MONTEREY-SALINAS TRANSIT DISTRICT BOARD OF DIRECTORS
MEETING AGENDA AND NOTICE

Meeting Date: December 12, 2022
Meeting Time: 10:00 AM Pacific Time (US and Canada)
Location: In-Person and Zoom Conference

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

In-Person Participation:

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

OR

Zoom Participation:

The Regular Meeting of the Monterey-Salinas Transit District Board of Directors Zoom virtual meeting will be held on December 12, 2022 at 10:00 a.m. via Zoom conference, click https://us06web.zoom.us/j/84500836234?pwd=aFQ0YUdjd3Y0eW94WmtRZ1MycoVIdz09 and enter the following:

Meeting ID: 845 0083 6234 and Passcode: 652252.

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

Public comments may be made either in person, via Zoom, or via email. Members of the public may attend the Board Meeting in person and request to speak to the Board when the Chair calls for public comment. Persons who wish to make public comment on an agenda item are encouraged to submit comments in writing by email to MST at clerk@mst.org by 3:00 pm on Friday, December 9, 2022; those comments will be distributed to the MST Board of Directors before the meeting. Written comments may be emailed to clerk@mst.com, and should include the subject line: “Public Comment Item # (insert the agenda item number relevant to your comment).”
MST District Board and Committee Agendas

Accessibility, Language Assistance, and Public Comments

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

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

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

Mail: MST, Attn: Clerk to the Board, 19 Upper Ragsdale Dr., Suite 200, Monterey, CA 93940
Website: [https://mst.org/contact-us/](https://mst.org/contact-us/) ● Email: clerk@mst.org ● Phone: (888) 678-2871

TTY/TDD: 831-393-8111 ● 711 Relay
888-678-2871 / Free language assistance / Asistencia de Lenguaje Gratuito / Libreng tulong para sa wika / Hỗ trợ ngôn ngữ miễn phí / 무료 언어 지원
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 District 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. (Please refer to page 1 of the agenda for instructions)

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. Approve Resolution 2023-15 Authorizing Remote Teleconference Meetings. (Carl Sedoryk) (Page 7)

3-2. Adopt Resolution 2023-16 Recognizing Albert Garcia, Coach Operator as Employee of the Month for December 2022. (Norman Tuitavuki) (Page 9)

3-3. Approve Minutes of the MST Board Meeting on November 14, 2022. (Jeanette Alegar-Rocha) (Page 11)

3-4. Receive Draft Minutes of the MST Board Administrative Performance Committee Meeting on November 14, 2022. (Jeanette Alegar-Rocha) (Page 17)

3-5. Financial Reports – October 2022. (Lori Lee) (Page 21)
   a) Accept reports of October 2022 Cash Flow
   b) Approve October 2022 Disbursements
   c) Accept Report of October Treasury Transactions

3-6. Receive Report on Lost and Found Items Left on MST Property for the Month of August 2022. (Beronica Carriedo) (Page 29)

3-7. Authorize the General Manager/CEO, or Designated Staff to Purchase Six (6) Starcraft Paratransit Cutaway Buses for MST’s RIDES Program from Creative Bus Sales in an Amount Not to Exceed $775,000. (Norman K. Tuitavuki) (Page 31)
3-8. Authorize the General Manager/CEO, or designated staff to purchase four (4) Starcraft fixed-route cutaway buses from Creative Bus Sales in an amount not to exceed $575,000. (Norman K. Tuitavuki) (Page 33)

3-9. Receive the 2023 Board Meeting Calendar, Committee Meeting Schedule and Conference dates. (Jeanette Alegar-Rocha) (Page 35)

3-10. Authorize the General Manager/CEO to Purchase Contactless Fare Payment Validators from KUBA, Inc. and Contactless Fare Payment Processing from Littlepay in an Amount Not to Exceed $315,358, in Addition to $76,056 Per Year in Maintenance Fees for KUBA and, for Littlepay, a 2.25% Transit Processor Service Fee of Total Revenue Processed for Three (3) Years with Two (2) One-Year Options. (Steven Bruno) (Page 39)

3-11. Adopt Resolution 2023-17 in Appreciation of the Honorable, State Senator John Laird for his Support of Monterey-Salinas Transit-District. (Carl Sedoryk) (Page 41)

3-12. Adopt Resolution 2023-18 in Appreciation of the Honorable Assemblymember Mark Stone for his Support of Monterey-Salinas Transit District. (Carl Sedoryk) (Page 43)

3-13. Reject Claim for Insufficiency by the Claimant Stephanie Jimenez-Garcia. (Lisa Cox) (Page 45)

3-14. Approve Revisions to the Employee-Employer Relations Policy. (Kelly Halcon) (Page 47)

End of Consent Agenda

4. RECOGNITIONS AND SPECIAL PRESENTATIONS

4-1. December 2022 Employee of the Month – Albert Garcia (Norman Tuitavuki)

4-2. Resolution of Appreciation Mark Stone (Carl Sedoryk)

4-3. Resolution of Appreciation John Laird (Carl Sedoryk)

4-4. Board Member Service Recognition 10 Years – Tony Barrera (Carl Sedoryk)

4-5. Receive Staff Report on Activities Related to the COVID-19 Pandemic Incident Response and Recovery Planning to Date and Provide Direction, If Needed. (Carl Sedoryk)
5. PUBLIC HEARINGS

None

6. ACTION ITEMS

6-1. Approve establishment of a one-half (1/2) fare discount for individuals with Department of Homeland Security Special Humanitarian Parole status and free transportation for those being hosted by an MST employee. (Lisa Rheinheimer) (Page 65)

6-2. Authorize General Manager/CEO to Negotiate and Award a Contract with Graniterock-Meyers for SURF! Busway and Bus Rapid Transit Project Construction Management-General Contractor Pre-Construction Management Services in an Amount Not to Exceed $931,900. (Lisa Rheinheimer) (Page 67)

6-3. Approve the 2023 State Legislative Program. (Michelle Overmeyer) (Page 71)

6-4. Approve the 2023 Federal Legislative Program. (Carl Sedoryk) (Page 77)

6-5. Approve the Recommendation of the General Manager Performance Evaluation Ad Hoc Committee of 5.5% Incentive Pay for the General Manager/CEO. (Anna Velazquez) (Page 83)

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 Monthly Report – October 2022 (Pages 85-112)

7-2. Federal Legislative Advocacy Report (Page 113)

7-3. State Legislative Advocacy Update (Page 115)

7-4. Staff Trip Reports – (Pages 117-119)

7-5. Correspondence – 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.

8-3. Board Member Referrals for Future Agendas.
9. ATTACHMENTS

9-1. The Detailed Monthly Performance Statistics and Disbursement Journal for October 2022 can be viewed online within the GM Report at http://mst.org/about-mst/board-of-directors/board-meetings/

10. 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. (Please refer to page 1 of the agenda for instructions)

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.

10-1. Conference with Labor Negotiators, Gov. Code § 54957.6: MSTEA and MST. (Kelly Halcon/Michael D. Laredo)

11. ADJOURN

NEXT SCHEDULED MEETING DATE- January 9, 2023
10:00 a.m.

NEXT SCHEDULED AGENDA DEADLINE: December 27, 2022

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

Please contact MST for accurate meeting date, times and teleconference information or check online at http://mst.org/about-mst/board-of-directors/board-meetings/
RESOLUTION NO. 2023-15
MONTEREY-SALINAS TRANSIT DISTRICT
REGARDING RALPH M BROWN ACT AND FINDING OF RISK TO HEALTH AND SAFETY OF IN-PERSON MEETINGS AS A RESULT OF THE CONTINUING COVID-19 PANDEMIC STATE OF EMERGENCY DECLARED BY GOVERNOR NEWSOM

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

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

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

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

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

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

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

WHEREAS, the CDC has established a “Community Transmission” metric with 4 tiers designed to reflect a community’s COVID-19 case rate and percent positivity; and,

WHEREAS, the Board of Directors for the Monterey-Salinas Transit District (“MST”) is empowered to take actions necessary to protect public, health, welfare and safety within the region; and,
WHEREAS, MST has an important governmental interest in protecting the health, safety and welfare of those who participate in meetings of MST’s various legislative bodies subject to the Brown Act; and,

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

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

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

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

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

4. The MST General Manager/CEO and MST Counsel are directed to take such other necessary or appropriate actions to implement the intent and purposes of this resolution.

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

AYES:
NOES:
ABSTAIN:
ABSENT:

_________________________________
ANNA VELAZQUEZ, BOARD CHAIR
MONTEREY-SALINAS TRANSIT DISTRICT

_________________________________
CARL G. SEDORYK, GENERAL MANAGER/CEO
MONTEREY-SALINAS TRANSIT DISTRICT

ATTEST:

_________________________________
JEANETTE ALEGAR-ROCHA
CLERK TO THE BOARD
ALBERT GARCIA
DECEMBER 2022
EMPLOYEE OF THE MONTH

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

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

WHEREAS, Albert Garcia began his career with Monterey-Salinas Transit in November of 2010 as a Coach Operator. For 12 years, Albert has served MST’s customers, employees and communities with courtesy and respect and is an excellent example of selfless dedication to our values and overall mission; and

WHEREAS, Albert Garcia served a key role in assuring his membership, the coach operators and maintenance personnel were taken care of and remained in good health through the COVID pandemic. He worked to ensure there was proper and adequate supply of Personal Protective Equipment for staff. He provided key input on driver barriers on buses and meet with MST’s General Manager/CEO to collaborate on how MST management could best address employee concerns; and

WHEREAS, Albert Garcia was featured in a video that features MST’s award-winning contactless payment system which has been presented at conferences throughout the US and United Kingdom.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of Monterey-Salinas Transit District recognizes Albert Garcia as Employee of the Month for December 2022; and

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

THE BOARD OF DIRECTORS OF MONTEREY-SALINAS TRANSIT DISTRICT PASSED AND ADOPTED RESOLUTION 2023-16 this 12th day of December 2022.

____________________________ ___________________________
Anna Velazquez             Carl G. Sedoryk
Board Chair                Board Secretary
MEETING OF THE MST BOARD OF DIRECTORS

MEETING MINUTES

November 14, 2022
10:00 am (Pacific)

Present:
- Anna Velazquez (Chair) City of Soledad
- Mary Ann Carbone (Vice Chair) City of Sand City
- Jeff Baron City of Carmel-by-the-Sea
- John Gaglioti City of Del Rey Oaks
- Yanely Martinez City of Greenfield
- Mike LeBarre City of King
- David Burnett City of Marina
- Joe Amelio City of Pacific Grove
- Tony Barrera City of Salinas
- Dave Pacheco City of Seaside

Absent:
- Lorraine Worthy City of Gonzales
- Andrea Renny, Alternate City of Monterey
- Luis Alejo County of Monterey

Counsel:
- Michael D. Laredo De Lay & Laredo

Staff:
- Carl Sedoryk General Manager/CEO
- Lisa Rheinheimer Assistant General Manager
- Norman Tuitavuki Chief Operating Officer
- Michael Kohlman Chief Information Officer
- Kelly Halcon Director of HR & Risk Management
- Michelle Overmeyer Director of Planning & Innovation
- Jeanette Alegar-Rocha Deputy Secretary
- Andrea Williams General Accounting & Budget Manager
- Beronica Carriedo Community Relations Coordinator
- Daniel Bruno Scheduling Assistant
- David Bielsker Transit Scheduler
- Deanna Smith Civil Rights Officer
- Elena Grigorichina Operations Analyst
- Emma Patel Associate Planner
- Ikuyo Yoneda-Lopez Marketing & Customer Service Manager
- Kevin Allshouse Contract Services Manager
- Lisa Cox Risk and Safety Manager
1. CALL TO ORDER

1-1. Roll Call.

1-2. Pledge of Allegiance.

Chair Velazquez called the meeting to order at 10:02 a.m. Roll call was taken and a quorum was established. Director Baron led the pledge of allegiance.

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

1-4. Review Memo from General Counsel Regarding Evolving California Hybrid Board Meeting Format and Provide Direction to Staff. (Carl Sedoryk)

Director LeBarre asked for clarification on the board meeting format before the expiration of AB361 on February 28, 2023.

Carl Sedoryk stated the January 2023 board meeting is an opportunity for the board to discuss and decide on the board meeting format and policy.

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

There were no public comments.

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. Approve Resolution 2023-09 Authorizing Remote Teleconference Meetings. (Carl Sedoryk)

3-2. Adopt Resolution 2023-10 Recognizing Courtney Neff, Operations Supervisor, as Employee of the Month for November 2022. (Norman Tuitavuki)
3-3. Approve Minutes of the MST Board Meeting on October 17, 2022. (Jeanette Alegar-Rocha)

3-4. Receive Draft Minutes of the MST Board Operations Performance Committee Meeting on October 17, 2022. (Jeanette Alegar-Rocha)

3-5. Financial Reports – September 2022. (Lori Lee)
   a) Accept reports of September 2022 Cash Flow
   b) Approve September 2022 Disbursements
   c) Accept Report of September Treasury Transactions

3-6. Receive Report on Lost and Found Items Left on MST Property for the Month of July 2022. (Beronica Carriedo)

3-7. Adopt Resolution 2023-11 for Services Rendered by Dan Albert. (Carl Sedoryk)

3-8. Adopt Resolution 2023-12 for Services Rendered by David Burnett. (Carl Sedoryk)

3-9. Adopt Resolution 2023-13 for Services Rendered by John Gaglioti. (Carl Sedoryk)

3-10. Adopt Resolution 2023-14 Appointing MST’s Kelly Halcon, Director of Human Resources/Risk Management, as the Board Member, Lisa Cox, Risk and Security Manager, and Jarred Augusta, Safety/Training Officer, as the Alternate Members to the Board of Directors of the California Transit Insurance Pool (CalTIP) Effective December 1, 2022. (Kelly Halcon)

3-11. Reject Claim by the Claimant Anita Avina. (Lisa Cox)

3-12. Reject Claim for Insufficiency by the Claimant Aurelia Guzman. (Lisa Cox)

3-13. Authorize General Manager/CEO to Enter into a Two (2) Year Contract with Turftenders Landscape, Inc. for Landscape Maintenance Services of MST’s Facilities in an Amount not to Exceed $54,676/Year. (Steven Bruno)

3-14. Receive Draft Minutes of the Mobility Advisory Committee (MAC) on September 28, 2022. (Claudia Valencia)

End of Consent Agenda

There were no public comments on the consent agenda items.
On a motion by Director Carbone, seconded by Director Amelio and carried by the following vote, which was conducted by roll call, the Board approved items 3-1 through 3-14 on the Consent Agenda:

AYES: 10 Amelio, Baron, Barrera, Burnett, Carbone, Gaglioti, LeBarre, Martinez, Pacheco, Velazquez,

NOES: 0
ABSENT: 3 Renny, Alejo, Worthy
ABSTAIN: 0

4. RECOGNITIONS AND SPECIAL PRESENTATIONS
   4-1. Dan Albert – 5 Years of Service on MST Board
   4-2. David Burnett – 2 Years of Service on MST Board
   4-3. John Gaglioti – 2 Years of Service on MST Board
   4-4. Resolutions Recognizing MST 50th Anniversary
   4-5. November 2022 Employee of the Month, Courtney Neff (Norman Tuitavuki)
   4-6. Receive Staff Report on Activities Related to the COVID-19 Pandemic Incident Response and Recovery Planning to Date and Provide Direction, If Needed. (Carl Sedoryk)

There were no public comments.

4-7. Receive Better Bus Network (BBN) Implementation Update. (Michelle Overmeyer) (No Enclosure)

Christopher Wilmont, a member of the public commented on missing bus routes for those who have commutes. Chair Velazquez thanked Mr. Wilmot for his comments and informed him that MST staff took note of these concerns.

Dr. Brian Corpening, Chief of Diversity from California State University Monterey Bay (CSUMB) commented on the concern with the loss of service of Line 25 from CSUMB to Salinas, which is a vital service to the students. Chair Velazquez thanked Dr. Corpening for his comment and informed him that MST staff took note of these concerns.

Tate Baugh, a member of the public, commented his satisfaction with the Better Bus Network. He asked for further understanding where bus Lines 1 and 2 will end in Pacific Grove. Chair Velazquez thanked Mr. Baugh for his comments and informed him that MST staff took note of his question regarding Lines 1 and 2.
David Ledesma, president of the student body at CSUMB, commented on the concerns about the discontinuation of Line 25. Chair Velazquez thanked Mr. Ledesma for his comment and informed him that MST staff took note of these concerns.

Carl Sedoryk encouraged members of the public who commented at the board meeting to utilize the trip planner available online via the MST website to carefully search for available and alternate routes.

Sloan Campi, Transportation Program Manager, at CSUMB, commented that his department is committed to working with MST through the current partnerships.

5. PUBLIC HEARINGS

None

6. ACTION ITEMS

None

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
- 7-2 Federal Legislative Advocacy Report
- 7-3 State Legislative Advocacy Update
- 7-4 Staff Trip Reports
- 7-5 Correspondence

8. BOARD REPORTS, COMMENTS, AND REFERRALS

- 8-1 Reports on Meetings Attended by Board Members at MST Expense. (AB 1234)

Chair Velazquez provided a verbal report on her travel to the APTA Transit Board Member Seminar, from July 30-August 2 in Salt Lake City, Utah.

- 8-2 Board Member Comments and Announcements.

Director Martinez inquired about bus passes or programs for youth to learn how to use public transportation. Carl Sedoryk responded that the Mobility staff, trainers, and volunteers are available for a possible mobility training workshop.
Chair Velazquez commented that directors should remember to attend MST committee meetings that they are assigned to.

Carl Sedoryk announced that the Board Chair, Vice Chair and a number of MST staff will be attending the 2022 California Transit Association Fall Conference in Ontario, CA. At the conference, MST will receive the Association’s Transit Innovation Award for the Contactless Payment Program. A video of Contactless Payment produced by the BBC was shared at the board meeting.

8-3 Board Member Referrals for Future Agendas.

9. CLOSED SESSION

There were no public comments on the closed-session items.


Michael Laredo reported that the board provided general direction. The item will come back for an open-session discussion at a future meeting.

9-2 Conference with Labor Negotiators, Gov. Code § 54957.6: MSTEA and MST. (Kelly Halcon) (No enclosure)

Michael Laredo reported that the board provided general direction. The item will come back for an open-session discussion at a future meeting.

10. ATTACHMENTS

10-1 The Detailed Monthly Performance Statistics and Disbursement Journal for September 2022 can be viewed online within the GM Report at http://mst.org/about-mst/board-of-directors/board-meetings/

11. ADJOURN

With no further business to discuss, Chair Velazquez adjourned the meeting at 12:27 p.m. (Pacific.)

