REVISED

Board of Directors Regular Meeting and Strategic Planning Workshop
January 12, 2015

Monterey Bay Unified Air Pollution Control District
Board Room, 3rd Floor
24580 Silver Cloud Ct., Monterey

9:00 a.m.

TRANSPORTATION: Ride Line 8 from Monterey Transit Plaza (Munras Gate) at 9:15 a.m. or Sand City Station at 9:30 a.m. Request a taxi voucher from MST Customer Service for your return trip. (Good for a $17 one-way trip).

1. CALL TO ORDER
   1-1. Roll Call.
   1-2. Pledge of Allegiance.
   1-3. Conduct Swearing In Ceremony for new board members.

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

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

3. CONSENT AGENDA

   3-1. Review highlights of the agenda. (Carl Sedoryk)
   3-2. Authorize the purchase of two electric sedans. (Michael Hernandez) (pg. 3)
   3-3. Adopt Resolution 2015-21 authorizing execution of agreements with the State Board of Equalization for implementation of a local transactions and use tax, and authorize agreements with the State Board of Equalization. (Carl Sedoryk) (pg. 5)
4. **CONDUCT STRATEGIC PLANNING WORKSHOP**

4-1. Strategic Planning Workshop Packet. (pg. 33)

5. **COMMENTS BY BOARD MEMBERS**

5-1. Board member Comments and Announcements.

5-2. Board member Referrals for future agendas.

6. **ADJOURN**

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**NEXT MEETING DATE:** February 2, 2015

Monterey Bay Unified Air Pollution Control District Board Room, 3rd Floor

**NEXT AGENDA DEADLINE:** January 20, 2015

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Materials related to an item on this agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Monterey-Salinas Transit Administration office at 1 Ryan Ranch Road, Monterey, CA during normal business hours.

Upon request, MST will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including 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 and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least three working days prior to the meeting. Requests should be sent to Deanna Smith, MST, One Ryan Ranch Road, Monterey, CA 93940 or dsmith@mst.org.
To: Board of Directors

From: Michael Hernandez, Assistant General Manager/COO

Subject: Authorize the Purchase of Two Electric Sedans

RECOMMENDATION:

Authorize MST to purchase two Nissan Leaf electric vehicles from one of the three local Nissan dealership listed below at the lowest price/best options at the time of purchase, not to exceed $31,000 each.

FISCAL IMPACT:

Not to exceed $62,000. This purchase is 100% funded as follows: $54,000 through the Monterey Bay Area Unified Air Pollution Control District AB 2766 Electric Vehicle (EV) Incentive Replacement Program; and $8,000 from MST’s capital budget.

POLICY IMPLICATIONS:

Your Board approves all purchases that exceed $25,000.

DISCUSSION:

In 1990, Assembly Bill (AB) 2766 was enacted into law authorizing the Department of Motor Vehicles to collect $4 for each vehicle registered within the boundaries of the Monterey Bay Unified Air Pollution Control District (MBUAPCD) and requires that AB 2766 revenues be distributed by the MBUAPCD within its boundaries to reduce air pollution. New this year, MBUAPCD emphasized electric vehicle fleet replacement projects under its new Electric Vehicle Replacement Incentive Program with the AB2766 funds. MST was awarded $54,000 for two new Nissan Leaf vehicles that will replace two older, less energy-efficient MST vehicles.

These two new electric vehicles will be used as “relief units” by coach operators travelling to and from MST’s operating bases to transit centers. The Nissan Leaf has an average range of 84 miles per charge, which is ideal for multiple relief unit trips each day.

MST obtained quotes from three local Nissan dealerships. Each dealership had various restrictions and limitations on the final price. As an example, one price quote was listed as valid for only 48 hours; another dealership’s quote was valid only through the end of December. All price quotes were for stock on hand only, some did not include all taxes, and all quotes are subject to Nissan corporate and/or local dealership incentive programs at the actual time of purchase.
The price quotes listed below are from mid December.

