexity and importance of APC-generated information, are typically issued by RFP rather than IFB. As a result, on November 6, 2018, pursuant to the terms of the IFB<sup>1</sup>, MST rejected all responsive bids, informing the apparent low bidders that "other factors besides pricing" were important. Accordingly, MST recirculated the project as RFP #19-10 on November 14, 2018. Pursuant to the RFP, MST set forth evaluation and selection process criteria including the qualifications and experience of the firm, features and benefits of the proposed product, service and warranty and price.<sup>2</sup> Price is to only be considered once the other criteria have been scored and recorded.<sup>3</sup>

On December 18, 2017, MST placed an order with Creative Bus Sales for five Hometown Trolley buses. As part of the order, MST determined to have APC systems installed. Hometown Trolley requested MST specify the APC vendor quickly as the units were on the production line; failure to do so would delay delivery. On October 26, 2018, Hometown Trolley placed an order with UTA for five APC systems. This order was within the General Manager's purchasing authority and was not required to be competitively bid.

***Technology Demonstration by One Vendor***

MST was investigating the use of APC systems and contacted several vendors regarding a demonstration, including DILAX. DILAX requested approximately \$10,000 to perform the

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<sup>1</sup> IFB Section 2, "AWARD" provides "MST reserves the right to postpone the bid opening or to withdraw this invitation at any time without prior notice. Further, MST makes no representations that an agreement will be awarded to any BIDDER responding to this invitation. MST expressly reserves the right to reject any and all bids responding to this invitation without indicating any reasons for such rejection(s)."

<sup>2</sup> RFP Section 1.23, "Selection Criteria and Consideration."

<sup>3</sup> Ibid.

demonstration. UTA, on the other hand, approached MST and offered to provide a complimentary demonstration in February – April 2018, which involved equipping three buses. In October, MST then issued an IFP for the APC systems, which was subsequently determined by staff to an insufficient means to bid the project. As a result, MST issued an RFP.

Per the terms of RFP, MST ranked bid proposers, including UTA and DILAX, based on qualifications and experience of firm, features and benefits of proposed product, and service and warranty. Subsequently, pricing information was factored into the scoring. As a result, UTA was the highest-ranking proposer with a score of 87.25; DILAX was the second highest with a score of 80.25.

As stated in the RFP, MST had the right to conduct further evaluation by interviews and reserved the right to conduct subsequent discussion with finalists.<sup>4</sup> Even though UTA scored higher, due to the discrepancy in the pricing of bids, MST staff contacted other APC customers prior to making a recommendation to the Board. Based on feedback from customers, MST determined UTA was better able to meet its objectives.

For the reasons stated above, MST believes its competitive process for the APC systems was fair and unbiased. The Protest is denied.

Sincerely,



Carl Sedoryk

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<sup>4</sup> RFP Section 1.23.





February 28, 2019

**Via Fax and Email**

Alexander Okapuu  
President  
DILAX Systems Inc.  
6 Desaulniers, Suite 406  
Saint Lambert, QC J4P 1L3  
Canada

Re: *RFP# 19-10 Automatic Passenger Counter System*

Dear Mr. Okapuu,

This correspondence follows Monterey-Salinas Transit District's (MST) February 19, 2019 letter denying your January 11, 2019 Pre-Award Protest regarding Request for Proposal (RFP) #19-10 (Protest) pursuant to the MST Formal Protest Procedures (Protest Procedures).

Pursuant to the Protest Procedures, you have the right to mail or otherwise deliver to me within five calendar days from the date of receipt of this correspondence a written appeal for consideration by the MST Board of Directors. Your appeal must be received no later than **March 5, 2019**. The decision of the Board of Directors shall be final. A copy of the Protest Procedures is attached for your reference.

Sincerely,

A handwritten signature in blue ink that reads "Carl Sedoryk". The signature is fluid and cursive.

Carl Sedoryk

Encl. Protest Procedures

*Advocating and delivering quality public transportation as a leader within our community and industry.*

**Transit District Members** Monterey County • Carmel-by-the-Sea • Del Rey Oaks • Gonzales • Greenfield • King City • Marina • Monterey  
Pacific Grove • Salinas • Sand City • Seaside • Soledad **Administrative Offices** 19 Upper Ragsdale Drive, Suite 200 Monterey, CA 93940

PH 1-888-MST-BUS1 (1-888-678-2871) • FAX (831) 899-3954 • WEB [mst.org](http://mst.org)

MST AGENDA / MARCH 11, 2019 / PAGE 69

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To: Board of Directors

From: Hunter Harvath, Assistant General Manager/CFO

Subject: Award Construction Contract to SJ Ferrante Construction

**RECOMMENDATION:**

Authorize Monterey-Salinas Transit (MST) to award a contract in the amount of \$456,289.00 to SJ Ferrante Builders, Inc. to construct improvements at the Salinas Transit Center.

**FISCAL IMPACT:**

MST has \$456,289.00 available in FY19 capital budget.

**POLICY IMPLICATIONS:**


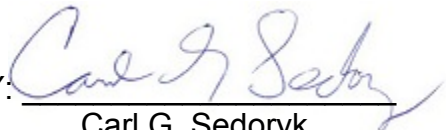
Your Board approves expenditures over \$25,000.

**DISCUSSION:**

The Salinas Transit Center is the main bus transit center in Salinas, California for Monterey-Salinas Transit. It is located at 110 Salinas Street in downtown Salinas, between Central and Lincoln Avenues. The current facility is in need of remodeling and expansion to improve safety and security for employees and the public as well as meet the needs of MST employees and our contractors. The remodel of staff facilities would include new restrooms, an expanded break area, and a public Portland Loo restroom facility that is designed to increase public safety and reduce vandalism. In January 2019, MST issued an Invitation for bid. MST received a robust response with five contractors providing bids. The results are listed below. MST reviewed the bids for responsiveness and responsibility and found all contractors to meet our criteria. The lowest bid was received from SJ Ferrante Builders, Inc.

Contractor	Bid Price
<b>SJ Ferrante Builders, Inc.</b>	\$ 456,289.00
William Thayer Construction, Inc.	\$ 497,253.00
Harry Williams Construction	\$ 556,555.00
SSB Construction	\$ 679,634.00
Avila Construction	\$ 711,000.00

Approval of this item authorizes staff to finalize a contract with SJ Ferrante Construction in the amount of \$456,289.00 for the remodel and expansion of MST's Salinas Transit Center.

PREPARED BY:  REVIEWED BY:   
Hunter Harvath Carl G. Sedoryk



To: Board of Directors

From: Michelle Muller Overmeyer, Grants Analyst

Subject: Low Carbon Transit Operations Program (LCTOP) FY 18/19 Allocation

**RECOMMENDATIONS:**

Approve Resolution 2019-25 authorizing the certifications and assurances, authorized agent forms and execution of the LCTOP projects for FY 18/19.

**FISCAL IMPACT:**

Up to \$1,088,241 in LCTOP funds would be used to:

- provide free transit fares on select routes in Salinas on weekends and select holidays
- distribute a set number of summer youth passes
- provide free fares for Hartnell College students
- purchase and install a mobile fare payment system
- reserve funds for a future electric bus.

**POLICY IMPLICATIONS:**

The terms of the LCTOP require that your Board authorize the filing of the grant application requesting up to \$1,088,241 from the California Department of Transportation. In addition, your Board is responsible for changes to the MST fare structure. Initiating a free fare promotion for Hartnell College Students and continuing free fares on Lines 41, 42, 44, 45 and 49 on weekends for an additional twelve months would constitute temporary changes in fare structure and, thus, would require approval by your Board.

**DISCUSSION:**

Assembly Bill 32 (AB 32), the California Global Warming Solicitations Act of 2006, took a long-term, comprehensive approach to address climate change and its effects on the environment and natural resources. AB 32 requires California to reduce greenhouse gases to 1990 levels by 2020 and to maintain and continue reductions beyond 2020. The California Air Resources Board was directed to be the lead agency to implement the law. The California Air Resources Board and several other State and local agencies have implemented numerous regulations and programs to reduce emissions to meet these goals.

A key element in the State's emission reduction strategy, the Cap-and-Trade program places a limit, or cap, on greenhouse gas emissions by issuing a limited number of tradable permits (called allowances). A portion of these allowances can be purchased from the State at a quarterly auction, thereby generating proceeds, which are deposited in the State's Greenhouse Gas Reduction Fund. The Legislature then appropriates these funds to various programs that coordinate transportation and land use to encourage more sustainable communities.

In 2012, Senate Bill 535 (SB 535) was passed requiring Greenhouse Gas Reduction Fund investments in disadvantaged communities as defined by the California Environmental Protection Agency (CalEPA). CalEPA utilized the California Communities Environmental Health Screening Tool to assess all census tracts in California to identify the areas disproportionately burdened by and vulnerable to multiple sources of pollution. In Monterey County, the designated disadvantaged communities are located in portions of Salinas, Marina, and Pajaro.

LCTOP is one of several programs that are part of the Transit, Affordable Housing, and Sustainable Communities Program established by SB 862 in 2014. The LCTOP draws from the Greenhouse Gas Reduction Fund to provide operating and capital assistance for transit agencies to reduce greenhouse gas emissions and improve mobility, with a priority on serving disadvantaged communities. For transit agencies with state-designated disadvantaged communities, at least 50% of the annual allocation must be expended on projects that provide direct, meaningful and assured benefits to those communities. In 2016, Assembly Bill 1550 (AB 1550) provided additional statewide requirements for LCTOP expenditures within low-income communities.

Complying with the strict definition of "disadvantaged communities" and the requirements of the above-mentioned legislation, MST has developed several successful local projects with LCTOP funds over the last four allocations. For example, MST was able to start offering free weekend fares in Salinas and to purchase an electric bus that is now in operation.

Now in the fifth year of LCTOP allocations, and with a larger funding allocation than in past years, MST would be requesting funds for the following projects:

- Approximately \$500,000 to continue free transit fares on Lines 41, 42, 44, 45 and 49 in Salinas on weekends.
- Approximately \$22,800 to issue 600 summer youth passes, half of which would be distributed for free to residents of local designated disadvantaged communities. The other half of the summer youth passes would be available to residents of other areas of the county, also at no charge.

- Approximately \$100,000 to offer free fares for Hartnell students boarding anywhere in MST's service area.
- Approximately \$400,000 to purchase and install a mobile fare payment system on all fixed route and paratransit buses.
- Approximately \$65,441 to be rolled over and combined with future grant funding to purchase another electric bus.

To receive these LCTOP funds your Board must approve the attached resolution, which authorizes the General Manager/CEO to execute all required documents.