Prepared by: Jeanette Alegar-Rocha
Reviewed by: Carl G. Sedoryk
Board Administrative Performance Committee (BAPC)
In Person/Zoom Meeting

Draft Minutes
November 14, 2022
9:00 a.m.

Present:  
David Burnett  City of Marina

Absent:  
Andrea Renny (Alternate)  City of Monterey
Dave Pacheco (Vice Chair)  City of Seaside
John Gaglioti  City of Del Rey Oaks
Yanely Martinez  City of Greenfield
Luis Alejo  County of Monterey

Staff:  
Carl Sedoryk  General Manager/CEO
Lisa Rheinheimer  Assistant General Manager
Norman Tuitavuki  Chief Operating Officer
Michael Kohlman  Chief Information Officer
Michelle Overmeyer  Director of Planning & Innovation
Jeanette Alegar-Rocha  Clerk to the Board
Andrea Williams  General Accounting & Budget Manager
Daniel Bruno  Scheduling Assistant
Elena Grigorichina  Operations Analyst
Emma Patel  Associate Planner
Ezequiel Rebollar  IT Technician
Ikuyo Yoneda-Lopez  Marketing & Customer Service Manager
Jacqueline Munoz  Customer Service Representative
Lisa Cox  Risk and Safety Manager
Matthew Deal  Grants Analyst
Rolando Munoz  Customer Service Representative
Scott Taylor  IT Manager
Steven Bruno  Purchasing Agent

Counsel:  
Michael D. Laredo  De Lay & Laredo

Public:  
Matt Robinson  Shaw, Yoder, Antwih, Schmelzer & Lange
Michael Pimentel  Shaw, Yoder, Antwih, Schmelzer & Lange
Don Gilchrest  Thomas Walters & Associates
1. **CALL TO ORDER**

   Presiding officer Burnett called the meeting to order at 9:04 a.m. with roll call taken and a committee of the whole was established.

2. **CONSENT AGENDA**

   2-1. Approve Minutes of the Board Administrative Performance / BAPC Committee on September 12, 2022. (Jeanette Alegar-Rocha)

   The Committee received the minutes of the Board Administrative Performance / BAPC Committee on September 12, 2022.

3. **ACTION ITEMS**

   3-1. Review of Administrative Performance. (Refer to MST Board Agenda Item 7-1) (Carl Sedoryk)

   The Committee received the update on the Administrative Performance.

   3-2. Recommend Approval of the 2023 State Legislative Program to the Board of Directors. (Michelle Overmeyer)

   The Committee received a slide presentation of the 2023 State Legislative Program from State legislative advocates, Matt Robinson and Michael Pimentel of Shaw, Yoder, Antwih, Schmelzer & Lange.

   3-3. Recommend approval of the 2023 Federal Legislative Program to the Board of Directors. (Carl Sedoryk/Don Gilchrest)

   The Committee received the 2023 Federal Legislative Program from Federal legislative advocate Don Gilchrest of Thomas Walters & Associates.

   3-4. Receive Update on the SURF! Busway and Bus Rapid Transit Project. (Lisa Rheinheimer) (No Enclosure)

   The Committee received an update on the SURF! Busway and BUS Rapid Transit Project from Lisa Rheinheimer.

4. **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-Milias-Brown Act representative.*

   None
5. ADJOURN

There being no further business, Presiding Officer Burnett adjourned the meeting at 9:53 a.m.

Prepared by: ______________________ Reviewed by: ____________________
Jeanette Alegar-Rocha               Carl G. Sedoryk
To: Board of Directors

From: Lori Lee, Accountant

Subject: FINANCIAL REPORTS – OCTOBER 2022

RECOMMENDATION:

1. Accept report of October 2022 cash flow presented in Attachment #1
2. Approve October 2022 disbursements listed in Attachment #2
3. Accept report of October 2022 treasury transactions listed in Attachment #3

FISCAL IMPACT:

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

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning balance October 1, 2022</td>
<td>$48,544,684</td>
</tr>
<tr>
<td>Revenues</td>
<td>5,971,984</td>
</tr>
<tr>
<td>Disbursements</td>
<td>&lt;3,606,789&gt;</td>
</tr>
<tr>
<td>Ending balance October 31, 2022</td>
<td>$50,909,879</td>
</tr>
</tbody>
</table>

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 October 2022, using the Board approved FY 2023 Budget, MST had a $3,925,122 year-to-date surplus to budget on the fixed-route operations and a $519,547 surplus to budget on the MST RIDES operations, resulting in an overall year-to-date surplus of $4,444,669.
The following fixed-route expenses have negative variances of greater than 5% and have a monetary value greater than $5,000 as seen in the October Budget vs. Actual reports contained in Attachment #4:

1. Insurance – This 10.3% negative variance for the month of October can be attributed to the timing of when one of MST’s insurance premium payments is paid. As the payments are budgeted evenly on a monthly basis, this category is expected to be within budget by the end of the fiscal year.

2. Interest Expense – This 214.4% negative variance was the result of timing in the recording of the TIFIA loan interest payment. These interest payments are made during the months of January and July. This July payment was reclassed to interest expense during the month of October.

The financial impact of the COVID-19 pandemic began in mid-March 2020 when the agency began ordering sanitizing and cleaning supplies and the Shelter in Place Order was issued by the Monterey County Health Department. During the month of October 2022, MST spent $4,062 on COVID-19 supplies. This amount includes no payments for MV bus sanitation services and supplies. This information will be provided for each finance report until the pandemic is over.

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

ATTACHMENT(S):

1. October 2022 Cash Flow
2. October 2022 Disbursements
3. October 2022 Treasury Transactions
4. October 2022 Budget vs. Actual

Prepared by: Lori Lee Reviewed by: Carl G. Sedoryk
REVENUES & DISBURSEMENTS

CASH FLOW

Beginning balance 10/01/2022 48,544,684.11

Revenues

- Passenger Revenue 332,308.94
- DOD Revenue 3,766.75
- LTF / STA / SGR 1,754,014.69
- Sales Tax 1,088,980.84
- Grants 2,741,011.87
- Interest Income 702.67
- Non Transit Revenue 51,198.42

Total Revenues 5,971,984.18  5,971,984.18

Disbursements

- Operations (See Attachment #2) 3,356,639.55
- Capital 250,149.78

Total Disbursements (3,606,789.33)

Ending balance 10/31/2022 50,909,878.96

COMPOSITION OF ENDING BALANCE

- Checking - Mechanics Bank 3,342,887.65
- Local Agency Investment Fund (LAIF) 27,362,376.85
- Money Market - Mechanics Bank MM 15,729,677.07
- Money Market - Mechanics Bank 9,679.33
- Money Market - LCTOP 2,520,619.50
- Money Market - State of Good Repair 1,832,155.25
- Money Market - FOR A/Other 93,321.48
- Bank of America - Escrow 8,989.33
- Petty cash fund, STC Coin Machine, and 2 change funds 10,172.50

Total 50,909,878.96
## PAYROLL ACCOUNT

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 07 Payroll &amp; Related Expenses</td>
<td>588,154.60</td>
</tr>
<tr>
<td>October 21 Payroll &amp; Related Expenses</td>
<td>559,855.03</td>
</tr>
<tr>
<td>October 28 Incentive Pay &amp; Expenses</td>
<td>150,319.05</td>
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<tr>
<td>PERS &amp; 457</td>
<td>342,997.11</td>
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<tr>
<td>Garnishments</td>
<td>3,627.84</td>
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<tr>
<td>PERS Health Insurance</td>
<td>372,927.87</td>
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Total: 2,017,881.50

## GENERAL ACCOUNT

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Disbursements on Attached Summary</td>
<td>1,470,510.40</td>
</tr>
<tr>
<td>Voided Checks</td>
<td>(24,196.01)</td>
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<tr>
<td>Payments to CDTFA</td>
<td>3,075.00</td>
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<tr>
<td>Paydown Loans</td>
<td>69,246.95</td>
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<tr>
<td>Workers Comp. Disbursements</td>
<td>61,672.33</td>
</tr>
<tr>
<td>Interest Expense</td>
<td>4,826.14</td>
</tr>
<tr>
<td>Bank Service Charge</td>
<td>3,773.02</td>
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</table>

Total: 1,588,907.83

Total Disbursements: 3,606,789.33

Less Capital Disbursements & Transfers: (250,149.78)

Operating Disbursements: 3,356,639.55
### DISBURSEMENTS SUMMARY:
**GENERAL ACCOUNT DISBURSEMENTS FOR October 01, 2022 - October 31, 2022**

<table>
<thead>
<tr>
<th>CHECK PRINT DATE</th>
<th>CHECKS</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounts Payable 10/07/2022</td>
<td>64896 - 64957</td>
<td>173,337.98</td>
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<tr>
<td>Accounts Payable 10/14/2022</td>
<td>64958 - 65046</td>
<td>706,882.25</td>
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<tr>
<td>Accounts Payable 10/18/2022</td>
<td>65047 - 65052</td>
<td>1,163.03</td>
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<tr>
<td>Accounts Payable 10/21/2022</td>
<td>65053 - 65118</td>
<td>178,434.71</td>
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<tr>
<td>Accounts Payable 10/28/2022</td>
<td>65119 - 65218</td>
<td>410,692.43</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>1,470,510.40</strong></td>
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</table>

#### CHECKS $100,000 AND OVER

<table>
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<th>VENDOR</th>
<th>BOARD APPROVED</th>
<th>CHECK DATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>KIMLEYHORN &amp; ASSOCIATES, INC</td>
<td>BRT Phase II Surf!</td>
<td>10/28/22</td>
<td>164,666.01</td>
</tr>
<tr>
<td>CALIF TRANSIT INS POOL</td>
<td>Board Approved 10/07/19</td>
<td>10/14/22</td>
<td>227,575.90</td>
</tr>
<tr>
<td>SC FUELS</td>
<td>Quarterly Liability Insurance</td>
<td>10/14/22</td>
<td>162,982.80</td>
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#### PURCHASES BETWEEN $50,000 AND $99,999

<table>
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<tr>
<th>VENDOR</th>
<th>GENERAL MANAGER APPROVED</th>
<th>CHECK DATE</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>CURRENT COVID-19 RELATED ACCUMULATED EXPENSES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenses paid through 10/24/22</td>
<td></td>
<td>1,599,579.80</td>
<td></td>
</tr>
<tr>
<td>Payroll and benefits for payperiods 3/7/20-10/28/22 paid</td>
<td></td>
<td>3,002,226.69</td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>4,601,806.49</strong></td>
<td></td>
</tr>
</tbody>
</table>

MV Transportation Inc. - Amendment #7:
| COVID-19 expenses reimbursed to date | 333,224.45 |
| **Total MV COVID-19 expenses reimbursed to date** | **333,224.45** |

COVID-19 related expenses have been tracked since the beginning of the pandemic. Expenses include personal protective equipment, cleaning supplies, additional janitorial services, and public information materials. Payroll and benefits costs are included under the Families First Coronavirus Response Act (FFCRA or Act), which requires certain employers to provide employees with paid sick leave or expanded family and medical leave for reasons related to COVID-19. Additional expenses include paying standby employees while they remain in a state of readiness, administrative staff time dedicated to COVID-19 response, and costs related to community services.
### TREASURY TRANSACTIONS
#### FOR OCTOBER 2022

#### LAIF ACCOUNT

<table>
<thead>
<tr>
<th>Date</th>
<th>Account</th>
<th>Description</th>
<th>Deposit</th>
<th>Withdrawal</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Forward at 10/01/2022</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>27,362,376.85</td>
</tr>
<tr>
<td>Quarterly interest earned 1.35%</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>27,362,376.85</td>
</tr>
<tr>
<td>Local Agency Investment Fund:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>LAIF Treasury Balance at 10/31/2022</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>27,362,376.85</td>
</tr>
</tbody>
</table>

#### MECHANICS BANK MM ACCOUNT

<table>
<thead>
<tr>
<th>Date</th>
<th>Account</th>
<th>Description</th>
<th>Deposit</th>
<th>Withdrawal</th>
<th>Balance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance Forward at 10/01/2022</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>15,871,543.41</td>
</tr>
<tr>
<td>10/05/22</td>
<td>687</td>
<td>AP/Payroll</td>
<td>950,000.00</td>
<td></td>
<td>14,921,543.41</td>
</tr>
<tr>
<td>10/14/22</td>
<td>687</td>
<td>AP/Payroll</td>
<td>500,000.00</td>
<td></td>
<td>14,421,543.41</td>
</tr>
<tr>
<td>10/19/22</td>
<td>687</td>
<td>AP/Payroll</td>
<td>800,000.00</td>
<td></td>
<td>13,621,543.41</td>
</tr>
<tr>
<td>10/26/22</td>
<td>687</td>
<td>FOR A</td>
<td>108,163.95</td>
<td></td>
<td>13,729,707.36</td>
</tr>
<tr>
<td>10/31/22</td>
<td>687</td>
<td>Fed 5307</td>
<td>245,462.00</td>
<td></td>
<td>13,975,169.36</td>
</tr>
<tr>
<td>10/31/22</td>
<td>687</td>
<td>LTF</td>
<td>1,754,014.69</td>
<td></td>
<td>15,729,184.05</td>
</tr>
<tr>
<td>10/31/22</td>
<td>687</td>
<td>Interest</td>
<td>0.29</td>
<td></td>
<td>15,729,184.34</td>
</tr>
<tr>
<td>10/31/22</td>
<td></td>
<td>Interest</td>
<td>492.73</td>
<td></td>
<td>15,729,677.07</td>
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</table>

MECHANICS MM Balance at 10/31/2022 15,729,677.07
Fixed-Route
MONTEREY-SALINAS TRANSIT DISTRICT
Revenue & Expense - Consolidated
Period: 10/01/22 .. 10/31/22

Fiscal Start Date: 07/01/22
G/L Budget Filter: FY23, Fund Filter: 001|004|005
All amounts are in USD.

<table>
<thead>
<tr>
<th>Description</th>
<th>Cur Mo. Actual</th>
<th>Cur Mo. Budget</th>
<th>Cur Mo. Variance</th>
<th>YTD Actual</th>
<th>YTD Budget</th>
<th>YTD Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Passenger Fares</td>
<td>168,143</td>
<td>197,055</td>
<td>(28,912)</td>
<td>819,387</td>
<td>788,220</td>
<td>31,167</td>
</tr>
<tr>
<td>Special Transit</td>
<td>37,283</td>
<td>43,834</td>
<td>(6,551)</td>
<td>419,771</td>
<td>175,336</td>
<td>244,435</td>
</tr>
<tr>
<td>Cash Revenue</td>
<td>18,390</td>
<td>24,174</td>
<td>(5,784)</td>
<td>223,438</td>
<td>96,696</td>
<td>126,742</td>
</tr>
<tr>
<td>Cash Grants &amp; Reimbursement</td>
<td>3,632,094</td>
<td>3,632,094</td>
<td>0</td>
<td>14,528,376</td>
<td>14,528,376</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>3,855,910</td>
<td>3,897,157</td>
<td>(41,247)</td>
<td>15,990,972</td>
<td>15,588,628</td>
<td>402,344</td>
</tr>
<tr>
<td><strong>Expenses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Labor</td>
<td>1,393,291</td>
<td>1,540,950</td>
<td>(147,659)</td>
<td>5,151,415</td>
<td>6,163,800</td>
<td>(1,012,385)</td>
</tr>
<tr>
<td>Benefits</td>
<td>786,488</td>
<td>1,054,559</td>
<td>(268,071)</td>
<td>3,301,538</td>
<td>4,218,236</td>
<td>(916,698)</td>
</tr>
<tr>
<td>Advertising &amp; Marketing</td>
<td>4,932</td>
<td>15,559</td>
<td>(10,627)</td>
<td>17,601</td>
<td>62,236</td>
<td>(44,635)</td>
</tr>
<tr>
<td>Professional &amp; Technical</td>
<td>100,930</td>
<td>180,925</td>
<td>(79,995)</td>
<td>316,896</td>
<td>723,700</td>
<td>(406,804)</td>
</tr>
<tr>
<td>Outside Services</td>
<td>51,432</td>
<td>54,175</td>
<td>(2,743)</td>
<td>206,730</td>
<td>216,700</td>
<td>(9,970)</td>
</tr>
<tr>
<td>Outside Labor</td>
<td>145,212</td>
<td>187,959</td>
<td>(42,747)</td>
<td>550,825</td>
<td>751,836</td>
<td>(201,011)</td>
</tr>
<tr>
<td>Fuel &amp; Lubricants</td>
<td>313,815</td>
<td>351,432</td>
<td>(37,617)</td>
<td>1,110,510</td>
<td>1,405,728</td>
<td>(295,218)</td>
</tr>
<tr>
<td>Supplies</td>
<td>65,644</td>
<td>114,592</td>
<td>(48,948)</td>
<td>221,780</td>
<td>458,368</td>
<td>(236,588)</td>
</tr>
<tr>
<td>Vehicle Maintenance</td>
<td>58,008</td>
<td>80,417</td>
<td>(22,409)</td>
<td>259,598</td>
<td>321,668</td>
<td>(62,070)</td>
</tr>
<tr>
<td>Marketing Supplies</td>
<td>546</td>
<td>3,167</td>
<td>(2,621)</td>
<td>24,435</td>
<td>12,668</td>
<td>11,767</td>
</tr>
<tr>
<td>Utilities</td>
<td>61,466</td>
<td>71,521</td>
<td>(10,055)</td>
<td>254,044</td>
<td>286,084</td>
<td>(32,040)</td>
</tr>
<tr>
<td>1 Insurance</td>
<td>114,914</td>
<td>104,167</td>
<td>10,747</td>
<td>446,390</td>
<td>416,668</td>
<td>29,722</td>
</tr>
<tr>
<td>Taxes</td>
<td>15,837</td>
<td>25,922</td>
<td>(10,085)</td>
<td>69,303</td>
<td>103,688</td>
<td>(34,385)</td>
</tr>
<tr>
<td>Purchased Transportation</td>
<td>351,010</td>
<td>436,000</td>
<td>(84,990)</td>
<td>1,459,677</td>
<td>1,744,000</td>
<td>(284,323)</td>
</tr>
<tr>
<td>Miscellaneous Expenses</td>
<td>42,152</td>
<td>41,976</td>
<td>176</td>
<td>155,474</td>
<td>167,904</td>
<td>(12,430)</td>
</tr>
<tr>
<td>Interfund transfers</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pass Thru/Behalf of Others</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>2 Interest Expense</td>
<td>37,734</td>
<td>12,000</td>
<td>25,734</td>
<td>61,078</td>
<td>48,000</td>
<td>13,078</td>
</tr>
<tr>
<td>Leases &amp; Rentals</td>
<td>34,355</td>
<td>45,999</td>
<td>(11,644)</td>
<td>155,208</td>
<td>183,996</td>
<td>(28,788)</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>3,577,765</td>
<td>4,321,320</td>
<td>(743,555)</td>
<td>13,762,502</td>
<td>17,285,280</td>
<td>(3,522,778)</td>
</tr>
<tr>
<td><strong>Operating Surplus (Deficit)</strong></td>
<td>278,145</td>
<td>(424,163)</td>
<td>702,308</td>
<td>2,228,470</td>
<td>(1,696,652)</td>
<td>3,925,122</td>
</tr>
</tbody>
</table>
## RIDES
### MONTEREY-SALINAS TRANSIT DISTRICT

**Revenue & Expense - Consolidated**  
Period: 10/01/22 .. 10/31/22

Fiscal Start Date: 07/01/22  
G/L Budget Filter: FY23, Fund Filter: 002  
All amounts are in USD.