- Santa Cruz Nissan Dodge Volkswagen, Santa Cruz: $28,187
- MY Nissan, Salinas: $28,976
- Cardinale Nissan, Seaside: $29,000

This action, if approved by your Board, with authorize staff to obtain updated price quotes and purchase two (2) Nissan Leaf electric vehicles from one of the three dealerships listed above for the best price/options at the time of the quote, not to exceed $31,000 each.

PREPARED BY: Michael Hernandez  REVIEWED BY: Carl Sedoryk
To: Board of Directors

From: Carl Sedoryk, General Manager/CEO

Subject: Adopt Resolution 2015-21 authorizing execution of agreements with the State Board of Equalization and authorize agreements with the State Board of Equalization

RECOMMENDATION:

1. Adopt Resolution 2015-21 Authorizing Execution of Agreements with the State Board of Equalization for Implementation of a Local Transactions and Use Tax.


3. Authorize Agreement for Preparation to Administer and Operate District’s Transactions and Use Tax Ordinance.

FISCAL IMPACT:

Not to exceed $175,000 to pay the State Board of Equalization actual costs to administer the district ordinance.

POLICY IMPLICATIONS:

The State Board of Equalization requires authorization by your board of all documents related to the administration of the voter-approved transactions and use tax, otherwise known as Measure Q.

DISCUSSION:

On November 24, 2014, the Monterey County Registrar of Voters certified the election results of November 4, 2014, by which a 72.5% majority of voters approved the “Measure Q” Transactions and Use Tax.

Pursuant to Revenue and Taxation Code section 7265, the new tax is scheduled to become operative on April 1, 2015.

In order to prepare to administer a transactions and use tax ordinance adopted in accordance with the provision of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, the State Board of Equalization requires the MST Board of Directors to adopt and authorize the attached Resolution and Agreements.
<table>
<thead>
<tr>
<th>Attachment 1:</th>
<th>Resolution 2015-21 Authorizing Execution of Agreements with the State Board of Equalization for Implementation of a Local Transactions and Use Tax</th>
</tr>
</thead>
<tbody>
<tr>
<td>Attachment 2:</td>
<td>Agreement for State Administration of District Transactions and Use Taxes</td>
</tr>
<tr>
<td>Attachment 3:</td>
<td>Agreement for Preparation to Administer and Operate District’s Transactions and Use Tax Ordinance</td>
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</tbody>
</table>

Prepared by: [Signature]

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6
RESOLUTION 2015-21

RESOLUTION AUTHORIZING EXECUTION OF AGREEMENTS WITH THE STATE BOARD OF EQUALIZATION FOR IMPLEMENTATION OF A LOCAL TRANSACTIONS AND USE TAX.

MONTEREY-SALINAS TRANSIT DISTRICT

WHEREAS, on July 14, 2014, the Board of Directors of the Monterey-Salinas Transit District (MST or District) approved Ordinance No. 2015-01 providing for a local transactions and use tax; and

WHEREAS, the State Board of Equalization (Board) administers and collects the transactions and use taxes for all applicable jurisdictions within the state; and

WHEREAS, the Board will be responsible to administer and collect the transactions and use tax for the District; and

WHEREAS, the Board requires that the District enter into a “Preparatory Agreement” and an “Administration Agreement” prior to implementation of said taxes, and

Whereas, the Board requires that the District authorize the agreements;

NOW, THEREFORE BE IT RESOLVED by the governing body of the Monterey-Salinas Transit District that the attached “Preparatory Agreement” and “Administrative Agreement” are hereby approved and the District Chief Executive Officer is hereby authorized to execute each agreement.