Attachments: Resolution 2019-25

PREPARED BY  REVIEWED BY   
Michelle Overmeyer Carl G. Sedoryk

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## **RESOLUTION 2019-25**

### **AUTHORIZATION FOR THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES AND AUTHORIZED AGENT FORMS FOR THE LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP) FOR THE FOLLOWING PROJECTS:**

**FREE WEEKEND FARES IN SALINAS \$500,000**

**SUMMER YOUTH PASSES \$22,800**

**FREE FARES FOR HARTNELL COLLEGE STUDENTS \$100,000**

**MOBILE FARE PAYMENT SYSTEM \$400,000**

**MONTEREY COUNTY ELECTRIC BUS \$65,441**

WHEREAS, Monterey-Salinas Transit is an eligible project sponsor and may receive state funding from the Low Carbon Transit Operations Program (LCTOP) for transit projects; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to abide by various regulations; and

WHEREAS, Senate Bill 862 (2014) named the Department of Transportation (Department) as the administrative agency for the LCTOP; and

WHEREAS, the Department has developed guidelines for the purpose of administering and distributing LCTOP funds to eligible project sponsors (local agencies); and

WHEREAS, Monterey-Salinas Transit wishes to delegate authorization to execute these documents and any amendments thereto to Carl G. Sedoryk, the General Manager/CEO, or his designee; and

WHEREAS, Monterey-Salinas Transit wishes to implement the LCTOP projects listed above,

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of Monterey-Salinas Transit that the fund recipient agrees to comply with all conditions and requirements set forth in the Certification and Assurances and the Authorized Agent documents and applicable statutes, regulations and guidelines for all LCTOP funded transit projects.

NOW THEREFORE, BE IT FURTHER RESOLVED that the General Manager/CEO, or its designee, be authorized to execute all required documents of the LCTOP and any amendments thereto with the California Department of Transportation.

NOW THEREFORE, BE IT FURTHER RESOLVED by the Board of Directors of Monterey-Salinas Transit that it hereby authorizes the submittal of the following project nomination(s) and allocation request(s) to the Department in FY 2018-19 LCTOP funds:

	Project 1	Project 2	Project 3	Project 4	Project 5
Project Name:	Free Weekend Fares in Salinas	Summer Youth Passes	Free Fares for Hartnell Students	Mobile Fare Payment System	Monterey County Electric Bus
LCTOP Request:	\$500,000	\$22,800	\$100,000	\$400,000	\$65,441
Description:	Free fares on weekends on transit routes serving DACs in Salinas.	Summer youth passes will be distributed, valid for free rides all summer.	Free fares anywhere on MST's system for Hartnell College students	Equipment to be installed on all fixed route buses, system wide, to allow passengers to purchase fares from smart phones	MST would purchase a full-size electric bus to serve disadvantaged communities.
Contributing Sponsor:	Transportation Agency for Monterey County	Transportation Agency for Monterey County	Transportation Agency for Monterey County	Transportation Agency for Monterey County	Transportation Agency for Monterey County
Benefit to a Priority Population:	DAC	DAC	DAC	DAC	Low Income within 1/2 mile of DAC

PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF MONTEREY-SALINAS TRANSIT this 11th day of March, 2019 by the following vote:

AYES:

NOES:

ABSENT:

To: Board of Directors  
From: Sandra Amorim, Purchasing Manager  
Subject: Authorize the Disposal of up to Twelve (12) Vehicles

**RECOMMENDATIONS:**

Authorize the donation of up to twelve (12) GILLIG buses.

**FISCAL IMPACT:**

These vehicles are estimated to sell at auction for between \$2,000 and \$3,000, depending on market conditions.

**POLICY IMPLICATIONS:**

Your Board approves the retirement and sale or disposal of vehicles.

**DISCUSSION:**

Monterey-Salinas Transit (MST) received a request from the Executive Director of the Napa Valley Transit Authority (NVTA) for any 40-foot buses that MST may have available. NVTA has a significant bus shortage due to fires that have beset their local area and some accidents that have rendered vehicles unusable.

MST's currently has nine model year 2002 GILLIG Low floor and 3 model 2003 commuter diesel buses available for donation. These vehicles have recently been retired and decommissioned. Vehicles are donated "*as is*" and *are not repaired by MST*.

MST's vehicle retirement policy is based on FTA and Caltrans guidelines. Buses are eligible for retirement at 12 years/500,000 miles; mini buses at 5 years/150,000 miles; light duty vehicles/sedans at 7 years/125,000 miles and heavy duty trucks at 10 Years. Vehicles are retired earlier based on condition, operating costs, or failure to meet emission requirements.

The following vehicles are available for donation/disposal:

Model year	Manufacturer	Equipment description	Latest meter reading
2002	GILLIG	LOW FLOOR	626,572
2002	GILLIG	LOW FLOOR	649,974
2002	GILLIG	LOW FLOOR	770,129
2002	GILLIG	LOW FLOOR	649,437
2002	GILLIG	LOW FLOOR	645,680
2002	GILLIG	LOW FLOOR	669,600
2002	GILLIG	LOW FLOOR	672,603
2002	GILLIG	LOW FLOOR	641,894
2002	GILLIG	LOW FLOOR	632,057
2002	GILLIG	SUBURBAN	973,574
2003	GILLIG	SUBURBAN	936,610
2003	GILLIG	SUBURBAN	824,904

Approval of this item authorizes staff to dispose/donate/auction the twelve vehicles listed above with an estimated value of \$24,000 to \$36,000. These will be offered to NVTa with your approval. If they decline our offer for all or some of the inventory listed below then MST will auction or donate remaining inventory per MST's donation policy.

PREPARED BY:  REVIEWED BY:   
Sandra Amorim Carl Sedoryk



To: Board of Directors  
From: C. Sedoryk, General Manager/CEO  
Subject: Monthly Report – January 2019

Attached is a summary of monthly performance statistics for the Transportation, Maintenance, and Administration departments for January 2019.

On January 23, I attended a conference on the Impact of Autonomous Vehicle on Public Transportation in Palo Alto, CA and heard updates and presentations regarding the latest advancements in AV technologies.

With the impact of the federal shutdown dominating the news during the month, much time was spent responding to requests for information from federal advocacy groups, congressional staff, and local and national media for information on the impact of the shutdown on small and rural transit operations. On February 15, a federal budget was approved for the remainder of the federal fiscal year through September 30, 2019. Monterey-Salinas Transit (MST) staff has implemented a cash management plan that includes short term loans from private financial institutions and local public partners agencies allowing MST to continue operations until federal operating and capital funds are received sometime in June 2019.

Attachment #1 – Dashboard Performance Statistics January 2019

Attachment #2 – Operations Dept. Report – January 2019

Attachment #3 – Facilities & Maintenance Dept. Report January 2019

Attachment #4 – Administration Dept. Report – January 2019

A complete detail of Monthly Performance Statistics can be viewed within the GM Report at <http://www.mst.org/about-mst/board-of-directors/board-meetings/>

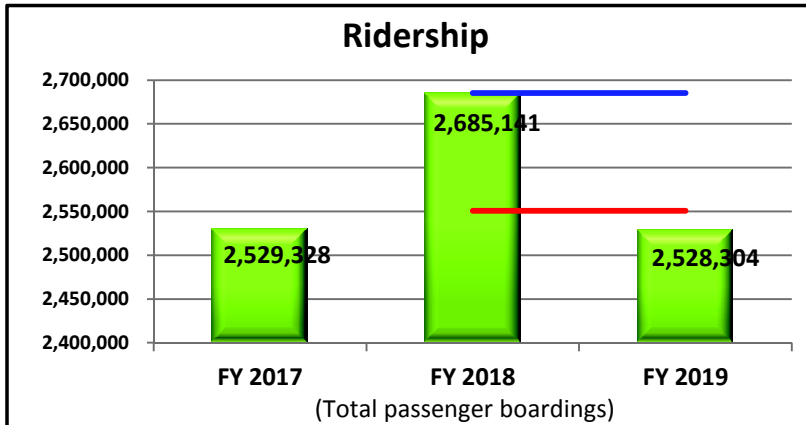
PREPARED BY:   
Carl G. Sedoryk

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# YTD Dashboard Performance Comparative Statistics

## July - January

### Fiscal Years 2017-2019

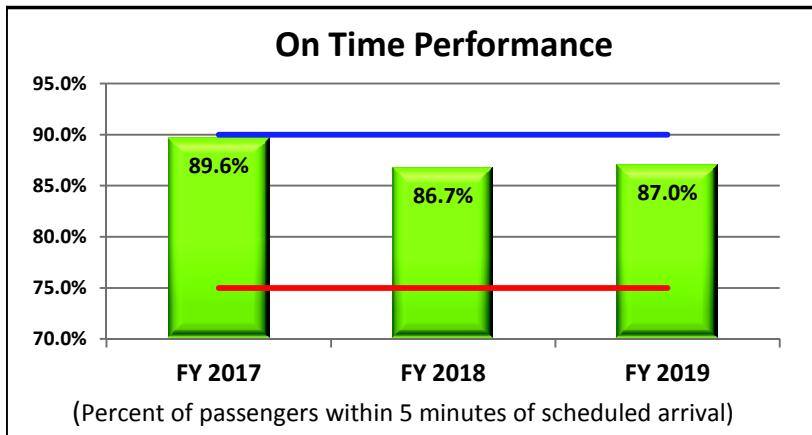
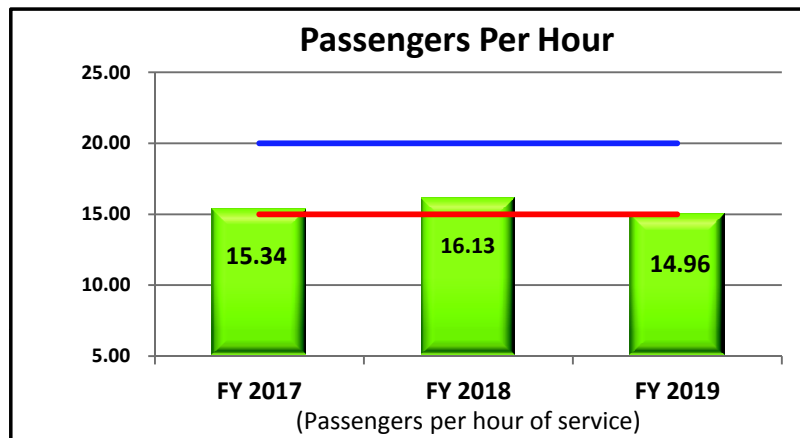