### Description

<table>
<thead>
<tr>
<th>Description</th>
<th>Cur Mo. Actual</th>
<th>Cur Mo. Budget</th>
<th>Cur Mo. Variance</th>
<th>YTD Actual</th>
<th>YTD Budget</th>
<th>YTD Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenue</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Passenger Fares</td>
<td>14,945</td>
<td>15,000</td>
<td>(55)</td>
<td>50,588</td>
<td>60,000</td>
<td>(9,412)</td>
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<tr>
<td>Special Transit</td>
<td>13,642</td>
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<td>13,642</td>
<td>26,889</td>
<td>0</td>
<td>26,889</td>
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<td>Cash Revenue</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Cash Grants &amp; Reimbursement</td>
<td>557,614</td>
<td>557,614</td>
<td>0</td>
<td>2,230,456</td>
<td>1,115,228</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Revenue</strong></td>
<td>586,201</td>
<td>572,614</td>
<td>13,587</td>
<td>2,307,933</td>
<td>2,290,456</td>
<td>17,477</td>
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</table>

### Expenses

<table>
<thead>
<tr>
<th>Description</th>
<th>Cur Mo. Actual</th>
<th>Cur Mo. Budget</th>
<th>Cur Mo. Variance</th>
<th>YTD Actual</th>
<th>YTD Budget</th>
<th>YTD Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Labor</td>
<td>10,309</td>
<td>11,750</td>
<td>(1,441)</td>
<td>33,259</td>
<td>47,000</td>
<td>(13,741)</td>
</tr>
<tr>
<td>Benefits</td>
<td>5,748</td>
<td>6,207</td>
<td>(459)</td>
<td>17,117</td>
<td>24,828</td>
<td>(7,711)</td>
</tr>
<tr>
<td>Advertising &amp; Marketing</td>
<td>0</td>
<td>417</td>
<td>(417)</td>
<td>0</td>
<td>1,668</td>
<td>(1,668)</td>
</tr>
<tr>
<td>Professional &amp; Technical</td>
<td>0</td>
<td>417</td>
<td>(417)</td>
<td>0</td>
<td>1,668</td>
<td>(1,668)</td>
</tr>
<tr>
<td>Outside Services</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Outside Labor</td>
<td>2,312</td>
<td>6,500</td>
<td>(4,188)</td>
<td>9,249</td>
<td>26,000</td>
<td>(16,751)</td>
</tr>
<tr>
<td>Fuel &amp; Lubricants</td>
<td>61,964</td>
<td>78,750</td>
<td>(16,786)</td>
<td>245,083</td>
<td>315,000</td>
<td>(69,917)</td>
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<tr>
<td>Supplies</td>
<td>350</td>
<td>1,709</td>
<td>(1,359)</td>
<td>3,601</td>
<td>6,836</td>
<td>(3,235)</td>
</tr>
<tr>
<td>Vehicle Maintenance</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Marketing Supplies</td>
<td>0</td>
<td>167</td>
<td>(167)</td>
<td>0</td>
<td>668</td>
<td>(668)</td>
</tr>
<tr>
<td>Utilities</td>
<td>57</td>
<td>120</td>
<td>(63)</td>
<td>160</td>
<td>480</td>
<td>(320)</td>
</tr>
<tr>
<td>Insurance</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Taxes</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Purchased Transportation</td>
<td>338,754</td>
<td>450,417</td>
<td>(111,663)</td>
<td>1,414,740</td>
<td>1,801,668</td>
<td>(386,928)</td>
</tr>
<tr>
<td>Miscellaneous Expenses</td>
<td>15,744</td>
<td>16,161</td>
<td>(417)</td>
<td>65,180</td>
<td>64,644</td>
<td>536</td>
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<tr>
<td>Interfund transfers</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Pass Thru/Behalf of Others</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Interest Expense</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Leases &amp; Rentals</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Total Operating Expenses</strong></td>
<td>435,239</td>
<td>572,615</td>
<td>(137,376)</td>
<td>1,788,390</td>
<td>2,290,460</td>
<td>(502,070)</td>
</tr>
<tr>
<td>Operating Surplus (Deficit)</td>
<td>150,962</td>
<td>(1)</td>
<td>150,963</td>
<td>519,543</td>
<td>(4)</td>
<td>519,547</td>
</tr>
</tbody>
</table>
To: Board of Directors
From: Beronica Carriedo, Customer Service & Community Relations Supervisor
Subject: Disposal of Unclaimed Items Left on MST Property

RECOMMENDATION:

Receive Report on Lost and Found Items Left on MST Property for the Month of August 2022.

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 revised Disposal of Lost and Found Property policy during shelter in place adopted on April 6, 2020, MST shall suspend collection and storage of lost personal items with an estimated value of less than $100. Unless prohibited by law, lost, and found personal items with an estimated value of less than $100 shall be treated as potentially hazardous and disposed of immediately. These items include but are not limited to umbrellas, articles of clothing, pill containers, glasses, etc.

Items reasonably estimated with a value of greater than $100 shall only be handled by employees wearing personal protective equipment (such as gloves, masks, etc.), and stored in a secure area to limit possible exposure of COVID-19 to MST employees. All wallets/purses with identifying information and Driver’s License or Identification Cards will continue to be retained for 90 days before being disposed. MST makes an attempt to contact the owners of Lost and Found items with identifying information.

Item(s) with an estimated fair market value of $100 or more: None

Prepared by: Beronica Carriedo
Reviewed by: Carl G. Sedoryk
To: Board of Directors

From: Norman K. Tuitavuki, Chief Operating Officer

Subject: Authorize Purchase of Six (6) Paratransit RIDES Cutaway Buses

RECOMMENDATION:

Authorize the General Manager/CEO, or designated staff to purchase six (6) Starcraft paratransit cutaway buses for MST’s RIDES program from Creative Bus Sales in an amount not to exceed $775,000.

FISCAL IMPACT:

The total cost of $775,000 includes a mix of MST capital funds, Measure Q funds, and Federal Transit Administration (FTA) Section 5310 funds, all of which are authorized expenditures for this specific purchase. This purchase is from the FY 2020 year and was delayed due to supply chain issues.

POLICY IMPLICATIONS:

Your Board approves all purchases that exceed $100,000.

DISCUSSION:

MST’s contractor operates a fleet of cutaway buses – of which many are eligible for retirement based on age, mileage accrued, or both. These new buses will improve customer satisfaction and operational performance while lowering anticipated maintenance costs.

Approval of this item authorizes the General Manager/CEO, or designated staff to purchase six (6) paratransit cutaway buses from Creative Bus Sales, through the CalAct/MBTA Purchasing Cooperative. The Cooperative provides MST with a federal and California State-compliant purchasing solution that is competitively bid which reduces MST’s procurement time and eliminates other related activities. The purchasing cooperative includes an exhaustive and extensive cost and price analysis completed September 2, 2022. CalAct’s staff and their counsel determined pricing was fair and reasonable.
ATTACHMENT(S):

None

Prepared by: Norman Tuitavuki

Reviewed by: Carl G. Sedoryk
To: Board of Directors

From: Norman K. Tuitavuki, Chief Operating Officer

Subject: Authorize Purchase of four (4) Fixed-Route Cutaway Buses

RECOMMENDATION:

Authorize the General Manager/CEO, or designated staff to purchase four (4) Starcraft fixed-route cutaway buses from Creative Bus Sales in an amount not to exceed $575,000.

FISCAL IMPACT:

The total cost of $575,000 includes a mix of MST capital funds and Federal Transit Administration (FTA) Section 5339 funds, all of which are included expenditures for this specific purchase in the FY 2022/23 Budget.

POLICY IMPLICATIONS:

Your Board approves all purchases that exceed $100,000.

DISCUSSION:

MST’s purchased transportation contractor, MV Transportation, operates a fleet of fixed-route cutaway buses – of which many are eligible for retirement based on age, mileage accrued, or both. These new buses will improve customer satisfaction and operational performance while lowering anticipated maintenance costs.

Approval of this item authorizes the General Manager/CEO, or designated staff to purchase four (4) fixed-route cutaway buses from Creative Bus Sales, through the CalAct/MBTA Purchasing Cooperative. The Cooperative provides MST with a federal and California State-compliant purchasing solution that is competitively bid which reduces MST’s procurement time and eliminates other related activities. The purchasing cooperative includes an exhaustive and extensive cost and price analysis completed September 2, 2022. CalAct’s staff and their counsel determined pricing was fair and reasonable.

ATTACHMENT(S):

None
To: Board of Directors  
From: Jeanette Alegar-Rocha, Executive Assistant/Clerk to the Board  
Subject: 2023 Board Meeting Calendar, Committee Meeting Schedule, and Conference Dates  

RECOMMENDATION:

Receive the 2023 Board Meeting Calendar, Committee Meeting Schedule and Conference dates.

FISCAL IMPACT:

None.

POLICY IMPLICATIONS:

Article V(a) of the MST Bylaws state that “Regular meetings of the Board shall be held the second Monday of each month throughout the year commencing at the hour of 10:00 am in the Monterey-Salinas Transit, Thomas D. Albert Division Conference Room at One Ryan Ranch Road, Monterey, California 93940. Regular meetings may also be held on other days, at other times, and places as the business of the Monterey-Salinas Transit District (“District”) requires.”

DISCUSSION:

This year more detail will be provided on MST conferences, delineating which meetings are attended by MST staff and board members or MST staff only. The regularly scheduled meetings of the RTA Board are also included in the calendar for the convenience of those Board members who serve on the RTA. All Board meetings have been scheduled to accommodate holidays and conferences attended by MST staff and/or board members.

Please note that the March 13th Board meeting conflicts with American Public Transportation Association Legislative Conference in Washington, DC.

ATTACHMENT(S):

1. 2023 MST Board and Committee Meeting Schedule  
2. 2023 Conference Dates
### 2023 MST Board and Committee Meeting Schedule

<table>
<thead>
<tr>
<th>MST Board Meeting Date</th>
<th>MST Committee</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>January 9, 2023 – *9:00 am start</td>
<td>No Committee</td>
<td>Strategic Plan Update/Workshop</td>
</tr>
<tr>
<td>February 13, 2023</td>
<td>Operations</td>
<td></td>
</tr>
<tr>
<td>March 13, 2023</td>
<td>Admin</td>
<td>Conflicts with APTA Leg Conf</td>
</tr>
<tr>
<td>April 10, 2023</td>
<td>Operations</td>
<td></td>
</tr>
<tr>
<td>May 8, 2023</td>
<td>Admin</td>
<td></td>
</tr>
<tr>
<td>June 12, 2023</td>
<td>Operations</td>
<td></td>
</tr>
<tr>
<td>July 10, 2023</td>
<td>Admin</td>
<td></td>
</tr>
<tr>
<td>August 14, 2023</td>
<td></td>
<td>No Meeting</td>
</tr>
<tr>
<td>September 11, 2023</td>
<td>Admin</td>
<td></td>
</tr>
<tr>
<td><strong>October 16, 2023</strong></td>
<td>Admin</td>
<td>Not 2\textsuperscript{nd} Monday of Month</td>
</tr>
<tr>
<td>November 13, 2023</td>
<td></td>
<td></td>
</tr>
<tr>
<td>December 11, 2023</td>
<td></td>
<td>MSTC Annual Meeting follows</td>
</tr>
</tbody>
</table>

**Regional Taxi Authority Date**

| †June 26, 2023 | N/A | Not all MST Board attends |

*MST meetings in **boldfaced type** do not occur on the second Monday of the month.

**The Calendar Year 2023 MST Board Administrative Performance (BAPC) /Operations Performance (BOPC) Committee Meetings occur alternately every 2\textsuperscript{nd} Monday of every month from 9:00 AM to 10:00 AM (Pacific Time) unless otherwise noted above.

†RTA meetings are attended by only some of the MST Board of Directors.
2023 Conference Dates

February 26 - March 1  APTA Marketing & Communications Workshop, Las Vegas, NV
March 12 - 14  APTA Legislative Conference, Washington, DC*
April 17 - 21  CALACT Annual Spring Conference, Truckee, CA*
April 23 - 26  APTA Mobility Conference, Minneapolis, Minnesota**
May 16  CTA Spring Legislative Conference, Sacramento, CA*
May 19 - 21  APTA Transit CEO Seminar, Houston, TX**
May 21 - 25  CTAA Annual Conference and Expo, Oklahoma City, OK*
July 14 - 18  APTA Board Members Seminar, Birmingham, AL*
July 30 - August 2  APTA Sustainability & Multimodal Workshop, Anaheim, CA**
July 30 - August 2  APTA Tech Conference, Anaheim, CA**
October 8 - 11  APTA TRANSForm, Orlando, FL*
November 15 - 17  CTA Fall Conference & Expo, Pasadena, CA*

- Conferences marked “*” are attended by some board members.
- Conferences marked “**” are attended by the General Manager/CEO, or staff.
To: Board of Directors

From: Steven Bruno, Purchasing Agent

Subject: Contactless Fare Payment Validators and Payment Processing

RECOMMENDATION:

Authorize the General Manager/CEO to purchase Contactless Fare Payment Validators from KUBA, Inc. and Contactless Fare Payment Processing from Littlepay in an amount not to exceed $315,358, in addition to $76,056 per year in maintenance fees for KUBA and, for Littlepay, a 2.25% transit processor service fee of total revenue processed for three (3) years with two (2) one-year options.

FISCAL IMPACT:

$100,000 for Contactless Fare Payment Validators and Contactless Fare Payment Processing is included in the Board adopted budget. However, the amount available in the grant program through the CA Cap and Trade Program for this purpose is $300,000. The additional amount needed, $15,358, for this purchase will be redirected from reserves or underspending elsewhere. Annual maintenance fees will be included in the budget going forward.

POLICY IMPLICATIONS:

Your Board approves purchases over $100,000.

DISCUSSION:

In May 2021, MST initiated a demonstration of the first contactless open-loop fare payment technology in California and introduced daily, weekly, and monthly fare capping. MST was also one of the first transit operators in the world to provide a method of applying a discounted fare to an open loops system for seniors, youth, persons with disabilities, and veterans. MST has seen a steady increase in customer adoption of this from of fare payment and national surveys indicate that two-thirds of transit riders expect a contactless method of payment to be offered.

In October 2022, MST issued a Request for Proposals (RFP) for Payment Acceptance Devices and Transit Processor Services better known as contactless fare payment. The RFP was based on the California Department of Government Services (GSA) competitive procurement. By the deadline of 10:00 A.M. on November 4, MST received a proposal from KUBA, Inc. for Contactless Fare Validators and from Littlepay for Contactless Fare Payment Processing.
In addition to the above referenced proposals, MST received one additional proposal from SCSoft. However, the proposal was disqualified because the submittal was received 3 hours past the deadline.

The KUBA and Littlepay proposals were reviewed by an evaluation team comprised of MST staff members and the team concluded that both KUBA and Littlepay demonstrated adequate understanding of the MST's needs as outlined in the scope of services.

The Board’s approval will allow MST to move from the demonstration phase of contactless fare payment to a more permanent solution that staff predicts will result in lower long-term costs of fare collection compared to the traditional farebox, and allow passengers a faster, more equitable, and more hygienic method of payment.

ATTACHMENT(S):

None.

Prepared by: ____________________  Reviewed by:  ______________________

Steven Bruno           Carl Sedoryk
STATE SENATOR JOHN LAIRD  
RESOLUTION 2023-17  
APPRECIATION FOR SUPPORT OF MST

WHEREAS, John Laird was elected to represent the California 17th Senate District on November 3, 2020; and

WHEREAS, John Laird previously was elected to serve as the representative of California’s 27th Assembly District from 2002 – 2008; and

WHEREAS, John Laird throughout his 8 years within the California Legislature has consistently supported legislation and funding initiatives that enhanced and improved access to public transit; and

WHEREAS, John Laird, was successful in securing a $2.5M budget appropriation for the MST SURF! Busway and Bus Rapid Transit project as part of the 2022-23 State Budget; and

WHEREAS, John Laird has acted as a strong advocate for residents of Monterey County who depend on public transportation; and

WHEREAS, John Laird has made a substantial and lasting contribution to the improvement of public transportation throughout Monterey County.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors gives its sincerest appreciation to John Laird for his continued support.

THE BOARD OF DIRECTORS OF MONTEREY-SALINAS TRANSIT PASSED AND ADOPTED RESOLUTION 2023-17 this 12th day of December 2022.

____________________________  ___________________________
Anna Velazquez                  Carl G. Sedoryk
Board Chair                     Board Secretary
ASSEMBLYMEMBER MARK STONE
RESOLUTION 2023–18
APPRECIATION FOR SUPPORT OF MST

WHEREAS, Mark Stone was elected to represent the California 29th Assembly District on November 4, 2014; and

WHEREAS, Mark Stone throughout his 8 years within the California legislature consistently supported legislation and funding initiatives that enhanced and improved access to public transit; and

WHEREAS, Mark Stone authored AB 946 on behalf of Monterey-Salinas Transit which passed the Assembly and Senate unanimously allowing Monterey County to be among the first counties in California with authority to operate transit bus services on the shoulder of state highways; and

WHEREAS, Mark Stone has acted as a strong advocate for residents of Monterey County who depend on public transportation; and

WHEREAS, Mark Stone has retired from the State Assembly at the end of the current term, effective December 5, 2022; and

WHEREAS, Mark Stone has made a substantial and lasting contribution to the improvement of public transportation throughout Monterey County.

NOW THEREFORE, BE IT RESOLVED that the Board of Directors gives its sincerest appreciation and best wishes to Mark Stone in his future endeavors.

THE BOARD OF DIRECTORS OF MONTEREY-SALINAS TRANSIT PASSED AND ADOPTED RESOLUTION 2023-18 this 12th day of December 2022.