* * * * *
The foregoing resolution was introduced and adopted at a regular meeting of the Monterey-Salinas Transit District held on January 12, 2015 by the following vote, to wit:

AYES: ____________________________

NOES: ____________________________

ABSENT: __________________________

DATED: __________________________

ATTEST: (s) _______________________

                 Board Secretary (Deputy)
AGREEMENT FOR STATE ADMINISTRATION  
OF DISTRICT TRANSACTIONS AND USE TAXES

The Board of Directors of the Monterey-Salinas Transit District has adopted, and the 
voters of the Monterey-Salinas Transit District (hereafter called “District”) have approved by the 
required majority vote, Transactions and Use Tax Ordinance 2015-01 (hereafter called 
“Ordinance”), a copy of which is attached hereto. To carry out the provisions of Part 1.6 of 
Division 2 of the Revenue and Taxation Code and the Ordinance, the State Board of 
Equalization, (hereinafter called the “Board”) and the District do agree as follows:

ARTICLE I
DEFINITIONS

Unless the context requires otherwise, wherever the following terms appear in the 
Agreement, they shall be interpreted to mean the following:

1. "District taxes" shall mean the transactions and use taxes, penalties, and interest 
imposed under an ordinance specifically authorized by Revenue and Taxation code Section 
106060, and in compliance with Part 1.6, Division 2 of the Revenue and Taxation Code.

2. "District Ordinance" shall mean the District's Transactions and Use Tax Ordinance 
referred to above and attached hereto, Ordinance 2015-01, An Ordinance of the Monterey- 
Salinas Transit District Imposing a Transactions and Use Tax To Be Administered By The State 
Board of Equalization, as amended from time to time, or as deemed to be amended from time to 
time pursuant to Revenue and Taxation Code Section 7262.2.

ARTICLE II
ADMINISTRATION AND COLLECTION 
OF DISTRICT TAXES

A. Administration. The Board and District agree that the Board shall perform 
exclusively all functions incident to the administration and operation of the District Ordinance.
B. Other Applicable Laws. District agrees that all provisions of law applicable to the administration and operation of the State Sales and Use Tax Law which are not inconsistent with Part 1.6 of Division 2 of the Revenue and Taxation Code shall be applicable to the administration and operation of the District Ordinance. District agrees that money collected pursuant to the District Ordinance may be deposited into the State Treasury to the credit of the Retail Sales Tax Fund and may be drawn from that Fund for any authorized purpose, including making refunds, compensating and reimbursing the Board pursuant to Article IV of this Agreement, and transmitting to District the amount to which District is entitled.

C. Transmittal of money.

1. For the period during which the tax is in effect, and except as otherwise provided herein, all District taxes collected under the provisions of the District Ordinance shall be transmitted to District periodically as promptly as feasible, but not less often than twice in each calendar quarter.

2. For periods subsequent to the expiration date of the tax, whether by District’s self-imposed limits or by final judgment of any court of the State of California holding that District’s ordinance is invalid or void, all District taxes collected under the provisions of the District Ordinance shall be transmitted to District not less than once in each calendar quarter.

3. Transmittals may be made by mail or electronic funds transfer to an account of the District designated and authorized by District. A statement shall be furnished at least quarterly indicating the amounts withheld pursuant to Article IV of this Agreement.

D. Rules. The Board shall prescribe and adopt such rules and regulations as in its judgment are necessary or desirable for the administration and operation of the District Ordinance and the distribution of the District taxes collected thereunder.

E. Preference. Unless the payor instructs otherwise, and except as otherwise provided in this Agreement, the Board shall give no preference in applying money received for state sales and use taxes, state-administered local sales and use taxes, and District transactions and use taxes owed by a taxpayer, but shall apply moneys collected to the satisfaction of the claims of the State, cities, counties, cities and counties, redevelopment agencies, other districts, and District as their interests appear.
F. Security. The Board agrees that any security which it hereafter requires to be furnished by taxpayers under the State Sales and Use Tax Law will be upon such terms that it also will be available for the payment of the claims of the District for District taxes owing to it as its interest appears. The Board shall not be required to change the terms of any security now held by it and District shall not participate in any security now held by the Board.