**Goal = 2,685,141 passengers**

**Minimum = 2,550,884 passengers**

**Goal = 20 passengers p/h**

**Minimum = 15 passengers p/h**

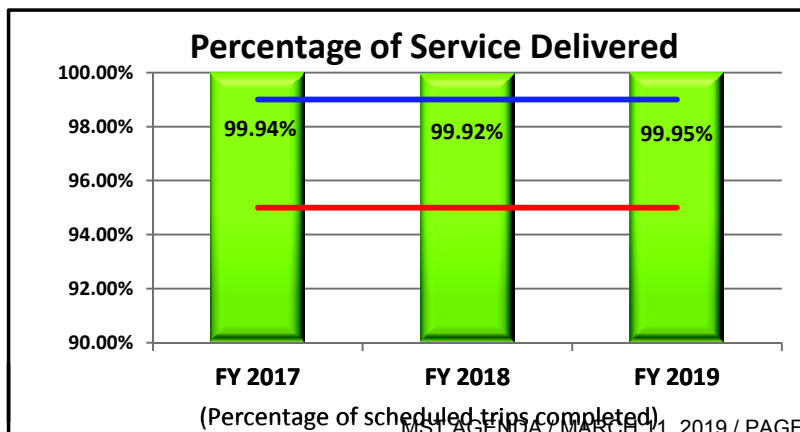


**Goal = 90% on time**

**Minimum = 75% on time**

**Goal = 99% completed**

**Minimum = 95% completed**

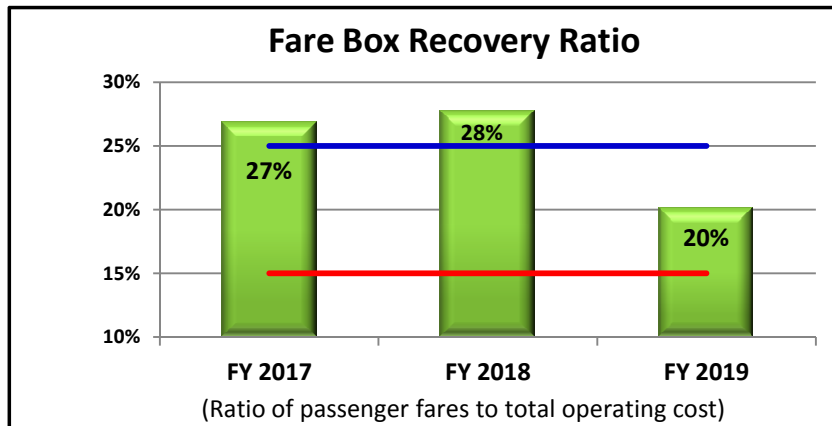


# MST Fixed Route

## YTD Dashboard Performance Comparative Statistics

### July - January

### Fiscal Years 2017-2019

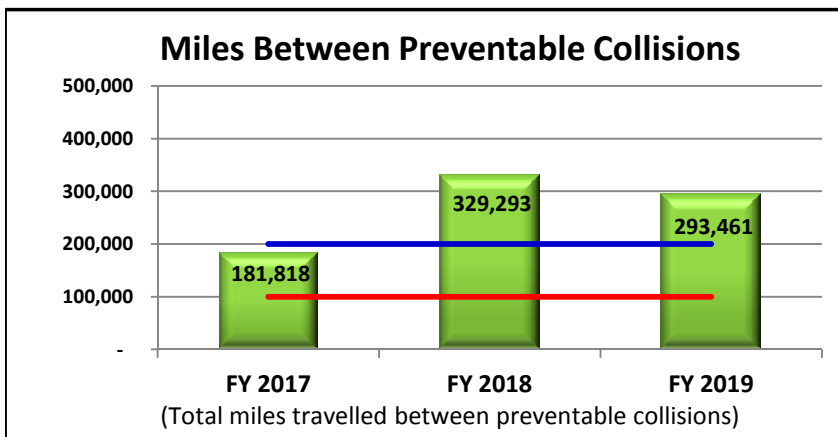
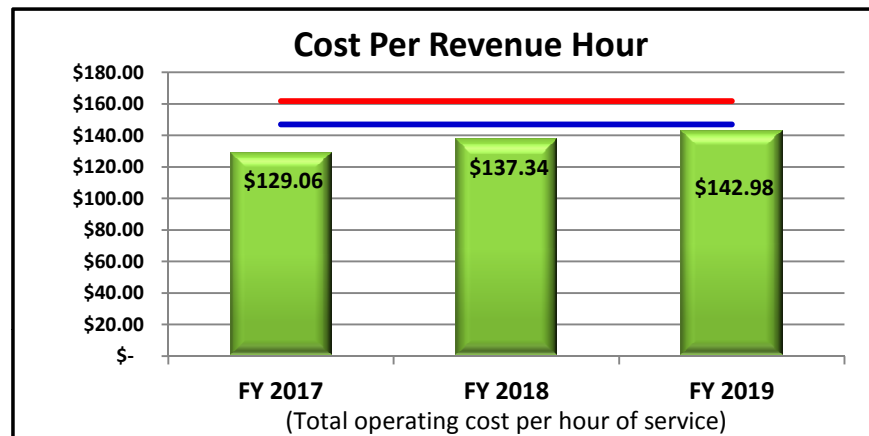


**Goal = 25%**

**Minimum = 15%**

**Goal = \$147.03 per RH**

**Maximum = \$161.73 per RH**

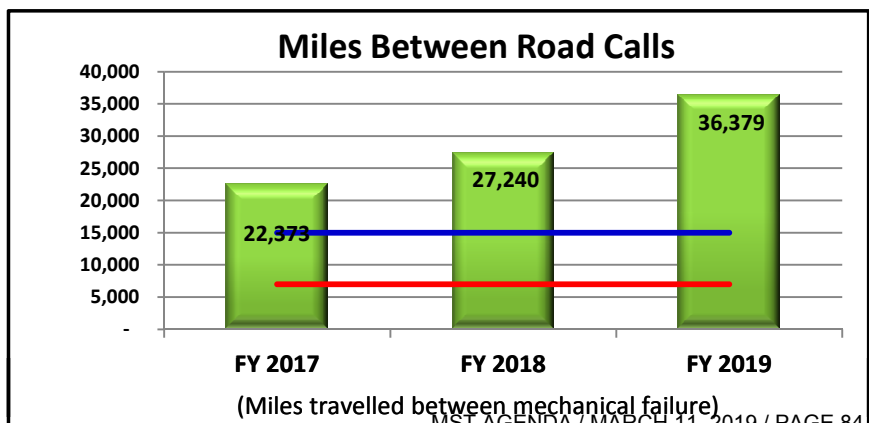


**Goal = 200,000 Miles**

**Minimum = 100,000 Miles**

**Goal = 15,000 Miles**

**Minimum = 7,000 Miles**

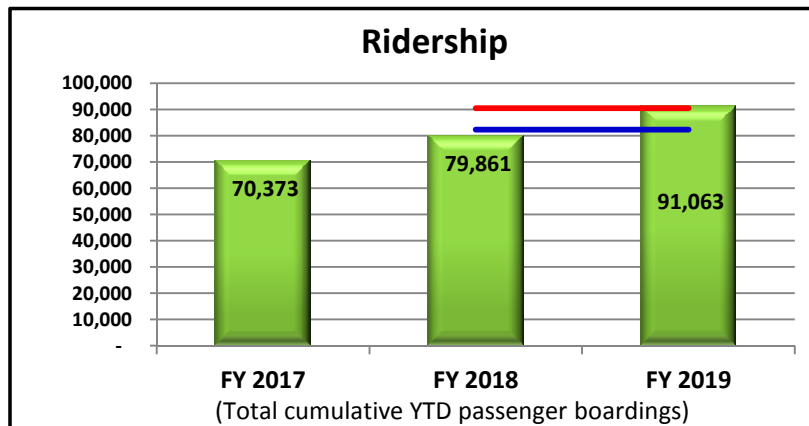


# MST RIDES

## YTD Dashboard Performance Comparative Statistics

### July - January

### Fiscal Years 2017-2019

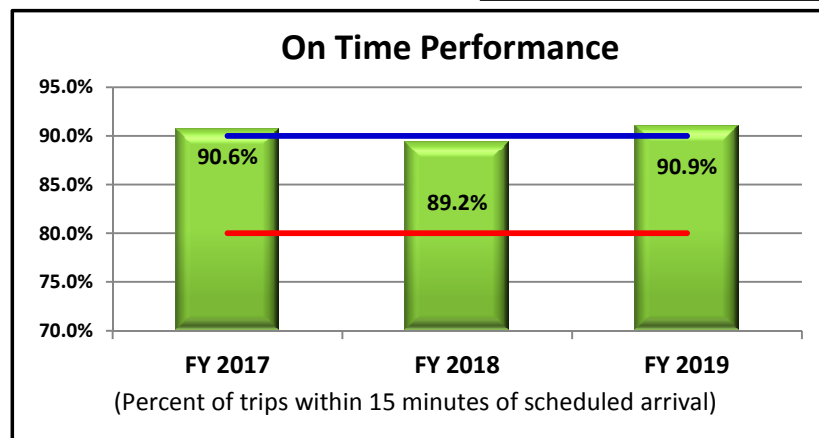
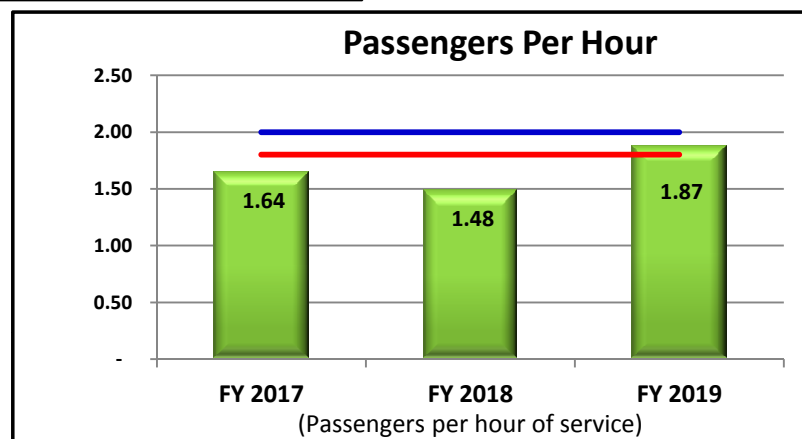