___________________________________  _________________________
Anna Velazquez                    Carl G. Sedoryk
Board Chair                        Board Secretary
To: Board of Directors

From: Lisa Cox, Risk and Security Manager

Subject: Notice of Insufficiency

RECOMMENDATION:

Reject claim for insufficiency by the claimant Stephanie Jimenez-Garcia.

FISCAL IMPACT:

The claimant failed to provide the exact amount desired to resolve the claim.

POLICY IMPLICATIONS:

None.

DISCUSSION:

On November 8, 2022, MST received a claim related to an incident at the Salinas Transit Center that occurred on May 12, 2022.

The claimant states the coach operator deployed the exit ramp as she was exiting the bus, catching the claimant’s foot, and causing her to fall and injury herself.

It has been determined that the most recent claim submitted has failed to comply with the California Tort Claims Act and is insufficient as the amount claimed is not specific as stated, “exceeds $100,000.00” for pain and suffering, available medical bills, and continuation of the same. The claimant failed to provide the documentation needed to evaluate the value of their claim. The claimant’s failure to provide a specific claim amount has prompted the recommendation to have this amended claim rejected for insufficiency.

The above claim is under investigation. If any Board member desires further information on this claim, they may request it be discussed in closed session.

Prepared by: Lisa Cox

Approved by: Carl Sedoryk
To: Board of Directors

From: Kelly Halcon, Director of Human Resources and Risk

Subject: Employee-Employer Relations Policy

RECOMMENDATION:

Approve revisions to the Employee-Employer Relations Policy.

FISCAL IMPACT:

None.

POLICY IMPLICATIONS:

Staff is updating the Employee-Employer Relations Policy due to the reorganization of responsibilities and positions within the agency. Your Board approves all new policies and/or amendments.

DISCUSSION:

Monterey-Salinas Transit has developed a policy that implements Chapter 10, Division 4, Title I of the Government Code of the State of California (Sections 3500 et. seq.) by providing orderly procedures for the administration of employer-employee relations between MST and its employee organizations. Nothing contained in the policy shall be deemed to supersede the provisions of federal law, state law, local ordinances, and the MST Employee Handbook, or which provide for other methods of employer-employee relations. This policy is intended, instead, to strengthen methods of administering employer-employee relations through the establishment of uniform and orderly methods of communications between employees, employee organizations and Monterey-Salinas Transit District.

MST is making an amendment to the policy with regards to the individuals who comprise the “Confidential Unit”. An employee in the Confidential Unit is an employee who, in the course of their duties, has access to confidential information relating to MST’s administration of employer-employee relations. These individuals are privy to closed door sessions and/or are the alternate to the primary who is privy to closed door sessions. The following positions are in the Confidential Unit:
CONFIDENTIAL UNIT: December 2022

Title
Assistant General Manager
Executive Assistant to the General Manager/CEO/Clerk to the Board
Chief Operating Officer
Chief Information Officer
Director of Planning and Innovation
Director of Human Resources and Risk Management
General Accounting and Budget Manager
IT Manager
Human Resources Supervisor

Staff recommends that the Board adopt the amendments to the Employee-Employer Relations Policy.

ATTACHMENT(S):

Employee-Employer Relations Policy - Revised 12/12/2022

Prepared by: ________________________ Reviewed by: ______________________
Kelly Halcon Carl G. Sedoryk
Employer-Employee Relations Policy
Adopted: 7/12/2010
Revised: 12/12/2022

OBJECTIVE:  To provide establish procedures for meeting and conferring in good faith with Recognized Employee Organizations regarding matters that directly and significantly affect and primarily involve the wages, hours, and other terms and conditions of employment.

1.0  GENERAL PROVISIONS

1.01.  Statement of Purpose

This Policy implements Chapter 10, Division 4, Title I, of the Government Code of the State of California (Sections 3500 et seq.) captioned "Local Public Employee Organizations," by providing orderly procedures for the administration of employer/employee relations between Monterey-Salinas Transit and its employee organizations. However, nothing contained herein shall be deemed to supersede the provisions of federal law, state law, local ordinances, and MST Personnel Policies and Procedures, or which provide for other methods of administering employer/employee relations. This Policy is intended, instead, to strengthen methods of administering employer/employee relations through the establishment of uniform and orderly methods of communications between employees, employee organizations and the Monterey-Salinas Transit.

It is the purpose of this Policy to provide procedures for meeting and conferring in good faith with Recognized Employee Organizations regarding matters that directly and significantly affect, and primarily involve, the wages, hours, and other terms and conditions of employment of employees in appropriate units that are not preempted by federal or state law. However, nothing herein shall be construed to restrict any legal or inherent exclusive Monterey-Salinas Transit rights with respect to matters of general legislative or managerial policy, which include among others: The exclusive right to determine the mission of its constituent departments and committees, set standards of service; determine the procedures and standards of selection for employment; direct its employees, take disciplinary action; relieve its employees from duty because of lack of work or for other lawful reasons; determine the content of job classifications; subcontract work; maintain the efficiency of operations; determine the methods, means and personnel by which operations are to be conducted; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work.
1.02. Definitions

As used in this Policy, the following terms shall have the meanings indicated:

a. “Appropriate unit” means a unit of employee classes or positions, established pursuant to section 4.2 hereof.

b. “MST” means the Monterey-Salinas Transit, and where appropriate herein, refers to the Board of Directors or any duly authorized MST representative as herein defined.

c. “Confidential Employee” means an employee who, in the course of his or her duties, has access to confidential information relating to MST's administration of employer-employee relations.

d. “Consult/Consultation in Good Faith” means to communicate orally or in writing with all affected employee organizations, whether exclusively recognized or not, for the purpose of presenting and obtaining views or advising of proposed actions in an effort to reach a consensus; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of such meet and confer process, does not involve an exchange of proposals and counterproposals with an exclusively recognized employee organization in an endeavor to reach agreement in the form of a Memorandum of Understanding, nor is it subject to section 4.4 hereof.

e. “Day” means calendar day, unless expressly stated otherwise.

f. “Employee Relations Officer” means the General Manager/CEO or his/her duly delegated agent. Any delegation shall be in writing.

g. “Impasse means that the representatives of MST and a Recognized Employee Organization have reached a point in their meeting and conferring in good faith where their differences on matter to be included in a Memorandum of Understanding, and concerning which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.

h. “Management Employee” means an employee having responsibility for formulating, administering, or managing the implementation of MST policies and procedures and Collective Bargaining Agreement(s).

i. “Proof of Employee Support” means (1) an authorization card recently signed and personally dated by an employee, or (2) a verified authorization petition or petitions recently signed and personally dated by an employee, or (3) employee dues deduction authorization, using the payroll register for the period immediately prior to the date a petition is filed hereunder, except that dues deduction authorization for more than one employee organization for the account of any one employee shall not be considered as proof of employee support for any employee organization. The only authorization, which shall be considered as proof of employee support hereunder, shall be the
authorization last signed by an employee. The words “recently signed’ shall mean within ninety (days) days prior to the filing of a petition.

j. “Exclusively Recognized Employee Organization” means an employee organization which has been formally acknowledged by MST as the sole employee organization “Appropriate unit” means a unit of employee classes or positions, established pursuant to section 4.2 hereof.

k. “MST” means the Monterey-Salinas Transit, and where appropriate herein, refers to the Board of Directors or any duly authorized MST representative as herein defined.

l. “Confidential Employee” means an employee who, in the course of his or her duties, has access to confidential information relating to MST’s administration of employer-employee relations.

m. “Consult/Consultation in Good Faith” means to communicate orally or in writing with all affected employee organizations, whether exclusively recognized or not, for the purpose of presenting and obtaining views or advising of proposed actions in an effort to reach a consensus; and, as distinguished from meeting and conferring in good faith regarding matters within the required scope of such meet and confer process, does not involve an exchange of proposals and counterproposals with an exclusively recognized employee organization in an endeavor to reach agreement in the form of a Memorandum of Understanding, nor is it subject to section 4.4 hereof.

n. “Day” means calendar day, unless expressly stated otherwise.

o. “Employee Relations Officer” means the General Manager/CEO or his/her duly delegated agent. Any delegation shall be in writing.

p. “Impasse means that the representatives of MST and a Recognized Employee Organization have reached a point in their meeting and conferring in good faith where their differences on matter to be included in a Memorandum of Understanding, and concerning which they are required to meet and confer, remain so substantial and prolonged that further meeting and conferring would be futile.

q. “Management Employee” means an employee having responsibility for formulating, administering, or managing the implementation of MST policies and procedures and Collective Bargaining Agreement(s).

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s. “Exclusively Recognized Employee Organization” means an employee organization which has been formally acknowledged by MST as the sole employee organization.

1.03. Recognition of Employee Organizations

See Section 4.6 for list of employee Organizations.

2.0 REPRESENTATION PROCEEDINGS

2.01. Filing of Recognition Petition by Employee Organization:

An employee organization which seeks to be formally acknowledged as an Exclusively Recognized Employee Organization representing the employees in an appropriate unit shall, during the period of April 1 through April 30 of any year, file a petition with the Employee Relations Officer containing the following information and documentation:

a. Name and address of the employee organization.

b. Names and titles of its officers.

c. Names of employee organization representatives who are authorized to speak on behalf of the organization.

d. A statement that the employee organization has, as one of its primary purposes, the responsibility of representing employees in their employment relations with MST.

e. A statement whether the employees organization is a chapter of, or affiliated directly or indirectly in any manner, with a local, regional state, national or international organization, and, if so, the name and address of each such other organization.

f. Certified copies of the employee organization’s constitution and bylaws.

g. A designation of those persons, not exceeding two in number, and their addresses, to whom notice sent by regular United States mail will be deemed sufficient notice on the employee organization for any purpose.

h. A statement that the employee organization has no restriction on membership based on race, color, religion, creed, sex, national origin, age, sexual orientation, mental or physical disability or medical condition.

i. The job classifications or position titles of employees in the unit claimed to be appropriate and the approximate number of member employees therein.

j. A statement that the employee organization has in its possession proof of employee support as herein defined to establish that a majority of the employees in the unit claimed to be appropriate have designated the employee organization to represent them in their employment relations with MST. Such written proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party.
k. A request that the Employee Relations Officer formally acknowledge the petitioner as the Exclusively Recognized Employee Organization representing the employees in the unit claimed to be appropriate for the purpose of meeting and conferring in good faith. The Petition, including the proof of employee support and all accompanying documentation, shall be declared to be true, correct and complete, under penalty of perjury, by the duly authorized officer(s) of the employee organization executing it.

2.02. MST Response to Recognition Petition:

Upon receipt of the Petition, the Employee Relations Officer shall determine whether:

a. There has been compliance with the requirements of the Recognition Petition, and
b. The proposed representation unit is an appropriate unit in accordance with section 2.06.

If an affirmative determination is made by the Employee Relations Officer on the foregoing two matters, he/she shall so inform the petitioning employee organization, shall give written notice of such request for recognition to the employees in the unit, and shall take no action on said request for thirty (30) days thereafter. If either of the foregoing matters is not affirmatively determined, the Employee Relations Officer shall offer to consult thereon with such petitioning employee organizations and, if such determination thereafter remains unchanged, shall inform that organization of the reasons therefore in writing. The petitioning employee organization may appeal such determination in accordance with section 1.02 of this Policy.

2.03. Open Period for Filing Challenging Petition.

Within thirty (30) days of the date written notice was given to affected employees that a valid recognition petition for an appropriate unit has been filed, any other employee organization may file a competing request to be formally acknowledged as the exclusively recognized employee organization of the employees in the same or in an overlapping unit (one which corresponds with respect to some, but not all the classifications or positions set forth in the recognition petition being challenged), by filing a petition evidencing proof of employee support in the unit claimed to be appropriate of at least thirty (30) percent and otherwise in the same form and manner as set forth in section 4.2.01. If such challenging petition seeks establishment of an overlapping unit, the Employee Relations Officer, or his/her appointed designee, shall call for a hearing on such overlapping petitions for the purpose of ascertaining the more appropriate unit at which time the petitioning employee organizations shall be heard. Thereafter, the Employee Relations Officer shall determine the appropriate unit or units in accordance with the standards in section 2.06. The petitioning employee organizations shall have fifteen (15) days from the date notice of such unit determination is communicated to them by the Employee Relations Officer to amend their petitions to conform to such determination or to appeal such determination pursuant to section 2.08.
2.04. Election Procedure:

The Employee Relations Officer shall arrange for a secret ballot election to be conducted by a party agreed to by the Employee Relations Officer and the concerned employee organization(s), in accordance with such party’s rules and procedures subject to the provisions of this Policy. All employee organizations that have duly submitted petitions, which have been determined to be in conformance with this section, shall be included on the ballot. The ballot shall also reserve to employees the choice of representing themselves individually in their employment relations with MST. Employees entitled to vote in such election shall be those persons employed as “Regular Employees” of MST, within the designated appropriate unit, who were employed during the pay period immediately prior to the date which ended at least fifteen (15) days before the date the election commences, including those who did not work during such period because of illness, vacation or other authorized leaves of absence, and who are employed by MST in the same unit on the date of the election. An employee organization shall be formally acknowledged as the Exclusively Recognized Employee Organization for the designated appropriate unit following an election or run-off election if it received a numerical majority of all valid votes cast in the election. In an election involving three or more choices, where none of the choices receives a majority of the valid votes cast, a run-off election shall be conducted between the two choices receiving the largest number of valid votes cast. The rules governing an initial election are applicable to a run-off election.

There shall be no more than one valid election under this Policy, pursuant to any petition, in a 12-month period affecting the same unit.

In the event that the parties are unable to agree on a third party to conduct an election the election shall be conducted by the California State Mediation and Conciliation Service.

Costs of conducting elections shall be borne in equal shares by MST and by each employee organization appearing on the ballot.

2.05. Procedure for Decertification of Exclusively Recognized Employee Organization:

A Decertification Petition alleging that the incumbent Exclusively Recognized Employee Organization no longer represents a majority of the employees in an established appropriate unit may be filed with the Employee Relations Officer only during the month of April. A Decertification Petition may be filed by two or more employees or their representative, or an employee organization, and shall contain the following information and documentation declared by the duly authorized signatory under penalty of perjury to be true, correct and complete:

a. The name, address and telephone number of the petitioner and a designated representative authorized to receive notices or requests for further information.
b. The name of the established appropriate unit and of the incumbent Exclusively Recognized Employee Organization sought to be decertified as a representative of that unit.

c. An allegation that the incumbent Exclusively Recognized Organization no longer represents a majority of the employees in the appropriate unit, and any other relevant and material facts relating thereto.

d. Proof of employee support that at least thirty (30) percent of the employees in the established appropriate unit no longer desire to be represented by the incumbent Exclusively Recognized Employee Organization. Such proof shall be submitted for confirmation to the Employee Relations Officer or to a mutually agreed upon disinterested third party within the time limits specified in the first paragraph of this Section.

An employee organization may, in satisfaction of the Decertification Petition requirements hereunder, file a Petition under this section in the form of a Recognition Petition that evidences proof of employee support of at least thirty (30) percent, that includes the allegation and information required under paragraph (c.) of this section 2.05, and otherwise conforms to the requirements of Section 4 of this Article.

The Employee Relations Officer shall initially determine whether the Petition has been filed in compliance with the applicable provision of section 4.2. If his/her determination is in the negative, he/she shall offer to consult thereon with the representative(s) of such petitioning employees or employee organization and, if such determination thereafter remains unchanged, shall return such Petition to the employees or employee organization with a statement of the reasons therefore in writing. The petitioning employees or employee organization may appeal such determination in accordance with section 2.08. If the determination of the Employee Relations Officer is in the affirmative, or if his negative determination is reversed on appeal, he/she shall give written notice of such Decertification or Recognition Petition to the incumbent Exclusively Recognized Employee Organization and to unit employees.

The Employee Relations Officer shall thereupon arrange for a secret ballot election to be held on or about fifteen (15) days after such notice to determine the wishes of unit employees as to the question of decertification and, if a Recognition Petition was duly filed hereunder, the question of representation. Such election shall be conducted in conformance with section 2.04.

During the “open period” specified in the first paragraph of this section 2.05, the Employee Relations Officer may on his/her own motion, when he/she has reason to believe that a majority of unit employees no longer wish to be represented by the incumbent Exclusively Recognized Employee Organization, give notice to that organization and all unit employees that he/she will arrange for an election to determine that issue. In such event, any other employee organization may within fifteen (15) days of such notice file a Recognition Petition in
accordance with section 2.05, which the Employee Relations Officer shall act on in accordance with 2.05.

If, pursuant to section 2.05, a different employee organization is formally acknowledged as the Exclusively Recognized Employee Organization, such organization shall be bound by all the terms and conditions of any Memorandum of Understanding then in effect for its remaining term.

2.06. Policy and Standards for Determination of Appropriate Units:

The policy objectives in determining the appropriateness of units shall be the effect of a proposed unit on (1) the efficient operations of MST and its compatibility with the primary responsibility of MST and its employees to effectively and economically serve the public, and (2) providing employees with effective representation based on recognized community of interest. Factors to be considered shall be:

a. Similarity of the general kinds of work performed, types of qualification required, and the general working conditions.

b. History of representation at MST and similar employment; except however, that no unit shall be deemed to be an appropriate unit solely on the basis of the extent to which employees in the proposed unit have organized.

c. Consistency with the organizational patterns of MST.

d. Number of employees and classifications, and the effect on the administration of employer-employee relations created by the fragmentation of classifications and proliferation of units.

e. Employee relationship of dividing a single classification or related classifications among two or more units.

Notwithstanding the foregoing provisions of this Section, managerial and confidential responsibilities, as defined in section 1.02 of this Policy, are determining factors in establishing appropriate units hereunder, and therefore managerial or confidential employees may only be included in a unit consisting solely of managerial or confidential employees respectively. Managerial and confidential employees may not represent any employee organization, which represents other employees.

The Board of Directors Monterey-Salinas Transit shall, after notice to and consultation with affected employee organizations, allocate new classifications or positions, delete eliminated classifications or positions, and retain, reallocate, or delete modified classifications or positions from units, in accordance with the provisions of this Section. The decision of the Board of Directors shall be final.
2.07. Procedure for Modification of Established Appropriate Units:

Requests by employee organizations for modifications of established appropriate units may be considered by the Employee Relations Officer only during the period specified in section 2.05. Such requests shall be submitted in the form of a Recognition Petition and, in addition to the requirements set forth in section 2.01, shall contain a complete statement of all relevant facts and citations in support of the proposed modified unit in terms of the policies and standards set forth in section 2.06 hereof. The Employee Relations Officer shall process such petitions as other Recognition Petitions under section 2. If a negative determination is made on a recognition petition, the Employee Relations Officer should offer to consult with the petitioning organizations. After such meeting, the Employee Relations Officer should provide the organization with a written final decision.