G. Records of the Board.

When requested by resolution of the legislative body of the District under section 7056 of the Revenue and Taxation Code, the Board agrees to permit authorized personnel of the District to examine the records of the Board, including the name, address, and account number of each seller holding a seller’s permit with a registered business location in the District, pertaining to the ascertainment of transactions and use taxes collected for the District. Information obtained by the District from examination of the Board’s records shall be used by the District only for purposes related to the collection of transactions and use taxes by the Board pursuant to this Agreement.

H. Annexation. District agrees that the Board shall not be required to give effect to an annexation, for the purpose of collecting, allocating, and distributing District transactions and use taxes, earlier than the first day of the calendar quarter which commences not less than two months after notice to the Board. The notice shall include the name of the county or counties annexed to the extended District boundary. In the event the District shall annex an area, the boundaries of which are not coterminous with a county or counties, the notice shall include a description of the area annexed and two maps of the District showing the area annexed and the location address of the property nearest to the extended District boundary on each side of every street or road crossing the boundary.

ARTICLE III

ALLOCATION OF TAX

A. Allocation. In the administration of the Board's contracts with all districts that impose transactions and use taxes imposed under ordinances, which comply with Part 1.6 of Division 2 of the Revenue and Taxation Code:
1. Any payment not identified as being in payment of liability owing to a designated district or districts may be apportioned among the districts as their interest appear, or, in the discretion of the Board, to all districts with which the Board has contracted using ratios reflected by the distribution of district taxes collected from all taxpayers.

2. All district taxes collected as a result of determinations or billings made by the Board, and all amounts refunded or credited may be distributed or charged to the respective districts in the same ratio as the taxpayer’s self-declared district taxes for the period for which the determination, billing, refund, or credit applies.

B. Vehicles, Vessels, and Aircraft. For the purpose of allocating use tax with respect to vehicles, vessels, or aircraft, the address of the registered owner appearing on the application for registration or on the certificate of ownership may be used by the Board in determining the place of use.

ARTICLE IV

COMPENSATION

The District agrees to pay to the Board the Board's cost of administering the District Ordinance such amount as is provided for by law. Such amounts shall be deducted from the taxes collected by the Board for the District.

ARTICLE V

MISCELLANEOUS PROVISIONS

A. Communications. Communications and notices may be sent by first class United States mail to the addresses listed below or to such other addresses as the parties may from time to time designate. A notification is complete when deposited in the mail.

Communications and notices to be sent to the Board shall be addressed to:

State Board of Equalization
P.O. Box 942879
Sacramento, California 94279-0032
Attention: Administrator, RAAS
Communications and notices to be sent to the District shall be addressed to:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

Unless otherwise directed, transmittals of payment of District transactions and use taxes will be sent to the address above.

B. **Term.** The date of this Agreement is the date on which it is approved by the Department of General Services. The Agreement shall take effect on ***April 1, 2015***. This Agreement shall continue until December 31 next following the expiration date of the District Ordinance, and shall thereafter be renewed automatically from year to year until the Board completes all work necessary to the administration of the District Ordinance and has received and disbursed all payments due under that Ordinance.

C. **Notice of Repeal of Ordinance.** District shall give the Board written notice of the repeal of the District Ordinance not less than 110 days prior to the operative date of the repeal.

**ARTICLE VI**

**ADMINISTRATION OF TAXES IF THE ORDINANCE IS CHALLENGED AS BEING INVALID**

A. **Impoundment of funds.**

1. When a legal action is begun challenging the validity of the imposition of the tax, the District shall deposit in an interest-bearing escrow account, any proceeds transmitted to it under Article II. C., until a court of competent jurisdiction renders a final and non-appealable judgment that the tax is valid.

2. If the tax is determined to be unconstitutional or otherwise invalid, the District shall transmit to the Board the moneys retained in escrow, including any accumulated interest,
within ten days of the judgment of the trial court in the litigation awarding costs and fees becoming final and non-appealable.