**Goal = 82,257  
passengers**

**Maximum = 90,483  
passengers**

**Goal = 2.0  
passengers p/h**

**Minimum = 1.8  
passengers p/h**

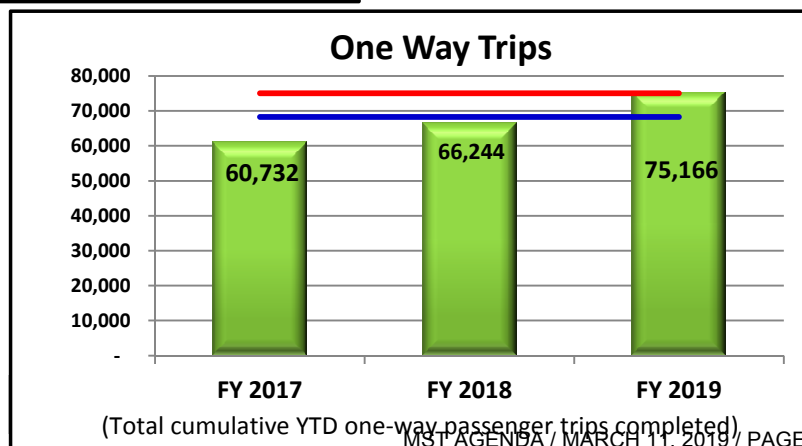


**Goal = 90% on time**

**Minimum = 80% on time**

**Maximum = 75,054  
one-way trips**

**Goal = 68,231  
one-way trips**

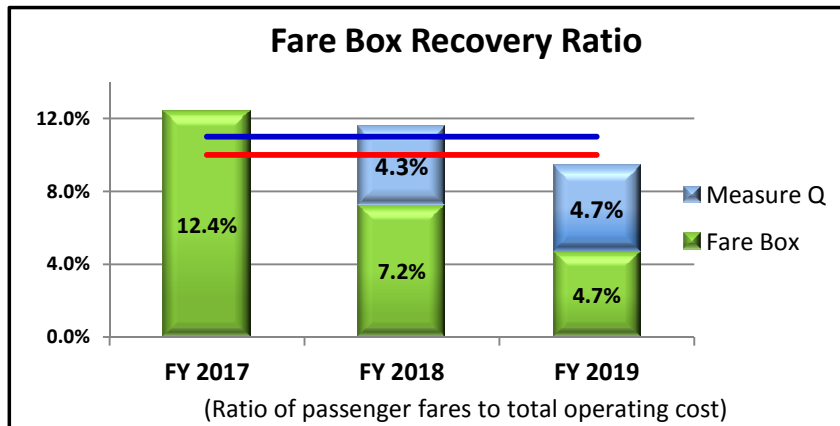


# MST RIDES

## YTD Dashboard Performance Comparative Statistics

### July - January

### Fiscal Years 2017-2019

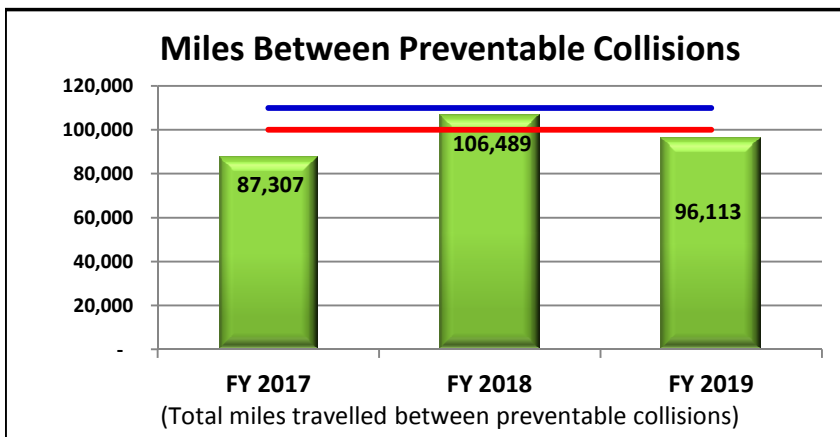
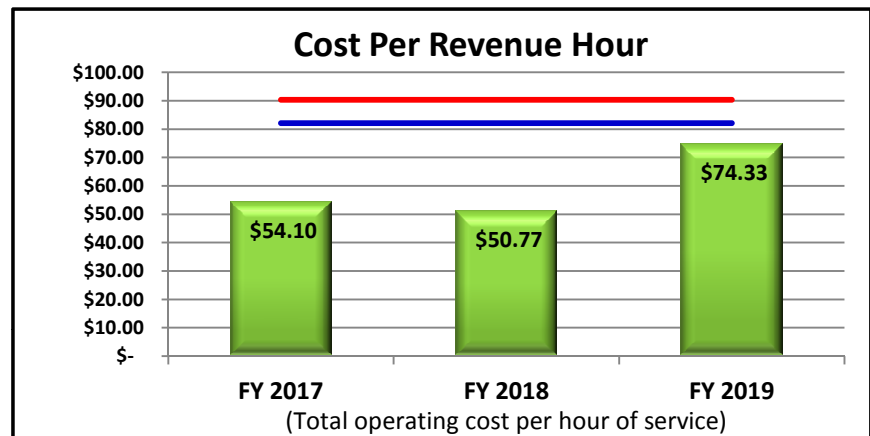


**Goal = 11%**

**Minimum = 10%**

**Goal = \$82.14 per RH**

**Maximum = \$90.35 per RH**

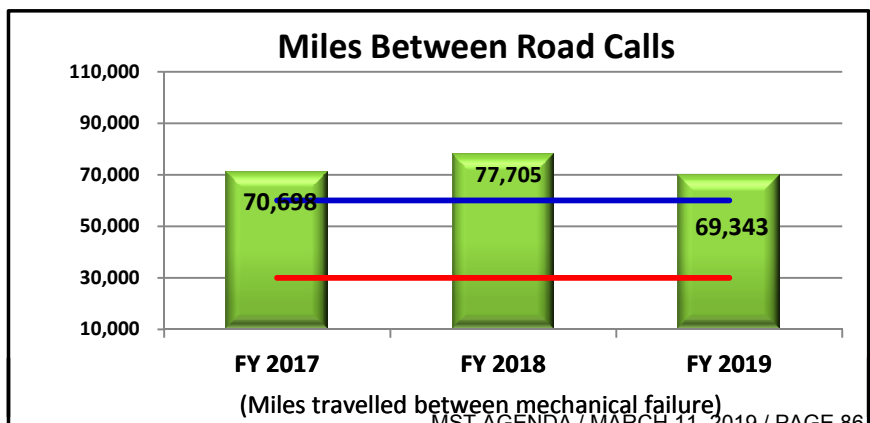


**Goal = 110,000 Miles**

**Minimum = 100,000 Miles**

**Goal = 60,000 Miles**

**Minimum = 30,000 Miles**

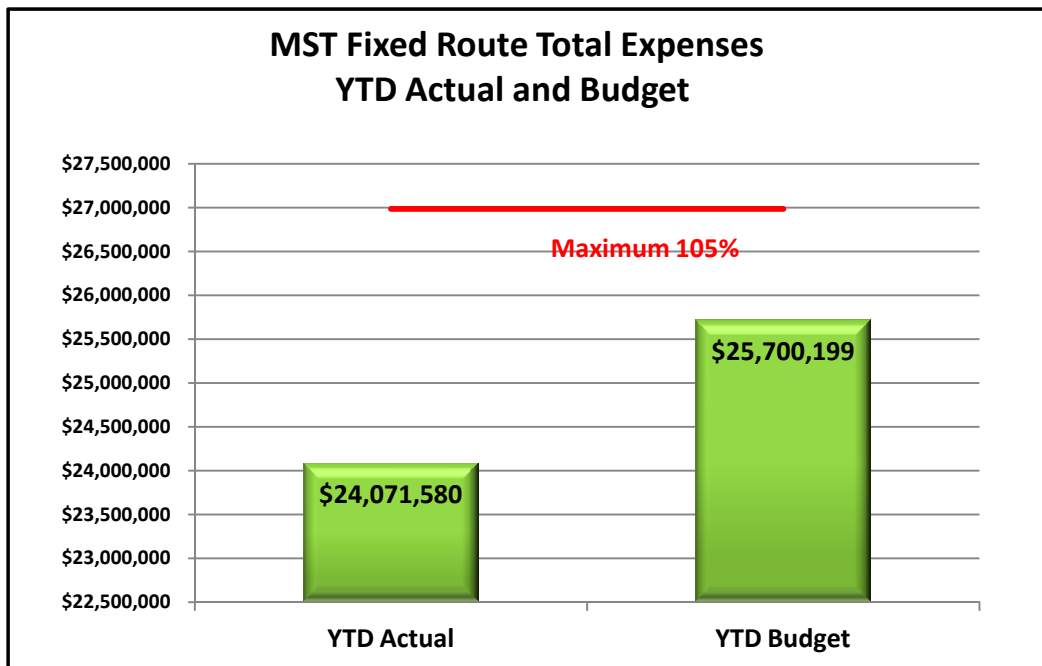
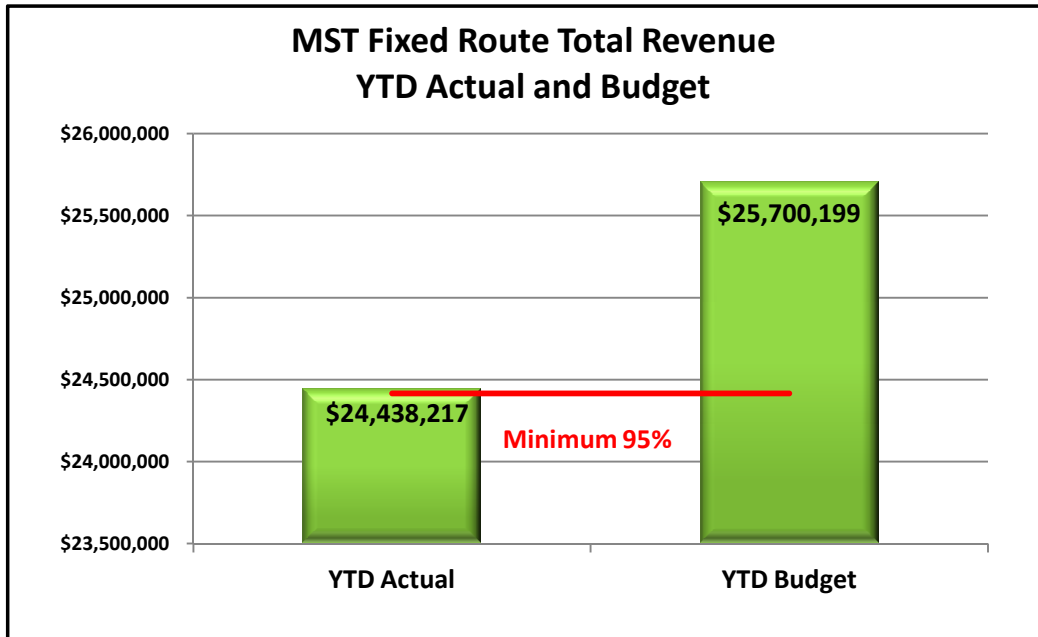