2.08. Procedure for Processing Severance Requests:

An employee organization may file a request to become the recognized employee organization of a unit alleged to be appropriate that consists of a group of employees who are already a part of a larger established unit represented by another recognized employee organization. The timing, form and processing of such request shall be as specified as specified in section 4.2.07 for modification requests.

2.09. MST Processing of Unit Modification and Severance Requests:

The Employee Relations Officer may on his/her own motion propose during the period specified in section 2.05 that an established unit be modified. The Employee Relations Officer may, at the request of any employee or group of employees or by his own motion, propose modification(s), to any affected employee organization, and shall hold a meeting concerning the proposed modification(s), at which time all affected employee organizations shall be heard. Thereafter, the Employee Relations Officer shall determine the composition of the appropriate unit or units, in accordance with section 2.06, and shall give written notice of such determination to the affected employee organizations. The Employee Relations Officer’s determination may be appealed, as provided in section 2.10. If a unit is modified pursuant to the motion of the Employee Relations Officer hereunder, employee organizations may thereafter file Recognition Petitions seeking to become the Exclusively Recognized Employee Organization for such new appropriate unit or units pursuant to section 2.01 hereof.

2.10. Appeals:

An employee organization aggrieved by an appropriate unit determination of the Employee Relations Officer under section 2.07 may, within ten (10) days of notice thereof, request the intervention of the California State Mediation and Conciliation Service, pursuant to Government Code Sections 3507.1 and 3507.3, or may, in lieu thereof or thereafter, appeal such determination to the Board of Directors for final decision within fifteen (15) days of
notice of the Employee Relations Officer’s determination or the termination of proceedings pursuant to Government Code Sections 3507.1 and 3507.3, whichever is later.

An employee organization aggrieved by a determination of the Employee Relations Officer that a Recognition Petition (section 2.02), Challenging Petition (section 2.03), or Decertification of Recognition Petition (section 2.05) – or employee aggrieved by a determination of the Employee Relations Officer that a Decertification Petition (section 2.05) – has not been filed in compliance with the applicable provisions of this Article may, within fifteen (15) days of notice of such determination, appeal the determination to the Board of Directors for final decision.

Appeals to the Board of Directors shall be filed in writing with the Secretary to the Board, and a copy thereof served on the Employee Relations Officer. The Board of Directors shall commence to consider the matter within thirty-(30) days of the filing of the appeal. The Board of Directors may, in its discretion, refer the dispute to a third party hearing process. Any decision of the Board of Directors on the use of such procedure, and/or any decision of the Board of Directors determining the substance of the dispute shall be final and binding.

3.0 ADMINISTRATION

3.01. Submission of Current Information by Recognized Employee Organizations:

All changes in the information filed with MST by an Exclusively Recognized Employee Organization under items (a.) through (h.) of its Recognized Petition under section 2.01 of this Policy shall be submitted in writing to the Employee Relations Officer within fourteen (14) days of such change.

3.02. Payroll Deductions on Behalf of Employee Organizations:

Upon formal acknowledgment by MST of an Exclusively Recognized Employee Organization under this Policy, only such recognized Employee Organization may be provided payroll deductions of membership dues and insurance premiums for plans sponsored by such organization upon the written authorization of employees in the unit represented by the Exclusively Recognized Employee Organization on forms provided therefore by MST. The providing of such service of the Exclusively Recognized Employee Organization by MST shall be contingent upon and in accordance with the provisions of Memoranda of Understanding and/or applicable administrative procedures.

3.03. Employee Organization Activities – Use of MST Resources

Access to MST work locations and the use of paid time, facilities, equipment and other resources by employee organizations and those representing them shall be authorized only to the extent provided for in Memoranda of Understanding and/or administrative procedures,
shall be limited to lawful activities consistent with the provisions of this Policy that pertain directly to the employer-employee relationship and not such internal employee organization business as soliciting membership, campaigning for office, and organization meetings and elections, and shall not interfere with the efficiency, safety and security of MST operations.

3.04. Administrative Rules and Procedures:

MST is hereby authorized to establish such rules and procedures as appropriate to implement and administer the provisions of this Policy after consultation with affected employee organizations.

4.0 IMPASSE PROCEDURES

4.01. Initiation of Impasse Procedures:

If the meet and confer process has reached impasse as defined in section 1.02 of this Policy, either party may initiate the impasse procedures by filing with the other party a written request for an impasse meeting, together with a statement of its position on all issues. An impasse meeting shall then be scheduled promptly by the Employee Relations Officer. The purpose of such meeting shall be:

a. To review the position of the parties in a final effort to reach agreement on a Memorandum of Understanding; and if the impasse is not resolved, to discuss arrangements for the utilization of the impasse procedures provided herein.

Initiation of these procedures should be based upon either party’s good faith and belief that an impasse has been reached.

4.02. Impasse Procedures:

Impasse procedures are as follows:

a. If the parties agree to submit the dispute to mediation and agree on the selection of a mediator, the dispute shall be submitted to mediation. All mediation proceedings shall be private. The Mediator shall make no public recommendation, nor take any public position at any time concerning the issues.

b. If the parties fail to agree to submit the dispute to mediation or fail to agree on the selection of a mediator, or fail to resolve the dispute through mediation within fifteen (15) days after the mediator commenced meeting with the parties, the parties may agree to submit the impasse to fact-finding.

If the parties agree on fact-finding, they may agree on the appointment of one or more fact-finders. If they fail to so agree on one or more fact-finders, a fact-finding panel of three (3)
shall be appointed in the following manner: One member of the panel shall be appointed by the Employee Relations Officer, one member shall be appointed by the Exclusively Recognized Employee Organization, and those two shall name a third, who shall be the chairperson. If they are unable to agree upon a third, they shall select by agreement the third member from one or more lists of seven (7) names of individuals having fact-finding experience in the public sector, to be provided by the California State Mediation and Conciliation Service.

The following constitute the jurisdictional and procedural requirements for fact-finding:

1) The fact-finders shall consider and be guided by applicable federal and state laws.

2) Subject to the stipulations of the parties, the fact-finders shall determine and apply the following measures and criteria in arriving at their findings and recommendations:

   a. First, as relevant to the issues in dispute, the fact-finders shall compare the total compensation, hours and conditions of employment of the employees involved in the fact-finding proceeding with the total compensation hours and conditions of employment of other employees performing similar services in public and private employment in the same and comparable communities. “Total compensation” shall mean all wage compensation, including but not limited to premium, incentive, minimum, standby, out-of-class and deferred pay; all paid leave time; all allowances, including but not limited to educational and uniform benefits; and employer payments for all health, welfare and pension benefits.

   b. The fact-finders shall then adjust the results of the above comparisons based on the following factors:

      (i) The compensation necessary to recruit and retain qualified personnel.

      (ii) Maintaining compensation relationships between job classifications and positions within MST.

      (iii) The pattern of change that has occurred in the total compensation of the employees in the unit at impasse, as compared to the pattern of change in the average “consumer price index” for goods and services and the pattern of change in wages and compensation of other wage earners.

   c. The fact-finders shall then determine preliminary recommendations based on the comparisons as adjusted above which, however, shall be reduced as appropriate, based upon the financial resources of MST to implement them. In assessing MST’s financial resources, the fact-finders shall be bound by the following:

      (i) Other legislatively determined and projected demands on MST resources, i.e., budgetary priorities as established by the governing body; and
(ii) Allowance for equitable compensation increases for other employees and employee groups for the corresponding fiscal period(s); and

(iii) Revenue projections not to exceed currently authorized tax and fee rates for the relevant fiscal year(s); and

(iv) Assurance of sufficient and sound budgetary reserves; and

(v) Constitutional, statutory limitations on the level and use of revenues and expenditures.

3) The fact-finders shall make written findings of fact and advisory recommendations for the Policy of the issues in dispute, which shall be presented in terms of the criteria, adjustments, and limitations specified above. Any member of a fact-finding panel shall be accorded the right to file dissenting written findings of fact and recommendations. The fact-finding panel shall be accorded the right to file dissenting written findings of fact and recommendations. The fact-finder or chairperson of the fact-finding panel shall serve such findings and recommendations on the Employee Relations Officer and the designated representative of the Exclusively Recognized Employee Organization. If these parties have not resolved the impasse within ten-(10) days after service of the findings and recommendations upon them, the fact-finder or the chairperson of the fact-finding panel shall make them public by submitting them to the Executive Assistant for consideration by the Board of Directors, in connection with the Board’s legislative consideration of the impasse.

If the parties did not agree on mediation or the selection of a mediator, and did not agree on fact-finding, or having so agreed the impasse has not been resolved, the Board of Directors may take such action regarding the impasse, as it, in its discretion, deems appropriate as in the public interest. Any legislative action by the Board of Directors on the impasse shall be final and binding.

4.03. Costs of Impasse Procedures:

The cost for the services of a mediator and fact-finder or chairperson of a fact-finding panel utilized by the parties, and other mutually incurred costs of mediation and fact-finding shall be borne equally by MST and the Exclusively Recognized Employee Organization. The cost for a fact-finding panel member selected by each party, and other separately incurred costs, shall be borne by such party.

5.0 MISCELLANEOUS PROVISIONS:

5.01. Construction:

This Policy shall be administered and construed as follows:
a. Nothing in this Policy shall be construed to deny to any person, employee, organization, MST, or any authorized officer, body or other representative of MST, the rights, powers and authority granted by federal or state law.

b. This Policy shall be interpreted so as to carry out its purpose as set forth in section 4.

5.02. Severability:

If any provision of this Policy, or the application of such provision to any persons or circumstances, shall be held invalid, the remainder of this Policy or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

6.0 EMPLOYEE ORGANIZATIONS

Current Monterey-Salinas Transit employee organizations are:

A. Management/Administration Unit (MSTEA)
B. Confidential Unit – non-represented
C. Coach Operators (ATU)
D. Maintenance & Utility Service Unit (ATU)
E. Non-Represented: General Manager/Chief Executive Officer, Part-Time Employees, Interns, and Volunteers.

CONFIDENTIAL UNIT: May 2017-December 2022

Title
Executive Assistant to the General Manager/CEO
Assistant General Manager
Chief Operating Officer
Deputy Chief Operating Officer
Director of Human Resources-Risk Management
Director of Information Technology
General Accounting/Budget Manager
Human Resources Manager
Supervisor
Chief Information Officer
Director of Planning and Innovation
IT Manager
To: Board of Directors

From: Lisa Rheinheimer, Assistant General Manager

Subject: Discount Fares and Free Transportation for Department of Homeland Security Special Humanitarian Parole

RECOMMENDATION:

Approve establishment of a one-half (1/2) fare discount for individuals with Department of Homeland Security Special Humanitarian Parole status and free transportation for those being hosted by an MST employee.

FISCAL IMPACT:

Approving this action would likely result in negligible and immaterial impact to the FY 2023-2024 budget.

POLICY IMPLICATIONS:

Your Board approves discount categories as well as those eligibility for free transportation in association with MST employees.

DISCUSSION:

Due to the war against Ukraine, there are several families who have relocated to the Monterey area. Some residents including a member of the MST team have opened their homes to host families fleeing the violence of war.

Special Humanitarian Parole may be granted to individuals due to circumstances within their home country and a Department of Homeland Security application is required. Currently, the US recognizes special status from only a few countries (i.e. Afghanistan and Ukraine) as eligible for expedited procedures.

On April 21, 2022, the Biden administration created a truncated process for individuals and organizations in the United States to apply for Ukrainian citizens to receive parole into the United States. This is a one-step application that requires the sponsoring individual or organization to complete an I-134 form (Declaration of Financial Support). Eligibility is generally provided in one-year increments. More information can be found here: https://www.americanimmigrationcouncil.org/research/use-parole-under-immigration-law
MST staff have received several requests from employees, and other members of the public who are hosting humanitarian parolees for free, or discounted transportation.

The advantages of adding the Humanitarian Parole category for those eligible for half fare or free transportation are:

1. It is a gesture of good will to address the special circumstances of certain populations as deemed by the Department of Homeland Security.

2. It is a way to help refugees find access to jobs, and services at a reduced cost while the seeking to establish themselves in a new country, should they request and be allowed to stay.

3. The new Humanitarian category does not create a new program.

4. The number of people who would be eligible would be limited.

5. Provides free transit for those hosted by an MST employee.

Your Board's affirmative action will implement a 50% discount for those in the Special Humanitarian Parole category as well as free transportation for those being hosted by an MST employee.

ATTACHMENT(S):

None.

PREPARED BY: Lisa Rheinheimer

REVIEWED: Carl G. Sedoryk
To: Board of Directors

From: Lisa Rheinheimer, Assistant General Manager

Subject: SURF! Busway and Bus Rapid Transit Project – Pre-Construction Services

RECOMMENDATION:

Authorize General Manager/CEO to negotiate and award a contract with Graniterock-Meyers for SURF! Busway and Bus Rapid Transit Project construction management-general contractor pre-construction management services in an amount not to exceed $931,900.

FISCAL IMPACT:

The FY 2023-2024 adopted Budget and Capital Improvement Program contemplates this expenditure with funding from the Transportation Agency for Monterey County (TAMC) Measure X program. Additional funding in the amount of $25 M is secure through the State Transit and Intercity Rail Capital Program (TIRCP) as well as $2.5 M from a State earmark through Senator John Laird.

MST submitted a Capital Investment Grant application to the Federal Transit Administration (FTA) in August for the remaining funding needed to close a $22M funding gap. Grant awards are expected to be announced in the President’s Budget in February 2023.

POLICY IMPLICATIONS:

Your Board authorizes expenditures over $100,000. Additionally, this project is included in the Board adopted two-year Action Plan, FY 2023-2024 and 5-Year Capital Improvement Program.

DISCUSSION:

The SURF! Busway and Bus Rapid Transit project is a major MST effort currently in the final design phase of work. The project constructs a new bus-only roadway within the publicly-owned TAMC rail/transportation corridor parallel to Highway 1 between Marina and Seaside/Sand City with a multi-modal mobility hub at the publicly-owned MST property at 1st and Quartermaster in the former Fort Ord. Once operational, buses will travel past the heavily congested stretch of Highway 1 on separated bus-only lanes. The travel time savings will benefit business, colleges, and healthcare by getting
workers, students, and patients to their destination faster and with more frequent service.

MST has made significant progress in moving the project forward including completing the CEQA environmental determination in July 2021.\(^1\) Final design plans are close to the 65% level. MST staff are continuing to meet with stakeholders to hear feedback from our jurisdictional partners and permitting agencies as well as the public.

In consultation with TAMC staff, MST issued a Request for Proposals in August for the construction management - general contractor (CM/GC) project delivery method. CM/GC delivery allows an owner to engage a construction manager during the design process to provide constructability input. The construction manager is generally selected on the basis of qualifications, past experience on a best-value basis. During the design phase, the construction manager provides input regarding scheduling, pricing, phasing, public outreach, and other input that helps the owner design a more constructible project.

At the 95% design completion milestone, MST and the construction manager-general contractor negotiate a 'guaranteed maximum price' for the construction of the project based on the defined scope and schedule. If this price is acceptable to both parties, they execute a contract for construction services, and the construction manager becomes the general contractor. At this point, MST would be engaging in construction management only and the Board would not authorize a construction contract. The construction phase is expected to begin in 2024.

In response to the RFP, MST received four (4) proposals from qualified CM/GC firms, listed below. MST assembled an evaluation committee consisting of representatives from MST staff, Caltrans, TAMC, and City of Marina. The evaluation committee ranked the proposals based on the evaluation criteria contained in the Request for Proposals. Three (3) firms were selected to proceed to an in-person interview during the last week in November. After the interviews, the evaluation committee concluded that Graniterock-Meyers was the highest ranked proposer based on the interview scoring and ranking. Committee deliberation included consideration of scoring and ranking of the original proposals. Graniterock-Meyers was determined by the evaluation committee to be the most qualified proposer and had the highest score and rank. Staff concurs with the committee and is therefore recommending award of a pre-construction management service contract to Graniterock-Meyers.

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\(^1\) It should be noted that two separate challenges are presently pending in Monterey Superior Court regarding MST’s adoption of an Initial Study/ Mitigated Negative Declaration and approval of CEQA Exemptions for the SURF! Busway and Bus Rapid Transit Project: *Keep Fort Ord Wild, the Open Monterey Project v. MST* (Case No. 21CV002192), and *SNG Evariste, LLC v. MST* (Case No. 21CV002572). Nonetheless, those actions do not impair MST’s discretion to enter into the proposed contract for pre-construction management services as recommended by this agenda item.
The tabulation below shows overall scoring by all firms who submitted proposals:

<table>
<thead>
<tr>
<th>CM/CG Firm</th>
<th>Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graniterock-Meyers</td>
<td>1</td>
</tr>
<tr>
<td>Granite</td>
<td>2</td>
</tr>
<tr>
<td>Stacy Witbek</td>
<td>3</td>
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<tr>
<td>Walsh</td>
<td>4</td>
</tr>
</tbody>
</table>

Staff evaluated the proposed cost against an independent cost estimate and reviewed hourly rates for fairness and reasonableness. Staff also reviewed the fixed fee proposed amount for future construction work and found the cost proposal, as a whole, to be fair and reasonable based on current market conditions.

Your Board's affirmative action will authorize staff to negotiate and award a contract to Graniterock-Meyers in an amount not to exceed $931,900 for construction management services during the final design phase.

ATTACHMENT(S):

None

PREPARED BY: Lisa Rheinheimer

REVIEWED: Carl G. Sedoryk
To: Board of Directors

From: Michelle Overmeyer, Director of Planning and Innovation

Subject: 2023 State Legislative Program

RECOMMENDATION:

Approve the 2023 State Legislative Program.

FISCAL IMPACT:

None.

POLICY IMPLICATIONS:

The Board adopts an annual legislative program. The recommended 2023 State Legislative Program is consistent with the mission of advocating and delivering quality public transportation as a leader within our community and industry. The 2023 State Legislative Program will be presented to state legislators and their respective staff members and will direct MST positions on legislative matters throughout the year. The State Legislative Program is used as a guideline for supporting, opposing, or watching legislation when time does not permit official MST Board action on specific legislation.

DISCUSSION:

MST staff works together with our national, state, and local partners to identify legislative issues important to our region. To inform our state legislative program, we receive input from our advocacy partners including, but not limited to, California Transit Association (CTA), California Association for Coordinated Transportation, Transportation Agency for Monterey County, and County of Monterey.

Calendar year 2022 legislative advocacy focused on the following themes: COVID relief, continuing to monitor and prepare for the Air Resources Board’s Innovative Clean Transit (ICT) Regulation, and expedited environmental clearance for certain transportation projects. Through participation on the CTA’s COVID-19 Transit Crisis Relief Task Force and the CTA State Legislative Committee, staff was able to continue supporting and advocating for legislation that will benefit MST through the pandemic recovery.