B. Costs of administration. Should a final judgment be entered in any court of the State of California, holding that District's Ordinance is invalid or void and requiring a rebate or refund to taxpayers of any taxes collected under the terms of this Agreement, the parties mutually agree that:

1. Board may retain all payments made by District to Board to prepare to administer the District Ordinance.

2. District will pay to Board and allow Board to retain Board's cost of administering the District Ordinance in the amounts set forth in Article IV of this Agreement.

3. District will pay to Board or to the State of California the amount of any taxes plus interest and penalties, if any, that Board or the State of California may be required to rebate or refund to taxpayers.

4. District will pay to Board its costs for rebating or refunding such taxes, interest, or penalties. Board's costs shall include its additional cost for developing procedures for processing the rebates or refunds, its costs of actually making these refunds, designing and printing forms, and developing instructions for Board's staff for use in making these rebates or refunds and any other costs incurred by Board which are reasonably appropriate or necessary to make those rebates or refunds. These costs shall include Board's direct and indirect costs as specified by Section 11256 of the Government Code.

5. Costs may be accounted for in a manner, which conforms to the internal accounting, and personnel records currently maintained by the Board. The billings for such costs may be presented in summary form. Detailed records will be retained for audit and verification by District.

6. Any dispute as to the amount of costs incurred by Board in refunding taxes shall be referred to the State Director of Finance for resolution and the Director's decision shall be final.

7. Costs incurred by Board in connection with such refunds shall be billed by Board on or before the 25th day of the second month following the month in which the judgment of a
court of the State of California holding District's Ordinance invalid or void becomes final. Thereafter Board shall bill District on or before the 25th of each month for all costs incurred by Board for the preceding calendar month. District shall pay to Board the amount of such costs on or before the last day of the succeeding month and shall pay to Board the total amount of taxes, interest, and penalties refunded or paid to taxpayers, together with Board costs incurred in making those refunds.

________________________________________________________________________
(District)

By ______________________________________________________________________
(Signature)

Section

________________________________________________________________________
(Typed Name)

________________________________________________________________________
(Title)

STATE BOARD OF EQUALIZATION

By ________________________________
Brian Manuel, Administrator
Return Analysis & Allocation
ORDINANCE 2015-01

AN ORDINANCE OF THE MONTEREY-SALINAS TRANSIT DISTRICT IMPOSING A TRANSACTIONS AND USE TAX TO BE ADMINISTERED BY THE STATE BOARD OF EQUALIZATION

WHEREAS, public transit provides a lifeline for senior citizens and people with disabilities. They depend on it for independent living, such as getting to doctor’s appointments, the pharmacy, and the grocery store. In fact, Monterey-Salinas Transit District (“MST” or the “District”) logged over 1.25 million miles last year alone providing the vital service of transporting seniors and people with disabilities; and

WHEREAS, many military veterans in Monterey County, including disabled veterans, rely on public transit to access health care, housing, and job placement services. Our veterans have sacrificed for our country, and we owe them such basic services as transportation when they need it; and

WHEREAS, in recent years, state government has cut more than 30 million dollars in funding for transit services in Monterey County, and now the federal government is eliminating a number of transit programs dedicated to seniors and the disabled, and a grant program to assist veterans in finding transit services has expired. To continue local transit services for our seniors, veterans and people with disabilities, we must have a local revenue source that cannot be taken away by state or federal government; and

WHEREAS, this measure will require annual performance and financial audits as well as citizen oversight to ensure that the revenue raised is properly used; and

WHEREAS, even with major budget cuts, MST has run an efficient operation and has continued to provide reliable service to the thousands of people who take it every day; and

WHEREAS, California Public Utilities Code Section 106060 authorizes MST to levy a local transactions and use (sales) tax, subject to voter approval; and

WHEREAS, at a public hearing on July 14, 2014, the District Board of Directors considered calling a special election to seek voter approval of a local sales tax to maintain funding for essential programs that provide transit services for senior citizens, veterans and the disabled; and