# MST Fixed Route

## Financial Performance Comparative Statistics

### July - January

### Fiscal Years 2017-2019

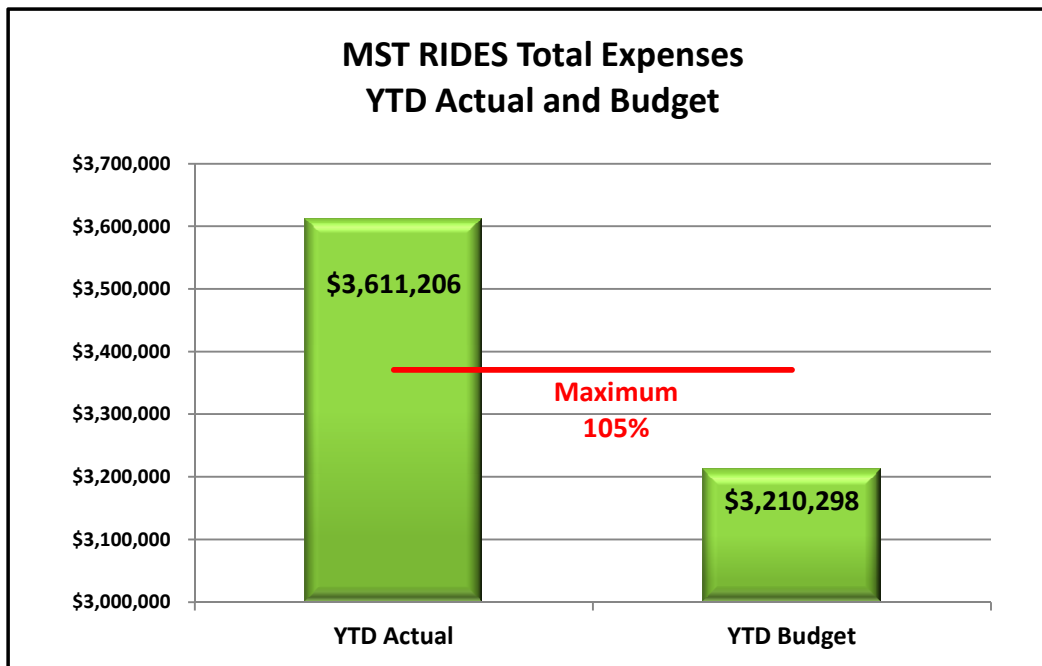
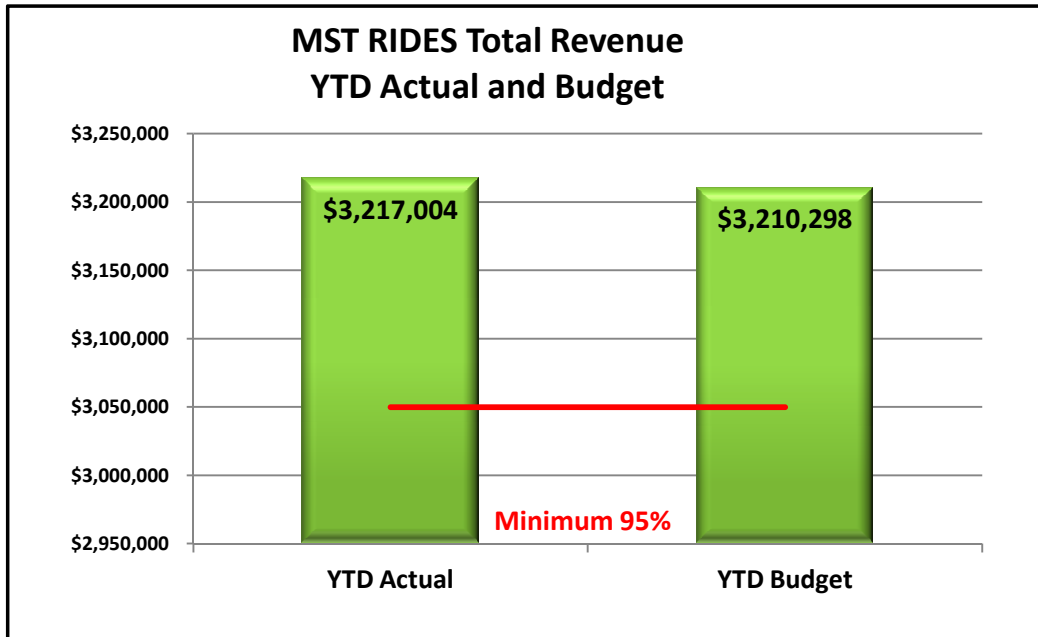


# MST RIDES

## Financial Performance Comparative Statistics

### July - January

### Fiscal Years 2017-2019





February 25, 2019

To: Carl Sedoryk, General Manager / C.E.O.

From: Robert Weber, Chief Operating Officer

Cc: MST Board of Directors

Subject: **Transportation Department Monthly Report – January 2019**

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**FIXED ROUTE BUS OPERATIONS:**

**System-Wide Service: (Fixed Route & On-Call Services):**

Preliminary boarding statistics indicate that ridership of 296,175 in January 2019 represented an 8.7% decrease as compared to January 2018 ridership of 324,349. Fiscal Year to date, passenger boardings have decreased by 5.8%.

Productivity decreased from 10.4% 13.9 passengers per hour in January 2018 to 12.6 passengers per hour in January 2019.

**Supplemental / Special Services:**

None to report

**System-Wide Statistics:**

- Ridership: 296,175
- Vehicle Revenue Hours: 23,461
- Vehicle Revenue Miles: 382, 874
- System Productivity: 12.6 Passengers Per Vehicle Revenue Hour
- One-Way Trips Provided: 32,379

**Time Point Adherence:** Of 136,926 total time-point crossings sampled for the month of January, the Transit Master™ system recorded 18,182 delayed arrivals to MST's published time-points system-wide. This denotes that **86.7%** of all scheduled arrivals at published time-points were on time. (*See MST Fixed-Route Bus ~ On Time Compliance Chart FY 2018 - 2019.*)

**Note:** Service arriving later than **5** minutes beyond the published time point is considered late. The on-time compliance chart, (attached), reflects system-wide "on-time performance" as a percentage to the total number of reported time-point crossings.

**Canceled Trips:** As listed below, there were a total of twelve (12) canceled trips for the month of January for both directly operated and contracted services:

<b>Total Trips Completed: 32,379</b>			
<b>Category</b>	<b>MST</b>	<b>MV</b>	<b>%</b>
Mechanical	1	0	8%
Staffing Shortage	9	0	75%
Passenger Incident	0	1	8%
Road Closure	1	0	8%
<b>Totals</b>	<b>11</b>	<b>1</b>	<b>100%</b>

**Documented Occurrences:** MST Coach Operators are required to complete an occurrence report for any unusual incident that occurs during their workday. The information provided within these reports is used to identify trends, which often drive changes in policy or standard operating procedures. The following is a comparative summary of reported incidents for the month(s) of January 2018 and 2019:

<b>Occurrence Type</b>	<b>January-18</b>	<b>January-19</b>
Collision: MST Involved	4	5
Employee Injury	1	0
Medical Emergency	0	2
Object Hits Coach	0	0
Passenger Conflict	5	4
Passenger Fall	6	5
Passenger Injury	0	0
Other	1	3
Near Miss	0	0
Fuel / fluid Spill	2	0
Unreported Damage	0	0
<b>Totals</b>	<b>19</b>	<b>19</b>

## **CONTRACTED TRANSPORTATION SERVICES:**

### **MST RIDES ADA / ST Paratransit Program:**

Preliminary boarding statistics for the MST RIDES program reflect that for the month of January there were 12,404 passenger boardings. This denotes a 5.87% increase in passenger boardings from January of 2018, (11,716). For the Fiscal year to date – passenger boardings have increased by 14.0% over FY 2018.

- Productivity for January 2019 was 1.70 passengers per hour, decreasing from 1.87 passengers per hour in January 2018.
- For the month of January 2019, 92.1% of all scheduled trips for the MST RIDES program arrived on time, increasing from a January 2018 rate of 90.3%.

## **COMMUNICATIONS CENTER:**

In January, MST's Communications Center summoned public safety agencies on eleven (11) separate occasions to MST's transit vehicles and facilities:

<b>Agency Type</b>	<b>Incident Type</b>	<b>Number Of Responses</b>
Police	Passenger Disturbance / Other	2
EMS	Passenger Medical Emergency / Injury	7
Fire Department	Passenger assistance / Trash Can Fire	2

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## ATTACHMENT 3

February 22, 2019

To: Carl Sedoryk, General Manager/CEO

From: Robert Weber, Chief Operating Officer

Subject: Monthly Maintenance Operations Report: **January 2018**

This report summarizes the performance and major activities of the Maintenance Department as well as fuel and operating expenses during the past month.

<b>FY19 Fuel Budget:</b>	<b>Average Fuel Price January 2018:</b>	<b>Average Fuel Price: FY2019</b>
Diesel: \$3.10	<b>\$2.25</b>	<b>\$2.64</b>
Gasoline: \$3.20	<b>\$2.49</b>	<b>\$2.93</b>

<b>Fiscal Year:</b>	<b>Revenue Fleet: Operating Cost Per Mile:</b>	<b>Revenue Fleet: *Miles Between Major Mechanical Road Calls:</b>
<b>January: 2018</b>	<b>\$0.85</b>	<b>49,002</b>
<b>YTD: FY 2019</b>	<b>\$0.93</b>	<b>30,655</b>
FY 2018	\$0.92	21,943
FY 2017	\$0.89	18,733

**\*Minimum:** 7,000 Miles; **Goal:** 15,000 Miles

### **Department Activities/Comments:**

The MST revenue fleet traveled 49,002 miles between major mechanical road calls during the month of January. The total number of road-call incidents was eleven, of which seven were for major mechanical failures<sup>1</sup> and four were for other mechanical<sup>2</sup> issues. The highest number of major mechanical road calls (18%) were attributed to transmission defects. Fiscal year to date, the miles traveled between major mechanical road calls increased by 25.44% over the same period last year.

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<sup>1</sup> These are failures of a mechanical element of the revenue vehicle that prevents the vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip because actual movement is limited or because of safety concerns.

<sup>2</sup> These are failures of some other mechanical element of the revenue vehicle that, because of local agency policy, prevents the revenue vehicle from completing a scheduled revenue trip or from starting the next scheduled revenue trip even though the vehicle is physically able to continue in revenue service.

In January, the Deputy Chief Operating Officer continued to participate in the development of CalAct RFP for heavy-duty buses. The RFP was recently published which will allow member agencies to take advantage of low-bid pricing for heavy-duty buses without having to go through a full procurement process. This streamlines and reduces the time it typically takes to procure a heavy-duty bus. On January 10th, the CalAct team conducted an inspection of the Gillig Plant, which is a requirement for this procurement.

On January 24th the last of the ZONAR Electronic Vehicle Inspection Reporting system installations were completed on the revenue fleet. As the project moves forward, training will be conducted throughout February and it is anticipated that the system will be fully implemented in early to mid-March.

In January Gillig provided hands-on and classroom maintenance training to MST technicians. During the three-day training session, Gillig representatives offered training on; the new Gillig buses, preventive maintenance, and other related topics.

In January the Department continued recruitment efforts for two Maintenance Technicians and one Utilities Services Worker to fill existing vacancies'.

PREPARED BY:  REVIEWED BY:   
Robert Weber Carl G. Sedoryk

Date: February 26, 2019

To: C. Sedoryk, General Manager/CEO

From: Hunter Harvath, Assistant General Manager; Andrea Williams, General Accounting & Budget Manager; Mark Eccles, Director of Information Technology; Kelly Halcon, Director of Human Resources/Risk Management; Lisa Rheinheimer, Director of Planning and Marketing; Sonia Wills, Customer Service Supervisor.

Subject: **Administration Department Monthly Report**

The following significant events occurred in Administration work groups for the month of January 2019:

### **Human Resources**

A total employment level for January 2019 is summarized as follows:

<b>Positions</b>	<b>Budget FY19</b>	<b>Actual</b>	<b>Difference</b>
Coach Operators F/T	150	136	-14
Coach Operators Limited Duty	0	0	0
CO Occupational Injuries	1	0	-1
Operations Staff	34	32	-2
Maintenance & Facilities	52	51	-1
Administrative (Interns 1 PT)	30	28	-2
<b>Total</b>	<b>267</b>	<b>247</b>	<b>-20</b>

\*Total budget numbers do not include the C/O on Long Term Leave as those numbers are already reflected in the Coach Operators/Trainees number.