The 2023 State Legislative Program will continue much of the same advocacy as in 2022. Additionally, MST will sponsor legislation to increase MST’s contracting
thresholds for supplies, equipment, and materials to align with FTA allowances and other transit operators in the state.

The State Legislative Program was presented to the Board Administrative Performance Committee on November 14, 2022. Staff recommends that your Board approve the Program as presented in the attachment.

ATTACHMENT(S):

MST 2023 State Legislative Program

Prepared by: Michelle Overmeyer
Reviewed by: Carl G. Sedoryk
MST 2023 State Legislative Program

1S. Engage in cooperative support among partner organizations.
   a. Support the 2023 Legislative Programs of the California Transit Association (CTA) and California Association of Coordinated Transportation (CalACT).
   b. Support CTA’s efforts to support legislation and administrative strategies to implement a new federal transportation authorization legislation in a way that ensures the best possible outcome for transit operators in California.
   c. Support the 2023 State Legislative Programs for the Transportation Agency for Monterey County (TAMC) and MST member-jurisdictions.
   d. Support other partner agency legislative efforts where common interests exist.
   e. Ensure that state legislative efforts are consistent with and coordinated with the MST federal legislative program.

2S. Support transit-related legislation.
   a. Sponsor legislation to increase MST’s contracting thresholds for supplies, equipment, and materials to align with FTA allowances and other California transit districts.
   b. Support legislation and polices that enable transit-supportive development.
   c. Support legislation augmenting programs to fund public transit buses and support vehicles with electric, hydrogen, renewable bio-fuel and other alternative-powered engines and energy storage.
   d. Support legislation that increases safety for transit employees and customers by increasing penalties against those that commit crimes against an operator of a transit vehicle, against the transit riding public, or against property of transit agencies.
   e. Monitor and support efforts to advance racial justice and transportation equity through state transportation policy.

3S. Encourage the state to restore, preserve and augment transportation and transit funding.
   a. Oppose any transfer or expenditure of Transportation Development Act (TDA), Public Transportation Account, Greenhouse Gas Reduction Fund, Traffic Congestion Relief Fund, and other transit funds to state and local agencies for purposes other than those specified in the Act and existing transit funding law.
b. Continue to educate the public on the value of SB1, which comprehensively enhances funding for transportation throughout the state, including public transit. Pursue funds that have been disencumbered from other agencies’ cancelled projects. Ensure that funds are maximized for MST and that the region’s authority to decide how to program any new funds is retained. Work with the Governor’s Administration, the Legislature, the California State Transportation Agency (CalSTA), the California Transportation Commission, Caltrans, the California Air Resources Board (CARB), the California Energy Commission (CEC), and others in key decision-making processes. Seek funding for bus operations, maintenance and administration facilities; new bus purchases; zero-emission bus (ZEB) infrastructure and energy storage; transit stations; security improvements to property and buses; bus shelters; innovative fare payment systems; Intelligent Transportation Systems (ITS); Bus Rapid Transit (BRT); and mixed-use transit-oriented developments (TODs).

c. As Caltrans is the designated recipient for some of MST’s federal funds, support legislation and administrative strategies to implement the transit programs in the bipartisan Infrastructure Investment and Jobs Act (IIJA) in a way that ensures prompt distribution of funds to small urban and rural operators to yield the best possible outcome for transit.

d. Support and advocate protecting and maximizing transit’s share of Cap & Trade revenues, including additional ongoing, dedicated revenue for transit from the 40 percent of Cap & Trade funds not continuously appropriated pursuant to existing statute.

e. Participate in the development of CARB’s Zero Emission Vehicle Investment Plan Funding Plan for Clean Transportation Incentives and the CEC’s Clean Transportation Investment Plan criteria and apply for funding as appropriate.

f. Support discussions with the Administration and CalSTA on implementation of the Governor’s executive orders and Climate Action Plan for Transportation Infrastructure (CAPTI) process to address climate change through transportation investments to protect transit agencies from any negative impacts, and work to ensure state and federal funds are made available to achieve the goals outlined in the orders.

g. Advocate for additional state funding to address the adverse funding impact of the COVID-19 pandemic on transit agencies, with a focus on additional state funding for operations and extensions to existing statutory relief.

h. Support MST member-jurisdictions’ efforts to combat homelessness and advocate for transit funding the help get homeless individuals to jobs, medical appointments, and other essential services. Additionally, work with CTA to expand homelessness funding to require consideration of transit availability for future project sites.
i. Support efforts to bridge the digital divide by funding capital and operating expenses for broadband and Wi-Fi-enabled transit buses.

j. Support legislation to require Medi-Cal managed care plans (MCP) to reimburse public transit agencies for Medi-Cal eligible trips with or without prior MCP approval for the trip.

4S. Support reductions in burdensome legal and/or regulatory requirements.

a. Support exemptions for small operators from financially burdensome new legal or regulatory requirements or minimize their impact on small operators.

b. Continue to participate on the CTA’s TDA Reform Task Force to review existing metrics for the qualification and distribution of TDA revenues, with the possibility for legislation in 2023 or 2024 to update TDA law.

c. Oppose efforts to mandate benefits, mandated collective bargaining over single subjects, or other specific working conditions that would increase MST’s costs and that would be more appropriately addressed through the normal local collective bargaining process.

d. Monitor ongoing rule-making discussions at the CARB including AB 32, SB 375 and the state’s “Cap and Trade” program and oppose additional regulatory requirements that do not have a new, dedicated funding source provided for their implementation.

e. Monitor the CARB’s Innovative Clean Transit (ICT) regulation and support the provision of new sources of funding to incentivize the adoption of ZEB technology and energy storage.

f. Support efforts to streamline state-administered federal grant programs to allow funds to be delivered to transit agencies more promptly and/or administered directly by small urban transit operators who already receive and manage federal transit grants, where appropriate.

g. Monitor state implementation of pension reform laws.

h. Support efforts to pursue extensions and expansions of statutory and categorical exemptions under the California Environmental Quality Act (CEQA) for transit projects and transit-oriented developments.

i. Monitor and support continued efforts to expand governing boards’ authority to meet virtually.

5S. Raise MST’s profile and role in state legislative issues.
a. Continue to bring legislators, key Governor Newsom staff, and state commissions, boards, agencies and department members and others to MST for facility and project tours, site visits and presentations.

b. Develop and maintain positive working relationships with MST’s state legislative delegation, legislators assigned to committees with oversight on transportation, local government environmental, and budget issues, as well as Governor Newsom and his administration, during the 2023-2024 Legislative Session.

c. Continue having MST Board and staff participate in transit-related meetings with elected representatives, key transportation and budget committee members and other officials.

December 12, 2022
To: Board of Directors

From: Carl Sedoryk, General Manager / CEO

Subject: 2023 Federal Legislative Program

RECOMMENDATION:

Approve the 2023 Federal Legislative Program.

FISCAL IMPACT:

None.

POLICY IMPLICATIONS:

The Board adopts an annual legislative program. The recommended 2023 Federal Legislative Program is consistent with the mission of advocating and delivering quality public transportation as a leader within our community and industry. The 2023 Federal Legislative Program will be presented to representatives in Congress and their respective staff members and will direct MST positions on legislative matters throughout the year. The Federal Legislative Program is used as a guideline for supporting, opposing, or watching legislation when time does not permit official MST Board action on specific legislation.

DISCUSSION:

The 2023 Federal Legislative Program was presented to the Board Administrative Performance Committee on November 14, 2022.

MST staff works together with our national, state, and local partners to identify legislative issues important to our region. To inform our federal legislative program, we receive input from our advocacy partners including, but not limited to, the American Public Transportation Association, Community Transit Association of America, California Transit Association, California Association for Coordinated Transportation, Transportation Agency for Monterey County, County of Monterey, and The Bus Coalition. A summary of key action items we expect to be included in the proposed Program follows:

- COVID-19 Relief: Continue to monitor the disbursement of COVID-19 relief funds and engage Congress and the Administration, as necessary, to address any barriers related to access and use of these funds.
• **Infrastructure Investment and Jobs Act:** Staff will continue to engage Congress, the Administration, and our state and national partners, among others, to ensure full implementation of the federal surface transportation authorization bill to grow California’s transit funding and support the maintenance and development of a fast and efficient transit network in California. Staff will continue to seek funding for MST programs and projects through IIJA competitive grant opportunities.

• **Transportation Appropriations:** Staff will continue to support an appropriation level for federal surface transportation programs equal to, at minimum, authorized spending levels, and advocate for the highest possible levels of funding for individual multi-modal, rail, project finance, innovation, safety and transit programs.

• **Public Employees’ Pension Reform Act of 2013:** Staff will continue to monitor litigation related to the implementation of the Public Employees’ Pension Reform Act of 2013 by California’s transit agencies; and may support transferring the transit grant certification process under 49 U.S.C. Section 5333(b) [commonly referred to as “Section 13(c)”] of the federal Urban Mass Transportation Act of 1964 from the United States Department of Labor to the United States Department of Transportation, if necessary.

• **Transit Pass Tax Benefits:** Staff will continue to urge Congress to maintain the transit pass tax benefit and will advocate for retaining permanent equal federal income tax treatment for employer-provided transit passes, vanpool and carpool, benefits and parking spaces.

• **Alternative Fuels Tax Credit:** If necessary to address inaction in 2022, staff will continue to support the permanent reinstatement of the Alternative Fuel Tax Credit and will continue to support extending the credit to include electricity and hydrogen, used in transit vehicles as an eligible alternative transportation fuel.

• **Buy America Requirements:** Staff will continue to request that Congress and the United States Department of Transportation create a unified system for complying and requesting waivers for projects receiving several types of USDOT funding.

• **New Mobility:** Staff will continue to engage state and federal decisionmakers to ensure the priorities of our transit agency and original equipment manufacturer members are included in federal policies related to mobility on demand, automated and connected vehicles and infrastructure.

**ATTACHMENT(S):**
MST 2023 Federal Legislative Program

Submitted by: [Signature]
Carl G. Sedoryk
MST 2023 Federal Legislative Program

1F. Engage in cooperative support among partner organizations.
   a. Support the 2023 American Public Transportation Association (APTA), and Community Transit Association of America (CTAA) Legislative Programs.
   b. Support APTA’s recommendations on any federal pandemic recovery or infrastructure initiatives that are proposed or considered by Congress and the President. Include transit capital and operating funds as part of any further potential economic stimulus and jobs bills that may be proposed and relieve local agencies from funding match requirements.
   c. Support the 2023 Federal Legislative Programs of the Transportation Agency for Monterey County (TAMC) and MST member-jurisdictions.
   d. Support other partner agency legislative efforts where common interests exist.

2F. Ensure short-term and long-term transit funding stability and expansion.
   a. Ensure a steady stream of needed vehicle and infrastructure funding on an annual basis, seek additional funding for the Federal Transit Administration Section 5339(a) and 5339(b) Bus and Bus Facilities formula and competitive capital grant programs.
   b. Seek federal funding for critical transit projects, including but not limited to new buses, bus equipment/facilities, Bus Rapid Transit (BRT), and zero emission equipment and infrastructure.
   c. Seek maximum annual appropriations for transit programs authorized under surface transportation program legislation.
   d. Protect Mass Transit Account funded programs against rescission, sequestration or other financial reductions from attempts to solve General Fund imbalance problems with the federal budget. Seek funding from all authorized discretionary and formula funding sources including but not limited to Section 5310/New Freedoms (NF), Small Transit Intensive Cities (STIC), the federal mass transit benefit, homeland security, FTA Section 5309 (including continuation of the Small Starts program), FTA Section 5339(a) and (b), FTA Section 3006(b) (innovative mobility for seniors and disabled), US Department of Agriculture (rural areas), US Department of Health and Human Services (Affordable Care Act), US Department of Defense, US Department of Veterans Affairs, and other programs.
   e. Support strategies to stabilize and increase transportation funding sources in light of the depletion of the federal highway trust fund and transit trust fund.
   f. Support California receiving its fair share of its contribution to federal transportation funding.
   g. Oppose efforts to reduce or limit federal formula or discretionary transit funds or to eliminate the federal role of funding public transit operations and capital by deleting the program from the Highway Trust Fund.
h. Seek additional funding for elderly and disabled transportation, including the FTA Section 5310 elderly and disabled transit capital funding program, which under FAST Act incorporates funding for projects formerly eligible under the Section 5317 New Freedoms Program.

i. Oppose any efforts to shift current, expanded, or new transit funds or fuel taxes/fees to non-transportation programs or projects.

j. Support initiatives to develop the workforce necessary to successfully deliver transit services, including continued and expanded funding of regional training consortium programs, which provide advanced transit specific training through local community colleges and similar educational institutions.

k. Support federal legislative efforts to provide incentives for zero-emission buses and charging/storage infrastructure equivalent or comparable to the alternative fuels tax credit currently available for compressed and liquefied natural gas.

l. Support increased public transportation funding to reduce vehicles miles travelled and associated greenhouse gas emissions. Ensure that trust fund and general fund transit programs are protected if carbon fees are implemented at the federal level. Support green energy funding and incentives for zero-emission buses and associated charging/storage infrastructure.

m. Increase the Small Transit Intensive Cities (STIC) set-aside to levels that ensure effectiveness of the program.

3F. Support reductions in burdensome legal and/or regulatory requirements.

a. Encourage legislative and regulatory efficiency.

b. Require the Department of Transportation (DOT) to consistently apply the requirement that federal loans be considered local match across all DOT programs.

c. Work to streamline regulations and improve the ability of local and regional agencies to plan and deliver transportation projects and services in a timely, cost-effective manner.

d. Advocate for changes in policies that inhibit MST’s abilities to effectively provide mobility, including inappropriate usage of the 13c provision of the 1964 Federal Transit Act, restrictions of buses based on axle weight, Buy America, and unreasonable spare ratio requirements.

e. Monitor Asset Management, Safety, and Performance requirements on transit agencies being implemented by the Federal Transit Administration and continue to advocate for exemptions and/or reduced reporting requirements for small operators.

f. Reduce regulatory burden, advocate that any new federal safety regulations should accept the safety programs of public transit agencies that have developed their safety plans/activities as members of large risk pools (e.g., CalTIP).
4F. Raise MST’s profile and role in federal legislative issues.

   a. Continue to bring legislators, key staff, and other federal stakeholders to MST for a facilities tour and presentation.

   b. Offer opportunities to educate Congressman Jimmy Panetta and his local and DC staff members about MST and the importance of public transit in the Monterey Bay region, the State of California, and around the entire country.

   c. Continue having MST Board and staff participate in transit-related meetings with federal elected representatives, key transportation and budget committee members, and other officials.
To: Board of Directors
From: Anna Velazquez, Board Chair
Subject: General Manager/CEO Performance Incentive

RECOMMENDATION:

Approve the recommendation of the General Manager Performance Evaluation Ad Hoc Committee of 5.5% incentive pay for the General Manager/CEO.

FISCAL IMPACT:

Wages are included in the approved FY 2023 Budget.

POLICY IMPLICATIONS:

Your Board approves and negotiates the wages and benefits of the General Manager/CEO. This action is consistent with the current contract with the GM/CEO which states “incentive pay shall be paid to EMPLOYEE based upon performance in accordance with achievement of Board adopted goals and objectives.”

DISCUSSION:

The MST Board of Directors met and discussed the performance of Carl Sedoryk, General Manager/CEO in Closed Session in October and November 2022. Through evaluating his performance review, the Board Chair is recommending the MST Board approve a 5.5% incentive pay for Mr. Sedoryk in open session at the December board meeting. Per the existing contract with the CEO, the payment is a one-time payment and shall not increase the employee's base pay.

Prepared by: Anna Velazquez
Board Chair
To: Board of Directors

From: C. Sedoryk, General Manager/CEO

Subject: Monthly Report – October 2022

Attached is a summary of monthly performance statistics for the Transportation, Maintenance, and Administration departments for the month of October 2022. (Attachments 1 – 4).

October 7 – 12, I attended the American Public Transportation Association Transform Conference and EXPO in Seattle, WA. At the conference, I attended a meeting of the ATPA Board of Directors to conduct business of the association. During the conference, I attended multiple sessions on diversity, equity, and inclusion strategies, as well as sessions on workforce recruitment challenges, zero-emission bus technologies, transit worker health and safety, and federal grant programs. While at the conference, I had the opportunity to have individual meetings with Federal Transit Administrator (FTA), Nuria Fernandez and FTA Executive Director, Matt Welbes, to discuss issues, challenges, and opportunities directly related to MST.