WHEREAS, after that hearing, the District Board of Directors concluded that all of the information presented indicated that, to create an additional source of revenue to assist with funding for programs that provide transit services for senior citizens, veterans and the disabled, the District Board of Directors should call an election to ask the voters of the District to approve a local transactions and use tax of one-eighth of a cent per dollar (0.125%); and
WHEREAS, consistent with the requirements of Public Utilities Code section 106060, a majority of MST member jurisdictions have expressed concurrence with the District submitting this transactions and use tax measure to the voters for approval; and

WHEREAS, on the basis of the foregoing, the District Board of Directors determined that it was appropriate to place a measure regarding a local sales tax before the voters at the November 4, 2014, election; and

WHEREAS, the tax to be submitted, if approved, would be imposed on the sale of tangible personal property and the storage, use or other consumption of such property. The tax rate would be one-eighth of one percent (0.125%) (one eighth of a penny for each dollar) of the sales price. The tax revenue would be collected by the State Board of Equalization and remitted to the District. The tax shall be approved if the measure receives at least a two-thirds majority of those voting on the measure.

NOW, THEREFORE, the Monterey-Salinas Transit District Board of Directors does ordain as follows:

Section 1. TITLE. This ordinance shall be known as the Local Transit Funding for Senior Citizens, Veterans and People with Disabilities Ordinance. The Monterey-Salinas Transit District hereinafter shall be called "District." This ordinance shall be applicable in the incorporated and unincorporated territory of the County of Monterey, hereinafter called "County."

Section 2. OPERATIVE DATE. "Operative Date" means the first day of the first calendar quarter commencing more than 110 days after the adoption of this ordinance, the date of such adoption being as set forth below.

Section 3. PURPOSE. This ordinance is adopted to achieve the following, among other purposes, and directs that the provisions hereof be interpreted in order to accomplish those purposes:

A. To impose a retail transactions and use tax in accordance with the provisions of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code and Section 7285.5 of Part 1.7 of Division 2 which authorizes the District to adopt this tax ordinance which shall be operative if two-thirds (2/3) of the electors voting on the measure vote to approve the imposition of the tax at an election called for that purpose.

B. To adopt a retail transactions and use tax ordinance that incorporates provisions identical to those of the Sales and Use Tax Law of the State of California insofar as those provisions are not inconsistent with the requirements and limitations contained in Part 1.6 of Division 2 of the Revenue and Taxation Code.

C. To adopt a retail transactions and use tax ordinance that imposes a tax and provides a measure therefor that can be administered and collected by the State Board of Equalization in a manner that adapts itself as fully as practicable to, and requires the least possible deviation from,
the existing statutory and administrative procedures followed by the State Board of Equalization in administering and collecting the California State Sales and Use Taxes.

D. To adopt a retail transactions and use tax ordinance that can be administered in a manner that will be, to the greatest degree possible, consistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, minimize the cost of collecting the transactions and use taxes, and at the same time, minimize the burden of record keeping upon persons subject to taxation under the provisions of this ordinance.

Section 4. CONTRACT WITH STATE. Prior to the operative date, the District shall contract with the State Board of Equalization to perform all functions incident to the administration and operation of this transactions and use tax ordinance; provided, that if the District shall not have contracted with the State Board of Equalization prior to the operative date, it shall nevertheless so contract and in such a case the operative date shall be the first day of the first calendar quarter following the execution of such a contract.

Section 5. TRANSACTIONS TAX RATE. For the privilege of selling tangible personal property at retail, a tax is hereby imposed upon all retailers in the incorporated and unincorporated territory of the County at the rate of one-eighth of one percent (0.125%) of the gross receipts of any retailer from the sale of all tangible personal property sold at retail in said territory on and after the operative date of this ordinance.

Section 6. PLACE OF SALE. For the purposes of this ordinance, all retail sales are consummated at the place of business of the retailer unless the tangible personal property sold is delivered by the retailer or his agent to an out-of-state destination or to a common carrier for delivery to an out-of-state destination. The gross receipts from such sales shall include delivery charges, when such charges are subject to the state sales and use tax, regardless of the place to which delivery is made. In the event a retailer has no permanent place of business in the State or has more than one place of business, the place or places at which the retail sales are consummated shall be determined under rules and regulations to be prescribed and adopted by the State Board of Equalization.