<b>November Worker's Compensation Costs</b>	
<i>Indemnity (paid to employees)</i>	\$1,264,824.56
<i>Other (includes Legal)</i>	\$18,323.75
<i>Medical includes Case Mgmt, UR, Rx &amp; PT</i>	\$110,006.71
<i>TPA Administration Fee</i>	\$5,000.00
<i>Excess Insurance</i>	\$8,765.17
<b>Total Expenses</b>	<b>*\$1,406,920.19</b>
<b>Reserves</b>	<b>\$881,952.54</b>
<b>Excess Reserved</b>	<b>(\$53,713.59)</b>
<b># Ending Open Claims</b>	<b>37</b>

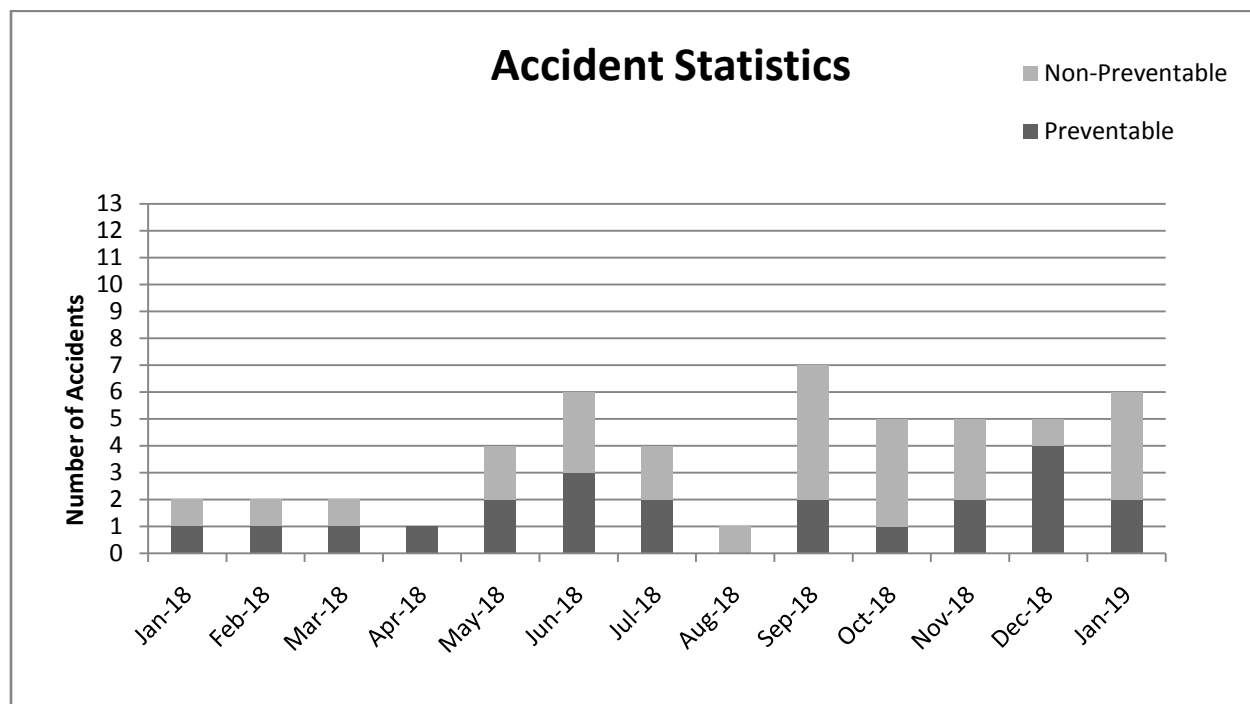
\*The Workers' Compensation costs are higher than normal due to a claim settling through a compromise and release in the month of February.

## Training

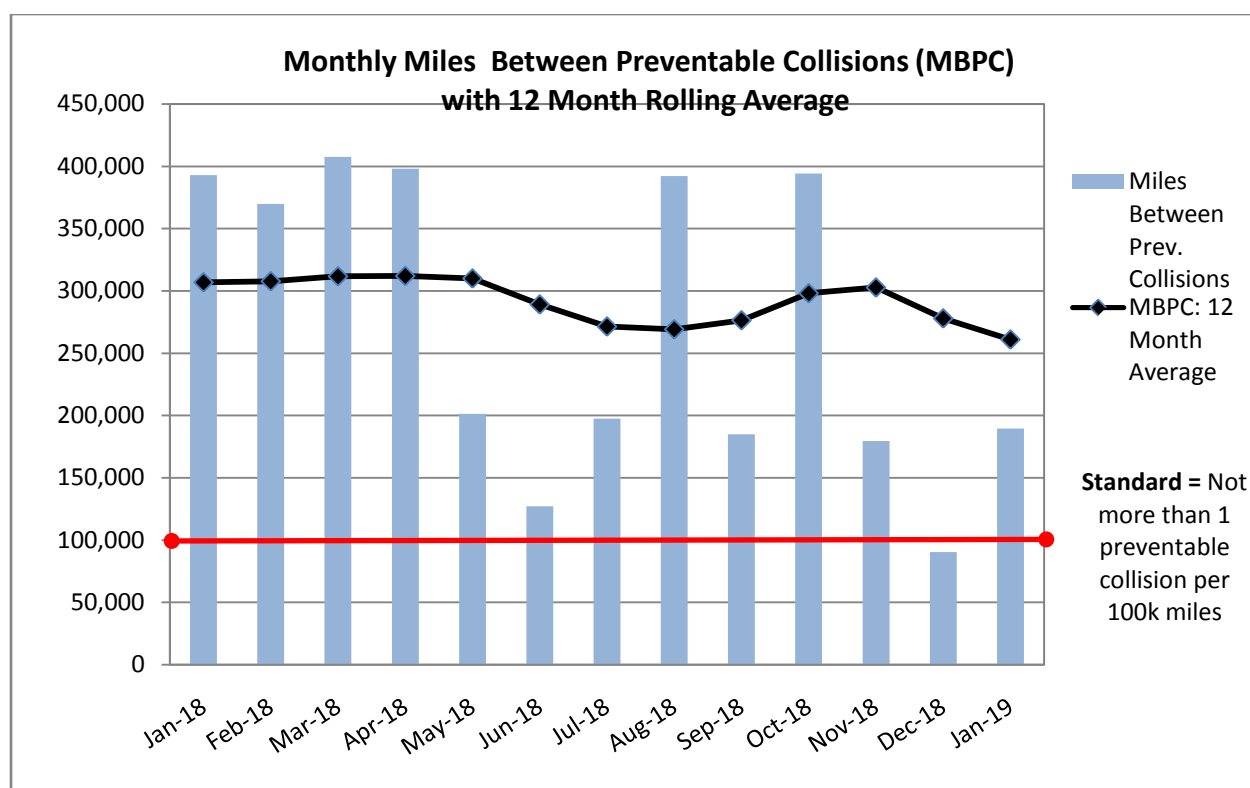
Description	Attendees
Annual Coach Operator Verification of Transit Training	12
Post Accident/Incident Re-training	3
Return to Work Re-training	1
Harassment Prevention Training for Transit Employees	12
AICPA: Accounting, auditing, business management, and organization, personnel and taxes	1
IVES: Forklift trainer certification training	1

## Risk Management

Description	January 2019 Preventable		January 2018 Preventable	
	Yes	No	Yes	No
POV Vehicle hits MST Vehicle	0	4	0	1
MST Preventable Accidents	2	0	1	0
<b>TOTAL</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>1</b>







## Customer Service Update

Service Report Type	MST	Other Provider*	# of valid reports	% of reports received**	January 2018	% of reports received**
ADA Compliance	0	0		0.0%	0	0.0%
Agency Policy	0	0		0.0%	0	0.0%
Bus Stop Amenities	1	0	1	1.8%	2	3.6%
Carried By	0	0		0.0%	0	0.0%
Discriminatory behavior by employee	0	0		0.0%	0	0.0%
Early Departure	0	0		0.0%	1	1.8%
Employee Other	0	0		0.0%	1	1.8%
Facilities Vandalism	0	0		0.0%	0	0.0%
Fare / Transfer Dispute	2	3	2/2*	8.9%	2	3.6%
Full Bus / Left Behind	0	0		0.0%	0	0.0%
Harassment by Employee	0	0		0.0%	0	0.0%
Improper Driving	11	3	4/2*	25.0%	8	14.3%
Improper Employee Conduct	8	1	2/1*	16.1%	3	5.4%
Inaccurate Public Information	1	0		1.8%	0	0.0%
Late Arrival	1	1	1/1*	3.6%	6	10.7%
Late Departure	0	0		0.0%	0	0.0%
No Show	2	1	2/1*	5.4%	1	1.8%

Off Route	0	0		0.0%	1	1.8%
Overcrowding	1	0	1	1.8%	0	0.0%
Passed By	5	0	2	8.9%	9	16.1%
Passenger Conduct	1	0	1	1.8%	0	0.0%
Passenger Injury	1	0		1.8%	2	3.6%
Reasonable Modification	0	1	1*	1.8%	0	0.0%
Request To Add Service	0	0		0.0%	1	1.8%
Request To Reduce Service	0	0		0.0%	0	0.0%
Routing	0	0		0.0%	1	1.8%
Service Animal	0	0		0.0%	0	0.0%
Service Other	5	4	2/3*	16.1%	17	30.4%
Service Schedule	0	2	2*	3.6%	1	1.8%
Taxi	0	0		0.0%	0	0.0%
Title VI Complaint	1	0		1.8%	0	0.0%
Unsafe Conditions	0	0		0.0%	0	0.0%
Vehicle Maintenance	0	0		0.0%	0	0.0%
Subtotal reports	40	16				
Grand Total MST and *Other Provider		56		100.0%	56	100.0%
Employee Compliment	2				3	
Service Compliment					2	

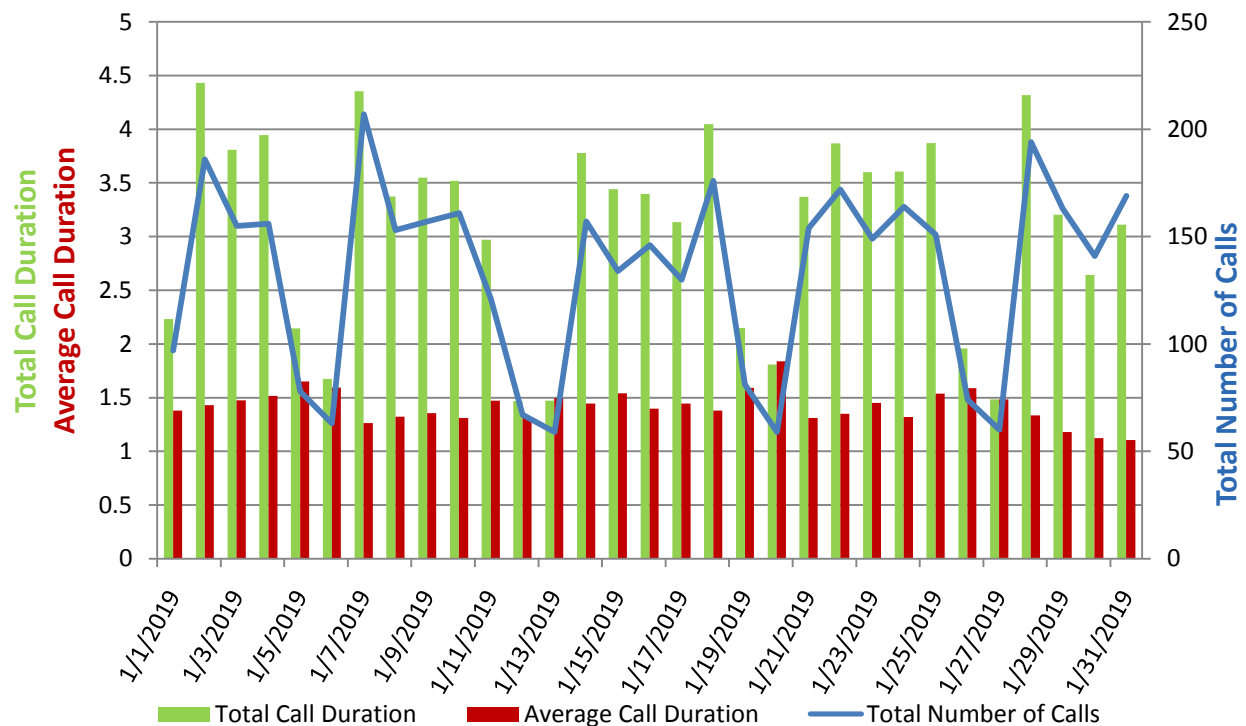
\*Operated by MV Transportation or taxi provider

\*\*Numbers may not add up exactly due to rounding

### Customer Service Call Center Report:

During the month of January 2019, MST received a total of 4,134 calls which lasted a total of 95 hours and 43 minutes. The average call duration was one minute and twenty-three seconds (1:23). MST received the most number of calls on Monday, January 7, at 207. Of the 961 total calls, 23% were routed to RealTime bus arrival information. Call volume was heaviest during the weekdays and lightest during the weekends, although average call duration spikes on the weekends due to the fact that there are no customer service representatives on duty. Rather, customers are attempting to get information from MST's pre-recorded automated system, which appears to take more time.