Attachment #1 – Dashboard Performance Comparative Statistics – October 2022
Attachment #2 – Transportation Department Monthly Report – October 2022
Attachment #3 – Maintenance Department Monthly Report – October 2022
Attachment #4 – Administration Department Monthly Report – October 2022


Prepared by: Carl G. Sedoryk
**MST Fixed Route**

**YTD Dashboard Performance Comparative Statistics**

*July - October*

**Fiscal Years 2021-2023**

---

**Ridership**

- **Goal = 662,592 passengers**
- **Minimum = 629,462 passengers**

(Passenger Boardings - Fixed Route and Military)

---

**Passengers Per Hour**

- **Goal = 20 passengers p/h**
- **Minimum = 15 passengers p/h**

(Passengers per hour of service)

---

**On Time Performance**

- **Goal = 90% on time**
- **Minimum = 75% on time**

(Percent of passengers within 5 minutes of scheduled arrival)

---

**Percentage of Service Delivered**

- **Goal = 99% completed**
- **Minimum = 95% completed**

(Percentage of scheduled trips completed)
Minimum = 7,000 Miles

Goal = 15,000 Miles

Minimum = 100,000 Miles

Goal = 200,000 Miles

Goal = $246.83 per RH

Maximum = $271.52 per RH

Goal = 25%

Minimum = 15%

FY 2021 FY 2022 FY 2023

FY 2021 FY 2022 FY 2023

FY 2021 FY 2022 FY 2023

FY 2021 FY 2022 FY 2023
MST RIDES
YTD Dashboard Performance Comparative Statistics
July - October
Fiscal Years 2021-2023

**Ridership**

- Goal = 27,817 one-way trips
- Maximum = 30,599 one-way trips

**Passengers Per Hour**

- Goal = 2.0 passengers p/h
- Minimum = 1.8 passengers p/h

**On Time Performance**

- Goal = 90% on time
- Minimum = 80% on time

**One Way Trips**

- Maximum = 30,599 one-way trips
- Goal = 27,817 one-way trips
MST Rides
YTD Dashboard Performance Comparative Statistics
July - October
Fiscal Years 2021-2023

**Fare Box Recovery Ratio**

(Ratio of passenger fares to total operating cost)

- **Goal**: 11%
- **Minimum**: 10%

<table>
<thead>
<tr>
<th>FY21</th>
<th>FY22</th>
<th>FY23</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.3%</td>
<td>3.6%</td>
<td>5.6%</td>
</tr>
<tr>
<td>1.7%</td>
<td>6.4%</td>
<td>4.4%</td>
</tr>
</tbody>
</table>

**Cost Per Revenue Hour**

(Total operating cost per hour of service)

- **Goal**: $89.82 per RH
- **Maximum**: $98.80 per RH

<table>
<thead>
<tr>
<th>FY21</th>
<th>FY22</th>
<th>FY23</th>
</tr>
</thead>
<tbody>
<tr>
<td>$79.57</td>
<td>$94.44</td>
<td>$100.62</td>
</tr>
</tbody>
</table>

**Miles Between Preventable Collisions**

(Total miles travelled between preventable collisions)

- **Goal**: 110,000 Miles
- **Minimum**: 100,000 Miles

<table>
<thead>
<tr>
<th>FY21</th>
<th>FY22</th>
<th>FY23</th>
</tr>
</thead>
<tbody>
<tr>
<td>62,350</td>
<td>90,109</td>
<td>69,078</td>
</tr>
</tbody>
</table>

**Miles Between Road Calls**

(Miles travelled between mechanical failure)

<table>
<thead>
<tr>
<th>FY21</th>
<th>FY22</th>
<th>FY23</th>
</tr>
</thead>
<tbody>
<tr>
<td>66,223</td>
<td>68,449</td>
<td>91,400</td>
</tr>
</tbody>
</table>

Goal = 30,000 Miles
Minimum = 30,000 Miles
MST Fixed Route
Financial Performance Comparative Statistics
July - October
Fiscal Year 2023

MST Fixed Route Total Revenue
YTD Actual and Budget

MST Fixed Route Total Expenses
YTD Actual and Budget
MST RIDES
Financial Performance Comparative Statistics
July - October
Fiscal Year 2023

MST RIDES Total Revenue
YTD Actual and Budget

$2,307,933 $2,290,456
Minimum 95%

MST RIDES Total Expenses
YTD Actual and Budget

$1,788,390 $2,290,460
Maximum 105%
Date: November 22, 2022
To: Carl Sedoryk, General Manager / CEO
From: Norman K. Tuitavuki, Chief Operating Officer
Subject: Transportation Department Monthly Report – October 2022

FIXED ROUTE BUS OPERATIONS:

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

MST’s boarding statistics indicate ridership was 175,973 in October 2022, which represents a 14% increase compared to October 2021’s ridership of 154,244. For the fiscal year to date, passenger boardings continue to increase overall; however, this positive ridership trend could change as we continue with our COVID-19 recovery efforts.

Month after month, MST’s productivity continues to improve. MST’s productivity increased from nine (9) passengers per hour in October 2021, to eleven (11) passengers per hour in October of this year. This represents a 24% improvement compared to the same month, the previous year.

Supplemental / Special Services:

None.

System-Wide Statistics:

- Ridership: 175,973
- Vehicle Revenue Hours: 16,039
- Vehicle Revenue Miles: 240,760
- System Productivity: 11.0 Passengers Per Vehicle Revenue Hour
- One-Way Trips Provided: 17,740

On-Time Performance (OTP): Of 87,191 total time-point crossings sampled for October, the Transit Master™ system recorded 15,747 delayed arrivals to MST’s published time-points system-wide. As a result, 82% of all scheduled arrivals arrived on time. (See MST Fixed-Route Bus ~~ On Time Compliance Chart FY 2022 - 2023.)

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 of the total number of reported time-point crossings.
**Service Canceled:** As listed below, there were a total of seven (7) service cancellations in October for both directly operated and contracted services – compared to eight (8) service cancellations in the previous month, September 2022.

<table>
<thead>
<tr>
<th>Reason for Service Cancellation</th>
<th>MST</th>
<th>MV</th>
<th>Totals</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accident (MST)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Mechanical Failure</td>
<td>4</td>
<td>0</td>
<td>4</td>
</tr>
<tr>
<td>Late Adherence</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Road Closure/Construction</td>
<td>0</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Passenger Incident</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Traffic</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Staff Shortage</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td>4</td>
<td>3</td>
<td>7</td>
</tr>
</tbody>
</table>

**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 that often drive changes in policy or standard operating procedures. The following is a comparative summary of reported incidents for October 2021 and October 2022:

<table>
<thead>
<tr>
<th>Occurrence Type</th>
<th>October-21</th>
<th>October-22</th>
</tr>
</thead>
<tbody>
<tr>
<td>Collision: MST Involved</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>Employee Injury</td>
<td>1</td>
<td>2</td>
</tr>
<tr>
<td>Medical Emergency</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Object Hits Coach</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Passenger Conflict</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Conflict: Passenger VS Passenger</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Passenger Fall</td>
<td>2</td>
<td>6</td>
</tr>
<tr>
<td>Passenger Injury</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Near Miss</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Fuel/fluid Spill</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Unreported Damage</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>11</strong></td>
<td><strong>19</strong></td>
</tr>
</tbody>
</table>
CONTRACTED TRANSPORTATION SERVICES:

MST RIDES ADA / MST Paratransit Program:

Preliminary boarding statistics for the MST RIDES program reflect that for October 2022 there were 9,950 passenger boardings. This is a 10% increase in passenger boardings compared to October 2021, (9,020). For the fiscal year – passenger boardings have increased by 7% compared to FY 2021.

- Productivity for October 2022 increased from 1.89 to 2.02 passengers per hour compared to the previous month (September 2022).
- For October 2022, 76% of all scheduled trips for the MST RIDES program arrived on time, below the expected on-time performance standard.

COMMUNICATIONS CENTER:

In October, MST’s Communications Center summoned public safety agencies on eight (8) separate occasions to MST’s transit vehicles and facilities:

<table>
<thead>
<tr>
<th>Agency Type</th>
<th>Incident Type</th>
<th>Number of Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police</td>
<td>Vehicle Accident / Passenger Disturbance / Other</td>
<td>5</td>
</tr>
<tr>
<td>Medical</td>
<td>Employee Request / Passenger Request / Other</td>
<td>3</td>
</tr>
<tr>
<td>Fire</td>
<td>Employee Request / Passenger Request / Other</td>
<td>0</td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td>8</td>
</tr>
</tbody>
</table>

DEPARTMENT ACTIVITIES:

In October, I participated in a focus group administered by the Central Coast Zero Emission Vehicle Strategy (CCZEVS). The focus group discussion included a review of the goals of the CCZEVS. Participating in the focus group allowed me to share my insights and provide feedback on how zero-emission vehicles (ZEVs) are affecting MST.

I also attended the California Transit Training Consortium (CTTC) Board meeting, where I serve on the Board of Directors. Discussions for the Board included maintenance training opportunities, grant opportunities, and other related business. I attended the American Public Transportation Association (APTA) Zero Emission Fleet Committee. As a committee member, I received information and participated in discussions related to the challenges and opportunities that public transit agencies face as we transition to ZEVs. I provided the committee with the training materials that MST staff created for training our employees and our local first responders on the safe operation and handling of our battery-electric buses (BEBs). The materials and our training program were well received by the committee. Lastly, I continued to participate in the Salinas Operations and Maintenance facility project planning efforts – providing feedback and insights for the project.
Date: November 22, 2022
To: Carl Sedoryk, General Manager/CEO
From: Norman K. Tuitavuki, Chief Operating Officer
Subject: Maintenance Department Monthly Report – October 2022

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

<table>
<thead>
<tr>
<th>Fuel Budget FY2023</th>
<th>Average Fuel Price October 2022</th>
<th>Average Fuel Price FY2023</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewable Diesel: 5.40</td>
<td>$4.92</td>
<td>$4.74</td>
</tr>
<tr>
<td>Gasoline: 5.40</td>
<td>$5.28</td>
<td>$5.14</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Period</th>
<th>Revenue Fleet Operating Cost Per Mile</th>
<th>Revenue Fleet Miles Between Major Mechanical Road Calls:¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 2022</td>
<td>$1.75</td>
<td>34,727</td>
</tr>
<tr>
<td>YTD FY 2023</td>
<td>$1.65</td>
<td>75,572</td>
</tr>
<tr>
<td>FY 2022</td>
<td>$1.32</td>
<td>24,366</td>
</tr>
<tr>
<td>FY 2021</td>
<td>$1.23</td>
<td>54,756</td>
</tr>
</tbody>
</table>

¹ Minimum: 7,000 Miles; Goal: 15,000 Miles

Department Activities/Comments:

October 2022’s cost per gallon for gasoline increased 9.32 %, an increase of 45 cents, and the cost per gallon for renewable diesel increased 5.81 %, an increase of 27 cents compared to the previous month, September 2022. For FY23 MST increased its budgeted cost per gallon for both renewable diesel and gasoline fuels based on the fuel prices experienced in the previous fiscal year. As a result, the cost per gallon for both renewable diesel and gasoline fuels remains under budget. Fuel prices continue to fluctuate unpredictably. Staff continues to monitor all movement of vehicles to minimize unnecessary fuel usage.

In October, MST traveled 34,727 miles between major mechanical failures with only six major mechanical road calls – exceeding the 15,000-mile goal. MST’s Maintenance department completed 99% of their schedule preventive maintenance inspections on time. MST has continued to meet or exceed the stated goal within this area of performance. It
should be noted that MST has dramatically reduced the overall number of revenue miles traveled to conform with current ridership demands and other factors resulting from the COVID-19 pandemic.

In October, I participated in a focus group administered by the Central Coast Zero Emission Vehicle Strategy (CCZEVS). The focus group discussion included a review of the goals of the CCZEVS. Participating in the focus group allowed me to share my insights and provide feedback on how zero emission vehicles (ZEVs) are affecting MST. I also attended the California Transit Training Consortium (CTTC) Board meeting – where I serve on the Board of Directors. I attended the American Public Transportation Association (APTA) Zero Emission Fleet Committee. As a committee member, I received information and participated in discussions related to the challenges and opportunities that public transit agencies face as we transition to ZEVs. Lastly, I continued to participate in the Salinas Operations and Maintenance facility project planning effort – providing feedback and insights to the project.

Prepared by:  
Norman K. Tuitavuki

Reviewed by:  
Carl G. Sedoryk
Date: November 29, 2022

To: C. Sedoryk, General Manager/CEO

From: Lisa Rheinheimer, Assistant General Manager; Michelle Overmeyer, Director of Planning /Innovation, Andrea Williams, General Accounting & Budget Manager; Michael Kohlman, Chief Information Officer; Kelly Halcon, Director of Human Resources/Risk Management; Lisa Cox, Risk and Security Manager; Ikuyo Yoneda-Lopez, Marketing and Customer Service Manager; Beronica Carriedo, Customer Service and Community Relations Supervisor.

Subject: Administration Department Monthly Report – October 2022

The following significant events occurred in Administration work groups for the month of October 2022:

**Human Resources**

A total employment level for October 2022 is summarized as follows:

<table>
<thead>
<tr>
<th>Positions</th>
<th>Budget FY22</th>
<th>Actual</th>
<th>Difference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Coach Operators F/T</td>
<td>126</td>
<td>119</td>
<td>-7</td>
</tr>
<tr>
<td>Coach Operators Limited Duty</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>CO Occupational Injuries</td>
<td>(1)</td>
<td>(0)</td>
<td>(-1)</td>
</tr>
<tr>
<td>Operations Staff</td>
<td>33</td>
<td>25</td>
<td>-8</td>
</tr>
<tr>
<td>Maintenance &amp; Facilities</td>
<td>55</td>
<td>50</td>
<td>-5</td>
</tr>
<tr>
<td>Administrative (Interns 1 PT)</td>
<td>36</td>
<td>30</td>
<td>-6</td>
</tr>
<tr>
<td>Total</td>
<td>251</td>
<td>224</td>
<td>-27</td>
</tr>
</tbody>
</table>

*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.

**October Worker’s Compensation Costs**

<table>
<thead>
<tr>
<th>Cost</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indemnity (paid to employees)</td>
<td>$22,732.15</td>
</tr>
<tr>
<td>Other (includes Legal)</td>
<td>$28,178.45</td>
</tr>
<tr>
<td>Medical includes Case Mgmt, UR, Rx &amp; PT</td>
<td>$10,761.73</td>
</tr>
<tr>
<td>TPA Administration Fee</td>
<td>$5,708.33</td>
</tr>
<tr>
<td>Excess Insurance</td>
<td>$9,510.75</td>
</tr>
<tr>
<td><strong>Total Expenses</strong></td>
<td><strong>$76,891.41</strong></td>
</tr>
<tr>
<td><strong>Reserves</strong></td>
<td><strong>$735,445.17</strong></td>
</tr>
<tr>
<td><strong>Excess Reserved</strong></td>
<td><strong>($60,691.27)</strong></td>
</tr>
<tr>
<td><strong># Ending Open Claims</strong></td>
<td><strong>42</strong></td>
</tr>
</tbody>
</table>
# Training

<table>
<thead>
<tr>
<th>Description</th>
<th>Attendees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual Coach Operator Verification of Transit Training</td>
<td>10</td>
</tr>
<tr>
<td>Post-Accident/Incident Re-training</td>
<td>3</td>
</tr>
<tr>
<td>FEMA: IS-200-Basic Incident Command System for Initial Response</td>
<td>2</td>
</tr>
<tr>
<td>FEMA: IS-100-Introductions to Incident Command System</td>
<td>2</td>
</tr>
<tr>
<td>Assault Awareness and Prevention for Transit Operators</td>
<td>3</td>
</tr>
<tr>
<td>In-Service Training: PPE Kit to prevent COVID-19</td>
<td>3</td>
</tr>
<tr>
<td>PASS Fire Extinguisher and Emergency Triangles Procedures</td>
<td>3</td>
</tr>
<tr>
<td>Human Trafficking Awareness &amp; Prevention for Transit</td>
<td>3</td>
</tr>
<tr>
<td>In-Service Training: Zonar</td>
<td>3</td>
</tr>
<tr>
<td>National Transit Institute: Introduction to Transit Service Planning</td>
<td>1</td>
</tr>
<tr>
<td>In-Service Training: GIRO Self Serve</td>
<td>3</td>
</tr>
<tr>
<td>In-Service Training: VISA Contactless payment system</td>
<td>3</td>
</tr>
<tr>
<td>In-Service Training: MCI Over the Road Motor Coach Familiarization</td>
<td>5</td>
</tr>
<tr>
<td>Alliance Career Training Solution: Excel Level 4</td>
<td>1</td>
</tr>
<tr>
<td>In-Service Training: Hometown Trolley Familiarization</td>
<td>5</td>
</tr>
<tr>
<td>In-Service Training: ATU/MST CBA Changes Review</td>
<td>32</td>
</tr>
<tr>
<td>In-Service Training: BYD Familiarization</td>
<td>6</td>
</tr>
<tr>
<td>In-Service Training: Salinas Street @ Alisal Street Successful Right hand turn and Diagonal Pedestrian Crossing Awareness</td>
<td>5</td>
</tr>
<tr>
<td>In-Service Training: 2021 Gillig Diesel Low Floor Familiarization</td>
<td>4</td>
</tr>
<tr>
<td>Transit Safety Institute: Service Stops</td>
<td>6</td>
</tr>
<tr>
<td>Lieber Cassidy Whitmore: Difficult Conversations</td>
<td>4</td>
</tr>
<tr>
<td>In-Service Training: 2018 Gillig Bus Familiarization</td>
<td>5</td>
</tr>
<tr>
<td>EEOC Training Institute: Inclusion &amp; Accommodation: EEOC Priorities, LGBTQ+Inclusion, Pandemic Accommodations</td>
<td>1</td>
</tr>
<tr>
<td>Transit Safety Institute: Emergency Management</td>
<td>5</td>
</tr>
</tbody>
</table>

## Risk Management

<table>
<thead>
<tr>
<th>Description</th>
<th>October 2022 Preventable</th>
<th>October 2021 Preventable</th>
</tr>
</thead>
<tbody>
<tr>
<td>Description</td>
<td></td>
<td></td>
</tr>
<tr>
<td>POV Vehicle hits MST Vehicle</td>
<td>Yes</td>
<td>No</td>
</tr>
<tr>
<td>MST Preventable Accidents</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>TOTAL</td>
<td>0</td>
<td>2</td>
</tr>
</tbody>
</table>
### Accident Statistics

<table>
<thead>
<tr>
<th>Month</th>
<th>Number of Accidents</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oct-21</td>
<td>50,000</td>
</tr>
<tr>
<td>Nov-21</td>
<td>100,000</td>
</tr>
<tr>
<td>Dec-21</td>
<td>150,000</td>
</tr>
<tr>
<td>Jan-22</td>
<td>200,000</td>
</tr>
<tr>
<td>Feb-22</td>
<td>250,000</td>
</tr>
<tr>
<td>Mar-22</td>
<td>300,000</td>
</tr>
</tbody>
</table>

### Monthly Miles Between Preventable Collisions (MBPC) with 12 Month Rolling Average

- **Standard**: Not more than 1 preventable collision per 100k miles
- **MBPC: 12 Month Average**: Measured using a 12-month rolling average.
<table>
<thead>
<tr>
<th>Service Report Type</th>
<th>MST</th>
<th>Other Provider</th>
<th># of valid reports</th>
<th>% of reports received**</th>
<th>Oct-21</th>
<th>% of reports received**</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADA/RM Request</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>1</td>
<td>2.7%</td>
</tr>
<tr>
<td>Agency Policy</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Bus Stop Amenities</td>
<td>2</td>
<td>0</td>
<td>2</td>
<td>3.6%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Carried By</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Discriminatory behavior by employee</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>3</td>
<td>8.1%</td>
</tr>
<tr>
<td>Early Departure</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Employee Other</td>
<td>1</td>
<td>4</td>
<td>1/3*</td>
<td>8.2%</td>
<td>1</td>
<td>2.7%</td>
</tr>
<tr>
<td>Facilities Vandalism</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Fare / Transfer Dispute</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>1</td>
<td>2.7%</td>
</tr>
<tr>
<td>Full Bus / Left Behind</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Harassment by Employee</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Improper Driving</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3.3%</td>
<td>3</td>
<td>8.1%</td>
</tr>
<tr>
<td>Improper Employee Conduct</td>
<td>4</td>
<td>3</td>
<td>3/2*</td>
<td>11.5%</td>
<td>6</td>
<td>16.2%</td>
</tr>
<tr>
<td>Inaccurate Public Information</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Late Arrival</td>
<td>1</td>
<td>8</td>
<td>1/1*</td>
<td>14.8%</td>
<td>1</td>
<td>2.7%</td>
</tr>
<tr>
<td>Late Departure</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>No Show</td>
<td>0</td>
<td>7</td>
<td>3*</td>
<td>12.1%</td>
<td>3</td>
<td>8.1%</td>
</tr>
<tr>
<td>Off Route</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Overcrowding</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Passed By</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>3.6%</td>
<td>4</td>
<td>10.8%</td>
</tr>
<tr>
<td>Passenger Conduct</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.8%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Passenger Injury</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>1.8%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Reasonable Modification</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Request To Add Service</td>
<td>2</td>
<td>0</td>
<td>1</td>
<td>3.6%</td>
<td>2</td>
<td>5.4%</td>
</tr>
<tr>
<td>Request To Reduce Service</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Routing</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Service Animal</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Service Other</td>
<td>7</td>
<td>9</td>
<td>3/3*</td>
<td>28.6%</td>
<td>10</td>
<td>27.0%</td>
</tr>
<tr>
<td>Service Schedule</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1.8%</td>
<td>1</td>
<td>2.7%</td>
</tr>
<tr>
<td>Taxi</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>1.8%</td>
<td>1</td>
<td>2.7%</td>
</tr>
<tr>
<td>Title VI Complaint</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Unsafe Conditions</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Vehicle Maintenance</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0.0%</td>
<td>0</td>
<td>0.0%</td>
</tr>
<tr>
<td>Subtotal reports</td>
<td>22</td>
<td>34</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grand Total MST and *Other Provider</td>
<td>56</td>
<td></td>
<td>100.0%</td>
<td></td>
<td>37</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

*Operated by MV Transportation or taxi provider
**Numbers may not add up exactly due to rounding
Contactless Tap to Pay:
During the month of October, MST received a total of 11,495 taps. There were 4,690 successful journeys where the passenger tapped on when they boarded and again when they got off. There were 2,115 penalty taps where the customer only tapped on and did not tap off, resulting in a $3.50 penalty fare being assessed. Since launching the demonstration project in May 2021, there have been a total of 122,498 taps, of which 50,909 trips were successful. Total revenue collected to the end of October from passengers using contactless payment was $177,781.