## Customer Service Call Center Report January 2019



### **Finance Update**

#### **General Accounting/Accounts Payable**

During the month of January, staff processed timely and accurate payments to vendors, recorded appropriate revenues, and prepared monthly financial reporting and analysis. During the month of January, staff prepared and distributed the IRS-required W-2s and 1099 forms as well as compiled and submitted the California State Controllers 2017-18 Transit Operators Financial Transactions Report.

#### **Payroll**

Payroll created multiple new federal and state tax tables to conform with changes in tax rates effective January 1, 2019. A reconciliation of all quarterly returns filed for 2018 was completed to close the year and to generate W-2s for all active and terminated employees by the January 31, 2019 deadline. Routine changes and adjustments to payroll records were maintained along with the filing of all federal, state, and retirement reports and payments on a timely basis.

#### **Grants**

During the month of January, staff attended the Caltrans workshop for the Low Carbon Transit Operations Program (LCTOP). Local, state and federal quarterly reports were submitted by the end of the month.

## **Purchasing**

During the month of January, staff worked on a number of procurement and inventory management objectives. Parts staff worked diligently placing orders and managing inventory levels at CJW and TDA locations. The inventory value for the month of January was \$189,959, which remained the same as the month of December. The increase was due to higher minimum inventory levels set for fast moving items in an effort to support maintenance activities. Staff continues to define and evaluate the best level of inventory to support Maintenance needs. Staff also worked on several large procurements such as Automatic Passenger Counters and Invitation for Bid for the Salinas Transit Center.

## **Information Technology Update**

Staff worked with Operations and Maintenance Department personnel in monitoring and configuring the Intelligence Transportation Systems (ITS) equipment installed on the vehicles. These include the hardware and software for the Trapeze Automatic Vehicle Location (AVL) systems on the fixed-route and Paratransit fleets. Staff monitored the Fixed Route Real-Time bus arrival/departure system.

Staff monitored and configured when needed, the Trapeze Group Enterprise Asset Management (EAM) vehicle maintenance system. Staff continued to support the users of the Serenic Navision accounting/payroll system. Staff monitored the functionality of the customer service database. Staff ensured that the WiFi systems installed on 15 buses used on the commuter routes were working as designed.

Staff worked with Giro and MST staff in the ongoing implementation of the latest modules in the Hastus system.

Staff liaised with the County of Monterey Information Technology Department and Trapeze Group regarding the maintenance of the radio/data communications at the radio tower sites in the MST service area.

Staff monitored and configured the AT&T-managed Voice-Over-Internet Protocol (VOIP) telephone system. Staff worked with AT&T regarding the high-speed data system upgrades at the MST locations.

Staff continued to support other MST staff members as needed, proactively ensuring that all were supported fully with their IT requirements. Staff is working on specifications for hardware upgrade requirements needed over the next six months.

## **Marketing Update – January 2019**

### **MST RealTime Usage:**

<b>2018</b>	<b>Text</b>	<b>RealTime Phone</b>	<b>CSR Phone</b>	<b>App Sessions</b>	<b>App Users</b>
January	5,520	1,193	4,013	99,050	4,711
February	5,536	1,290	4,028	118,088	4,999
March	5,758	961***	4,259	115,521	4,994
April	7,101	751	4,112	129,201	5,451
May	7,551	886	4,146	121,831	4,638
June	7,054	951	4,421	117,730	5,332
July	7,838	1,197	5,204	124,495	5,359
August	10,196	1,195	5,210	161,709	7,164
September	10,159	956	4,423	182,161	7,488
October	9,856	1, 037****	4,509	202,154	7,927
November	8,713	1,334	4,456	160,410	7,622
December	7,412	1,042	4,188	140,110	7,053
<b>2019</b>					
January	7,379	961	4,134	146,475	7,649

\*\*\* The number of MST RealTime phone calls received during the month of March was below average. This irregularity was a result of the RealTime phone system being unavailable due to a lost data connection March 17-20. During these four days, there were no RealTime phone calls received. The average daily number of calls received through the RealTime phone system was 31 during the month of March.

\*\*\*\* Due to an error in the data received through the phone provider, the October data is an estimate based on the total number of calls received through MST's toll-free number.

**Published news stories include the following:** “The Bond Buyer: Federal shutdown freezes transit funding” (*The Bond Buyer*, 1/14/19), “MST, TAMC warn of federal shutdown impacts on projects, operations” (Monterey Herald, 1/22/19), “Monterey County transit projects, funding in limbo as shutdown enters its fifth week” (*Salinas Californian*, 1/22/19), “The federal government shutdown leaves locals out of work and agencies stalling” (*Monterey County Weekly*, 1/24/19), “We’re done:: Shutdown strikes small, midsize and rural transit” (*Politico*, 1/24/19), “Transportation agencies still in limbo pending temporary government re-opening” (*KSBW 8*, 1/25/19), “Shutdown impacts will linger for transportation” (*Politico*, 1/25/19), “Bay Area cities set to host women’s marches on Saturday” (*CBS San Francisco*, 1/28/19), “Continuing federal shutdown strains transit agencies” (*Passenger Transport*, 1/28/19), “City honored with transportation award for Ciclovía Gonzales” (*Gonzales Tribune*, 1/30/19).

**Press releases sent include:** “MST bus service on Martin Luther King Jr. Day” (1/16/19), “Federal shut-down impacts local transportation projects” (1/22/19), “Mobility Services Center ribbon cutting and dedication set for Wednesday, February 6, 2019” (1/30/19).

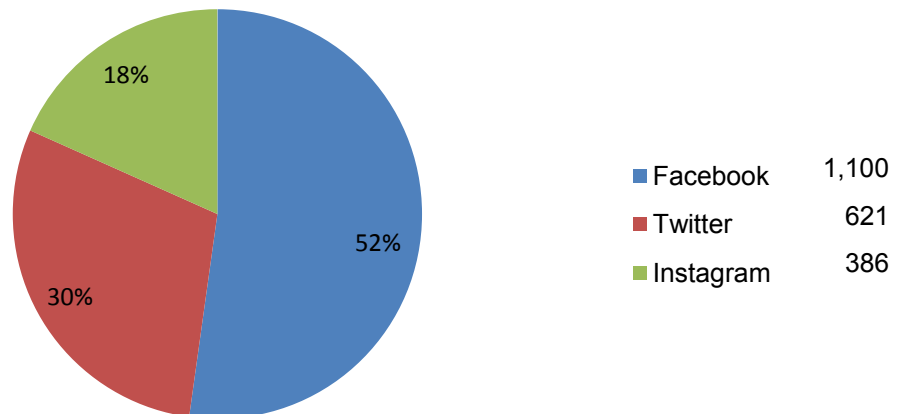
**Community outreach:** staffed information booth at Gathering for Women in Monterey on Wednesdays; staffed information booth for PACT Probation in Salinas; staffed information booth at the Salinas Valley Sustainable Fair & EV Test Drive event in Salinas; staffed information booth at CSUMB.

**Projects:** planned the ribbon-cutting event for the Mobility Services Center in Salinas; worked on a new MST coloring book and a Z-card map.

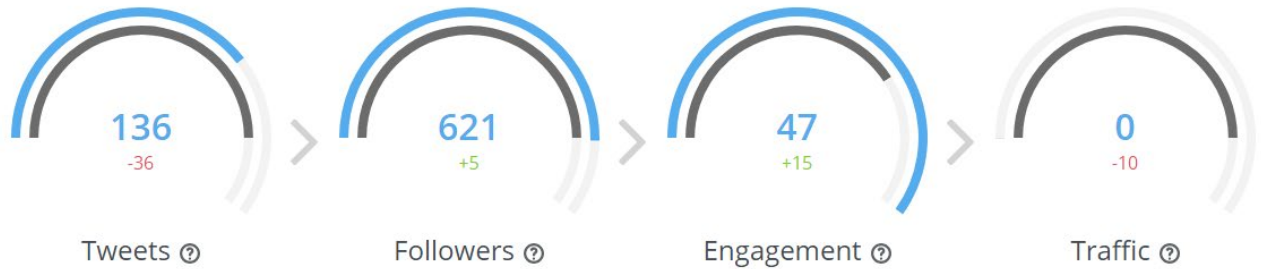
**Collaborative/Meeting/Committee's:** attended MCCVA collaboration meeting in Monterey; attended the 2<sup>nd</sup> Summit on Sustainable Hospitality; met with staff from the Alisal Family Center in Salinas; attended the PARTS Collaborative in Gonzales; attended the Greenfield Collaborative.

### Social Media:

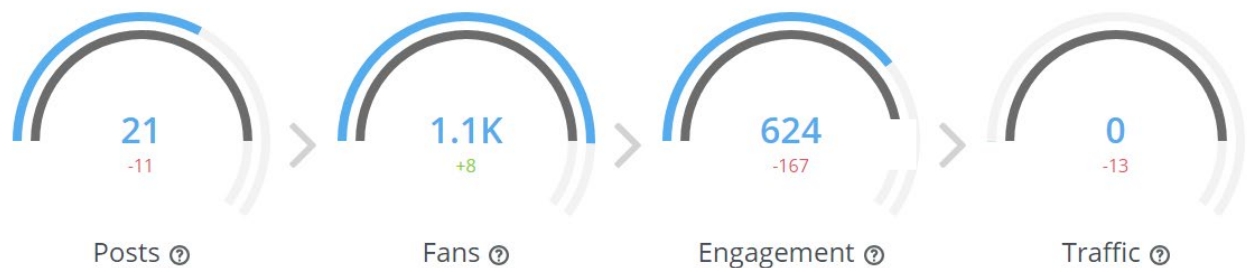
Total of Social Media Fans



## Twitter



## Facebook



## Instagram



**Notes:** On Twitter, "following" someone means that you will see their tweets (Twitter updates) in your personal timeline. Twitter lets you see who you follow and also who is following you. Followers are people who receive other people's Twitter updates.

A Facebook "fan" is a user who likes a particular Facebook page. Users who "like" a page are able to receive updates from that page's administrator through status updates, posted content, and event invitations. A list of pages a fan has liked will appear on his or her profile page.

"Engagement" is the sum of likes and comments received by all posts.

"Traffic" is the total number of clicks on all the links posted.

## **Planning Update**

During the month of January, staff continued to monitor the revenues and expenses for the military partnerships and visited the Presidio approximately one day each week to assist with the program. Revenues received from the federal transit benefit have declined steadily in recent months due to fewer participants in the military programs. Revenues no longer match expenses and staff is monitoring participation levels closely. With the approval of Presidio leadership, the benefit amount will be raised in July 2019 to better match expenses. Staff has been actively advocating for this program during its Congressional visits to ensure that it continues with the comprehensive tax reform bill that was passed in December 2017.

Staff worked with the Presidio on identifying locations for new bus stop shelters, which have been delivered from the supplier. The Presidio staff completed the required site work to allow installation of the shelters in January. These new shelters will also be equipped with electronic signs with real-time next bus arrival information.

In January, staff continued work on the Salinas Valley Express Corridor Planning Study with Fehr and Peers consultants. A draft passenger survey was prepared in advance of collecting travel preferences for those using Line 23. The survey will also be available online in February.

Staff continued efforts to make changes to MST fixed-route service beginning in March. These include timing adjustments, new service to Bradley, and routing changes.

Throughout the month, staff continued participating in meetings with various local agencies, including the Transportation Agency for Monterey County, Association of Monterey Bay Area Governments, Salinas Valley Chamber of Commerce Government Relations Committee, Monterey Peninsula Chamber of Commerce Government Affairs Committee, Monterey County Business Council, and the Fort Ord Reuse Authority.



**Thomas Walters & Associates, Inc.**  
*Washington, DC*

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February 26, 2019

TO: Carl Sedoryk

FROM: Don Gilchrest

The following report summarizes actions taken on behalf of Monterey-Salinas Transit in February.

**Transportation Appropriations**

The *FY 2019 Transportation and Housing and Urban Development Appropriations (THUD) Act* was finally signed into law on February 15, nearly five months into the new fiscal year. The DOT funding bill was part of the Consolidated Appropriations Act that ended the budget impasse and partial government shutdown.

The legislation funds the FTA Urbanized Area Formula Grants at the full \$4.827 billion level authorized in the FAST Act. In addition, as a result of the two-year budget deal enacted in February 2018, several DOT programs were once again provided additional resources from the general fund to supplement the programs above the authorized funding levels from the FAST Act. These include:

- Bus and Bus Facilities Formula - \$621.9 million (\$167 million above the FAST Act)
- Bus and Bus Facilities Competitive Grants - \$482 million (\$160 million above the FAST Act)
- No/Low Emission Buses - \$85 million (\$30 million above the FAST Act)

Capital Investment Grants (New Starts) are funded at \$2.55 billion, which is \$250 million above the FAST Act authorization for the program and \$1.55 billion above the President's budget request. The Consolidated Appropriations Act specifies that \$527 million must be made available for Small Starts, which is a program that MST may utilize in the future for Bus Rapid Transit.

The BUILD Grant Program (formerly TIGER) was funded at \$900 million. BUILD Grants can be used for a wide variety of surface transportation improvements and public transportation agencies are eligible to apply. Although less than the \$1.5 billion enacted in FY 2018 for this

program, the funding this year is much higher than the level typically enacted for TIGER/BUILD and a rejection of the President's proposal to eliminate the program.

We also worked with you to advocate for a rapid apportionment of these Federal funds in order to minimize the significant impacts on MST's cash flow. FTA's policy of only apportioning funds if 5/12 of the fiscal year has been enacted is a chronic issue for agencies such as MST that rely on FTA formula grants to fund operations. We urged our local delegation and Banking Committee staff to look for opportunities to address this issue in the future, since it is very likely that Congress will once again fail to enact the DOT bill on time in FY 2020.

### **Budget Outlook**

The annual appropriations process typically begins with the release of the President's Budget Request in early February. However, the recent budget impasse and partial government shutdown delayed this process and President Trump is not expected to release his FY 2020 proposal until sometime in March. Nonetheless, House and Senate Appropriations Subcommittees are beginning to hold hearings and members of the House and Senate will soon begin weighing in with their budget priorities for the coming fiscal year. We are working in coordination with other public transportation stakeholders to advocate for MST's funding priorities in the annual appropriations bills, including requesting our local delegation's support for \$702 million in additional investments for the Bus and Bus Facility competitive grant program.

In addition, Congressional leaders are beginning to focus on the impending expiration of the current budget caps on October 1, which would result in across-the-board spending cuts of approximately 10 percent of discretionary spending if not amended through budget legislation. The Senate Budget Committee has scheduled a hearing for today entitled, *The Budget Control Act: A Review of Cap-Adjusted Spending*. House and Senate leaders are reportedly seeking a legislative vehicle they could use to amend the budget caps, but this issue is likely to persist until the end-of-fiscal-year negotiations in September.

### **Infrastructure Initiative**

The House Transportation and Infrastructure Committee is in a lead role for developing legislation related to the proposed Infrastructure Initiative because the Committee has jurisdiction over Federal highway, transit and rail programs, as well as civil works projects through the Army Corps of Engineers and airport programs through the Federal Aviation Administration. Chair DeFazio (D-OR) has reportedly been directed by House Leadership to draft related legislation for possible consideration by the full House of Representatives by early summer. The Committee held a hearing on February 7 that emphasized the high costs if action is delayed in order to kick off the renewed focus on enacting a bill. Witnesses also touched on integration of innovative technologies, reducing the length of the project delivery process, and the need for financing mechanisms for projects that could include new gas taxes and tolls, a tax on vehicle miles traveled, and incentives for public-private partnerships.

The President previously proposed \$200 billion in Federal spending that is expected to leverage up to \$1.5 trillion in total spending, with the bulk coming from State and local governments and the private sector. However, the lack of specific financing proposals in his Infrastructure Plan

has made it hard for Congress to develop credible proposals and has also highlighted the need for action to shore up the solvency of the Highway Trust Fund. MST has advocated for new, direct Federal spending for transit projects in the Infrastructure Plan, rather than only relying on public-private partnerships or tax incentives. We are continuing to brief our local delegation and committee staff on MST's planned bus and bus facility projects, and Members and staff have found the specific examples helpful.

### **Climate Change**

We are closely monitoring actions by House Democrats to address climate change because the transportation sector is the leading source of greenhouse gas emissions. Public transit is uniquely situated to help reduce vehicles miles travelled and the pollution that results from congestion. Several permanent House Committees have started holding hearings to document the impacts of rising greenhouse gas levels and how the Federal government should take action, and House Democrats have also established a Select Committee on the Climate Crisis.

Representative Ocasio-Cortez (D-NY) and Senator Markey (D-MA) have introduced the *Green New Deal Resolution* as H.Res. 109 and S.Res. 59, to outline their goals to respond to climate change and make all sectors of the U.S. economy resilient and sustainable. The resolution sets out the parameters of the proposed ten-year plan to achieve net-zero greenhouse gas emissions and mitigate climate change impacts through a comprehensive outline that includes investing in infrastructure, renewable and zero-emission energy, energy efficiency, clean manufacturing, environmental justice, and ecosystem restoration. If the resolution is adopted by the House and the Senate, the goals in the outline would require extensive follow-up legislation to develop the programs and regulations to implement the concepts.

### **Lobbying Strategies & Opportunities**

We are carefully monitoring the budget process and the infrastructure plan for any impacts on MST or opportunities to advocate your 2019 Federal agenda. We will also recommend additional lobbying actions based on emerging issues, including scheduling meetings to coincide with APTA's Legislative Conference in March.

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To: Board of Directors

From: Carl Sedoryk, General Manager/CEO

Subject: State Legislative Update

Senate Transportation and Housing Committee Chair Jim Beall (D-San Jose) and Assembly Transportation Committee Chair Jim Frazier (D-Antioch) are requesting the California Transit Association (CTA) “spearhead a Transportation Development Act (TDA) Policy Task Force to fully examine performance measures for our state’s public transportation system and produce a legislative recommendation for any reforms or changes to the current programs.” As TDA provides the single largest source of funding to Monterey-Salinas Transit (MST), your staff is actively participating on the Task Force to ensure that any recommendations coming from the task force do not jeopardize MST's interests.

Through participation on the CTA State Legislative Committee staff is monitoring the implementation of the Innovative Clean Transit (ICT) rule and is advocating for the adoption of a regulatory or legislative framework that supports transit electrification by providing transit agencies with flexibility and additional funding. Staff is supporting efforts to reduce and stabilize the cost of electricity as a fuel for transit agencies. Staff is in support of efforts to pursue additional dedicated funding from the Greenhouse Gas Reduction Fund (GGRF), secure policy changes to the Affordable Housing and Sustainable Communities Program, and ensure continued funding from the GGRF for low and zero-emission bus deployment.

Staff recommends support for the following proposed legislation.

**ACA 1 (Aguiar-Curry) Voter Thresholds for Local Measures:** This bill would reduce up to 55 percent, the voter threshold to pass sales tax measures or issue debt against property tax revenues for affordable housing and infrastructure, including public transit. Status: This bill is awaiting referral.

Submitted by:   
Carl G. Sedoryk

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January 28, 2019

To: Carl Sedoryk – General Manager (CEO)

From: Robert Weber –Chief Operating Officer

**Subject: Trip Report: Impact of Autonomous Vehicles on Public Transport**

I attended the AV America conference on the *Impact of Autonomous Vehicles on Public Transport* on January 23<sup>rd</sup> and 24<sup>th</sup> in Palo Alto, CA. I attended the following sessions:

- Policy & Guidelines: *AV Safety & Performance Standards, US- DOT Automated Vehicles 2.0 & 3.0, Levels of Automation <sup>1</sup> & Waivers.*
- AV Applications in Mass Transit: *AV(s) for first & last mile, Autonomous shuttles & “robo” taxis, Mobility on demand (MOD) service.*
- Current & Planned AV Deployments: *Lessons from case studies & pilot projects, Funding & implementing AV projects, Enhanced safety, Guidelines for new pilot launches.*
- Public Transport Reinvention: *Right sizing the fleet, routes, & schedules, Planning & risk management, Costs & benefits, Partnerships to manage declining ridership.*
- Automation & Electrification: *Advanced Driver Assistance Systems (ADAS), Maintenance yard, & parking operations, OEM perspective and AV initiatives designed for heavy duty commercial fleets.*
- AV-Enabled Future Mobility: *Integrated ticketing & mobility as a service, Parking of the future, Infrastructure & fleet management.*
- Case Study - Intelligent Mobility Initiative: *Overview of connected & autonomous vehicles that are currently being testing in Nevada.*
- Infrastructure for connected AV(s): *Physical, digital, & vehicle to vehicle infrastructure.*
- Consumer Acceptance: *Safety concerns, Incentives for AV adoption, AV accessibility & equity.*
- Impacts of Planning & Industrial Relations: *ADA Compliance, Rural transportation challenges, Insurance & liability, Realigning human resources (Drivers).*

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<sup>1</sup> More information of the levels of AV(s) can be found [HERE](#)

PREPARED BY:  REVIEWED BY: 