Finance Update
General Accounting/Accounts Payable
During the month of October, staff processed timely and accurate payments to vendors, recorded appropriate revenues, and prepared monthly financial reporting and analysis. In addition, staff prepared and submitted the required annual reporting to the National Transit Database which aids in the appropriation of FTA formula funds to transit agencies.

Payroll
Third quarter tax returns were completed and filed by Neogov. Routine changes and adjustments to payroll records were maintained along with reviewing filing of all federal, state, and retirement reports and payments on a timely basis. Payroll continued to provide hours and earnings reports upon request to MST departments.

**Grants**

During the month of October, staff drafted, followed up on, responded to, and submitted pending applications, requests for reimbursement, and program reporting under the following programs:

- Federal 5307 Traditional
- Federal 5310 Competitive
- Federal 5311 & 5311(f) Programs
- Federal 5339 Formula
- Federal COVID relief funding (CARES, CRRSA, ARPA)
- Low Carbon Transit Operations Program
- Transit and Intercity Rail Capital Program (TIRCP)
- MST Capital Improvement Program
- CA SB1 State of Good Repair
- CA SB1 Local Partnership Program
- Federal 5309 Capital Investments Grants
- Caltrans Sustainable Transportation Planning Grants

In addition to attending webinars for future grant opportunities, staff also participated in several meetings regarding current and future projects, bus procurements, and other capital projects. Meetings with internal staff were ongoing to address status changes to various active or pending grants and requests for reimbursements. Staff also worked internally to provide information for MST’s annual National Transit Database submission, financial audit, and DBE tracking.

<table>
<thead>
<tr>
<th>Grants Summary</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Active Grant Funding</td>
<td>$91,419,687</td>
</tr>
<tr>
<td>Grant Funds Pending Award</td>
<td>$4,482,471</td>
</tr>
</tbody>
</table>

**Procurements and Purchasing**

Procurement efforts for the month included reviewing invoices, tracking supply requisition forms, and placing supply orders for each MST location. A public opening of bids was held for landscape maintenance services and Turftenders Landscape, Inc. was the low bidder. The Board approved contract award for two years at $54,676/year. The contract with Goodyear is set to expire at the end of the year. Goodyear is proposing price adjustments due to inflation and staff have been working on ensuring MST will pay a fair and reasonable price. Staff also received and reviewed proposals for construction management-general contractor pre-construction services for the SURF! Busway and Bus Rapid Transit project.
Information Technology Update

Governance:

• **I.T. Steering Committee:** The I.T. Steering Committee met on October 26th. During the meeting the committee discussed the formation of project teams to address the need for a Documentation Management Solution, a customer Digital Signage and Communications Solution, and an upgrade and possible cloud deployment of the HASTUS (scheduling software) system. With the planned deployment of the Better Bus Network in mid-December, it was decided that the Committee would table formal meetings until post-deployment of the new network, resuming in January and in conjunction with the formation of the project teams.

Operations Technology:

• **HASTUS Upgrade:** Discussions are continuing with regards to modernizing the HASTUS scheduling system. Based on input from the I.T. Steering Committee as well as feedback from the Planning staff, formal discussions will resume after the deployment of the Better Bus Network with the formation of a project team in January.

• **Contactless Fare System:** MST I.T. has been continuing to monitor the performance of the contactless fare devices to ensure their continued performance. In addition, a scope of work and request for proposals has been issued by MST that invited additional vendors to propose Contactless Fare Device solutions for a broader test and evaluation prior to a final technology decision.

Cybersecurity:

• **October Advisories:** Overall, the MS-ISAC (Multi-State Information Sharing and Analysis Center) issued approximately 20 cybersecurity advisories in October of 2022 that were considered potentially critical to public agencies. While this was one the lowest advisory periods in 2022, Ransomware attacks continue to be the most prevalent issue, including a successful attack on a nearby institution that MST interacts with. As a result, I.T. has been elevating the level of communications and cautions to internal staff as well as increasing targeted social-engineering testing of our systems.

Marketing Update

**MST RealTime Usage:**

<table>
<thead>
<tr>
<th></th>
<th>Text</th>
<th>RealTime Phone</th>
<th>App Sessions</th>
<th>App Users</th>
</tr>
</thead>
<tbody>
<tr>
<td>2021</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>September</td>
<td>4,330</td>
<td>448</td>
<td>117,301</td>
<td>2,630</td>
</tr>
<tr>
<td>October</td>
<td>3,635</td>
<td>472</td>
<td>113,472</td>
<td>2,554</td>
</tr>
<tr>
<td>November</td>
<td>3,884</td>
<td>522</td>
<td>94,267</td>
<td>2,274</td>
</tr>
<tr>
<td>December</td>
<td>3,776</td>
<td>485</td>
<td>87,553</td>
<td>2,113</td>
</tr>
<tr>
<td>2022</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Transit App: For the month of October, there were a total of 347 downloads for the Transit App. The top three most popular routes that users tapped from the home screen were Line 18 with 7,998 taps, Line 20 with 7,353 taps, and Line 23 with 6,071 taps.

Published news stories include the following: “California Clearing the Way for Easy Contactless Transit Fares” (GT 10/11/22); “Business Roundtable” (Chamber Connection 10/11/22); “CA: California Clearing the Way for Easy Contactless Transit Fares” (Mass Transit 10/12/22).

Press releases sent include: None.

Projects: Coordinated 50th Anniversary celebration events and related activities; staffed an informational booth at the Salinas EV Ride and Drive event; staffed an informational table for Premium Packing, Inc in Salinas; staffed an informational booth at Special Kids Connect - Transition to Adulthood Conference in Salinas; continued outreach to school districts and youth organizations regarding School Pass Pilot Program opportunities; continued to support Mobility Services Department with program outreach and marketing support; supported Commute with Enterprise Vanpool program website and communication efforts; continued support of SURF! project marketing activities; continued management of Annual Report development; continued management of Better Bus Network marketing and communication activities; and continued creation of Non-Rider survey and execution plan.

Collaborative/Meeting/Committees: Attended MST Board Meeting; Mobility Program Outreach; CAL-ITP/MST Customer Service Weekly Check-In; SURF! Public Outreach Coordination Meetings; MST Town Hall Employee Meeting; Better Bus Network Communication and Marketing Plan meetings; Marketing, Outreach, and Customer Service Team Meeting; Transit Oriented Development Planning Study Meeting; Fare Implementation Team Meeting; COVID EOC Team Meeting; and CSR Team Meeting.
Social Media Performance:

Social Fans

55%
39%
6%

Overview by Social Media Platform:

Twitter

17 tweets
169 followers
59 engagements
88 clicks

Facebook

19 posts
1.6K fans
238 engagements
88 clicks

Instagram

18 posts
1.1K followers
207 engagements
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

Better Bus Network

Planning staff continued to focus on the service change to implement the Better Bus Network. Materials were presented to Salinas City Council, Seaside City Council and East Garrison Homeowners Association for approval of bus stop infrastructure. Staff worked with the consultant to finalize the updated system map and trip planner tool.

Transit-Oriented Development Planning Study

Work continued on the Transit-oriented development (TOD) planning study in support of the SURF! Busway and Bus Rapid Transit project. Staff met with TANC and AMBAG to discuss regional policy support for transit-oriented communities.

Regional Planning

Throughout the month, staff continued participating in meetings with various local agencies, including the Transportation Agency for Monterey County and Association of Monterey Bay Area Governments.
TO: Carl Sedoryk

FROM: Don Gilchrest

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

**Lame Duck Session**
Congress has returned from the Thanksgiving break to continue efforts to wrap up 2022 legislative business in the lame duck session. The central task is enacting the appropriations bills for FY 2023, but House and Senate Democrats also have an ambitious list of other bills that they would like to pass while they still retain majority control of both the House and the Senate. However, some Republican support will be needed to meet the 60-vote threshold required under Senate rules, and negotiations over an omnibus funding package are reportedly at a standstill. If a deal cannot be struck before the current short-term funding Continuing Resolution (CR) expires on December 16, an additional short-term extension will be needed to provide time to finish negotiations. It is also possible that Republicans might opt instead to push the funding bills off into next year via a months-long CR.

**FY 2023 Funding Negotiations**
One of the primary obstacles to progress on the FY 2023 funding bills is a continuing disagreement over the split between defense and non-defense programs. Although House and Senate Democrats agree on a total of roughly $1.67 billion in discretionary spending for FY 2023, there are significant differences over how to allocate that amount. The House funding bills propose a 4.5 percent increase for defense programs, while the draft Senate bills that Appropriations Committee Chair Leahy (D-VT) released include an 8.7 percent increase. In order to obtain Republican support for a funding deal, it is likely that it will need to include around a 10 percent defense increase, which is the level that was proposed in the Senate version of the 2023 National Defense Authorization Act.

Negotiations are also taking place over additional COVID-19 funding, aid to Ukraine, and various legislative provisions. There is an added wrinkle to the funding negotiations because a budget enforcement mechanism will require $132 billion in budget cuts known as “sequestration” unless Congress waives the rule. Last year, a one-year delay was inserted into the final appropriations legislation to prevent sequestration and Congress could decide to do something similar again this year.
Although the federal government is not expected to exceed the current statutory limit on debt until next year, Democratic leaders are looking for ways to bring it up in the lame duck session, possibly by including in the omnibus funding package. Alternatively, budget reconciliation procedures provide a way for a simple majority in the House and Senate to send a debt limit increase to President Biden for his signature this year. This would be a difficult approach, but it would prevent the Biden Administration from having to make policy or spending concessions to Republicans.

Transportation Appropriations
As Congress negotiates a final version of the FY 2023 appropriations measure for the Department of Transportation, we are continuing to advocate for the following MST priorities:

- Maintaining the $3 million for the Monterey-Salinas Transit District Zero Emission Bus and Microgrid Project, which Representative Panetta included in the House bill.
- Protecting the large funding increase for FTA formula programs that was enacted in the Bipartisan Infrastructure Law.
- Increasing funding for bus and bus facilities programs above authorized levels.
- Funding the Capital Investment Grants program as a possible source of funding for your SURF! Busway and BRT Project.

The House passed the FY 2023 Transportation, Housing and Urban Development, and Related Agencies Appropriations Act on July 20 as part of H.R. 8294, a multi-ball package of six of the 12 annual bills. Although the Senate Appropriations Committee has not drafted any of the FY 2023 bills yet, Chair Leahy (D-VT) released his “Chair’s mark” of the bills in late July, which are serving as the de facto Senate versions of the bills for purposes of negotiating a final package. This table provides a summary of the pending funding levels for key programs, taking into account the additional funding that was provided by the Bipartisan Infrastructure Law (BIL):

<table>
<thead>
<tr>
<th></th>
<th>FY21</th>
<th>FY22</th>
<th>FY23 (Senate)</th>
<th>FY23 (House)</th>
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<tr>
<td>Transit Formulas</td>
<td>$10.15 Billion</td>
<td>$13.35 Billion</td>
<td>$13.63 Billion</td>
<td>$13.63 Billion</td>
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<tr>
<td>Buses/Facilities</td>
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<td>$2.32 Billion</td>
<td>$2.45 Billion</td>
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<tr>
<td>Capital Investment Grants</td>
<td>$2 Billion</td>
<td>$3.85 Billion</td>
<td>$4.11 Billion</td>
<td>$4.6 Billion</td>
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</table>
November 29, 2022

TO: Board of Directors, Monterey-Salinas Transit District
FROM: Matt Robinson, Partner
Michael Pimentel, Legislative Advocate

RE: STATE LEGISLATIVE UPDATE – December 2022

Legislative Update
The Legislature remains on recess and as we noted last month, formally adjourns the 2021-22 Legislative Session “sine die” at midnight on November 30. The new session will convene on December 5 for a one day organizing session, with members returning to their districts until January 4. Shortly after the Legislature reconvenes in January, the Governor will release the Fiscal Year 2023-24 Proposed Budget on, or around, January 10. The Legislative Calendar, which sets the deadlines for the year, has been released and can be viewed here. Please note: February 17 marks the last day to introduce bills.

November General Election Update
The 2022 General Election took place on Tuesday, November 8. In the California State Legislature, 100 of the 120 seats were up for election or re-election, including 20 Senate seats (10 seats open, 10 incumbents running for re-election) and 80 Assembly seats (24 seats open, 56 incumbents running for re-election). Democrats in both houses are poised to maintain super-majorities. MST will see a new face in its legislative delegation with Council Member Dawn Addis being elected in the newly drawn Assembly District 30. Once the Legislature reconvenes in early-December, MST will be represented by Senator John Laird and Assembly Members Rivas and Addis. To view current results, please visit the Secretary of State’s website.

Assembly Leadership Change
Shortly after election night, the Assembly Democrats met informally in Sacramento to discuss who will lead the Caucus in 2023 and beyond. For months, it had been no secret that Assembly Member Rivas was vying for the Speakership, while current Speaker Rendon worked to hold the Assembly’s top spot. On November 10, after a Caucus meeting that lasted close to six hours, it was revealed that an agreement had been reached which would allow Speaker Rendon to maintain his role until June 30, 2023, at which point “Speaker-elect” Rivas would assume the leadership post. It is not yet clear what this means for the selection of other Assembly leadership posts or the selection of committee chairs and members. However, these details should emerge soon.

Final Guidelines and Call for Projects for Transit and Intercity Rail Capital Program (Cycle 6) Released
On November 15, the California State Transportation Agency (CalSTA) released the final program guidelines and a call for projects for the Transit and Intercity Rail Capital Program (TIRCP) – Cycle 6. The final guidelines, comparison document, and the call for projects are
available on the [CalSTA website](#). CalSTA expects to award a minimum of $1.8 billion to existing TIRCP projects by January 31, 2023. Applications for new projects and high-priority grade separations are due February 10, 2023. CalSTA expects to announce awards for the latter by April 24, 2023.

**CARB Adopts FY 2022-23 Funding Plan for Clean Transportation Incentives**

On November 17, the California Air Resources Board (CARB) approved the $2.6 billion [Fiscal Year 2022-23 Funding Plan for Clean Transportation Incentives](#). The investments are part of California's comprehensive strategy for improving air quality and reducing greenhouse gas emissions in the transportation sector. Programs that support MST’s transition to zero-emission buses include the following:

- **$265 million for HVIP-Standard**: This program provides voucher incentives to reduce the cost of zero-emission trucks and buses. Transit agencies are eligible recipients of this funding.

- **$70 million for HVIP-Transit Buses**: This program provides voucher incentives to reduce the cost of zero-emission transit buses. Transit agencies are the only eligible recipients of this funding.

In addition to approving these funding levels, CARB approved the following language in the FY 2023-23 Funding Plan that will provide new flexibility in HVIP to transit agencies. This language aligns with the advocacy priorities of MST and the California Transit Association (in which MST is an active member):

“Public transit agencies play a unique role in the state’s air protection and climate goals. Zero-emission transit buses have served as a beachhead, helping spur the initial market for zero-emission vehicles and their components. Additionally, public transit agencies play a critical role in reducing vehicle miles traveled, and serving their communities. To date, public transit agencies have demonstrated a commitment to exceeding requirements laid out in the Innovative Clean Transit regulation. Through a public work group process, staff will explore additional flexibilities for the Public Transit Bus Set-Aside to ensure that public transit agencies will be supported in the most efficient way possible as regulatory requirements begin to take effect.”
To: Carl Sedoryk

From: Lisa Rheinheimer, Assistant General Manager

Subject: TRIP REPORT: APTA TRANSform Conference October 9-12, 2022

SUMMARY:

The American Public Transportation Association’s APTA TRANSform Conference was held in Seattle, Washington October 9-12, 2022.

GOAL/PURPOSE:

The conference provided a mix of education, professional and technical training, and networking for public transportation professionals at all levels. I was able to connect with colleagues from peer transit agencies across the country.

ATTENDEES:

Transit operators from across the country.

AGENDA:

- General Sessions
- Congress and the Year Ahead in Transit Infrastructure
- Rebuilding Ridership and Transforming the Customer Experience
- Discovering the Synergies in State/Local Funding & Financing
- Addressing Equity Issues on Service and Fare Change Decisions Made During the Pandemic

Submitted by: Lisa Rheinheimer
To: Carl Sedoryk

From: Michelle Overmeyer, Director of Planning and Innovation

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AGENDA:

- Communicating Infrastructure Success
- Congress and the Year Ahead in Transit Infrastructure
- Local-Federal partnerships to Advance Transit-oriented Communities
- Discovering the Strategies in State/Local Funding & Financing

Submitted by: Michelle Muller Overmeyer