Section 7. USE TAX RATE. An excise tax is hereby imposed on the storage, use or other consumption in the District of tangible personal property purchased from any retailer on and after the operative date of this ordinance for storage, use or other consumption in said territory at the rate of one-eighth of one percent (0.125%) of the sales price of the property. The sales price shall include delivery charges when such charges are subject to state sales or use tax regardless of the place to which delivery is made.

Section 8. ADOPTION OF PROVISIONS OF STATE LAW. Except as otherwise provided in this ordinance and except insofar as they are inconsistent with the provisions of Part 1.6 of Division 2 of the Revenue and Taxation Code, all of the provisions of Part 1 (commencing with Section 6001) of Division 2 of the Revenue and Taxation Code are hereby adopted and made a part of this ordinance as though fully set forth herein.
Section 9. **LIMITATIONS ON ADOPTION OF STATE LAW AND COLLECTION OF USE TAXES.** In adopting the provisions of Part 1 of Division 2 of the Revenue and Taxation Code:

A. Wherever the State of California is named or referred to as the taxing agency, the name of the District shall be substituted therefor. However, the substitution shall not be made when:

1. The word "State" is used as a part of the title of the State Controller, State Treasurer, State Board of Control, State Board of Equalization, State Treasury, or the Constitution of the State of California;

2. The result of that substitution would require action to be taken by or against the District or any agency, officer, or employee thereof rather than by or against the State Board of Equalization, in performing the functions incident to the administration or operation of this Ordinance.

3. In those sections, including, but not necessarily limited to sections referring to the exterior boundaries of the State of California, where the result of the substitution would be to:

   a. Provide an exemption from this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not otherwise be exempt from this tax while such sales, storage, use or other consumption remain subject to tax by the State under the provisions of Part 1 of Division 2 of the Revenue and Taxation Code, or;

   b. Impose this tax with respect to certain sales, storage, use or other consumption of tangible personal property which would not be subject to tax by the state under the said provision of that code.

4. In Sections 6701, 6702 (except in the last sentence thereof), 6711, 6715, 6737, 6797 or 6828 of the Revenue and Taxation Code.

B. The word "District" shall be substituted for the word "State" in the phrase "retailer engaged in business in this State" in Section 6203 and in the definition of that phrase in Section 6203.

Section 10. **PERMIT NOT REQUIRED.** If a seller's permit has been issued to a retailer under Section 6067 of the Revenue and Taxation Code, an additional transactor's permit shall not be required by this ordinance.

Section 11. **EXEMPTIONS AND EXCLUSIONS.**

A. There shall be excluded from the measure of the transactions tax and the use tax the amount of any sales tax or use tax imposed by the State of California or by any city, city and county, or county pursuant to the Bradley-Burns Uniform Local Sales and Use Tax Law (Article
19 of the Revenue and Taxation Code) or the amount of any state-administered transactions or use tax.

B. There are exempted from the computation of the amount of transactions tax the gross receipts from:

1. Sales of tangible personal property, other than fuel or petroleum products, to operators of aircraft to be used or consumed principally outside the County in which the sale is made and directly and exclusively in the use of such aircraft as common carriers of persons or property under the authority of the laws of this State, the United States, or any foreign government.

2. Sales of property to be used outside the County which is shipped to a point outside the County, pursuant to the contract of sale, by delivery to such point by the retailer or his agent, or by delivery by the retailer to a carrier for shipment to a consignee at such point. For the purposes of this paragraph, delivery to a point outside the County shall be satisfied:

   a. With respect to vehicles (other than commercial vehicles) subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, and undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code by registration to an out-of-County address and by a declaration under penalty of perjury, signed by the buyer, stating that such address is, in fact, his or her principal place of residence; and

   b. With respect to commercial vehicles, by registration to a place of business out-of-County and declaration under penalty of perjury, signed by the buyer, that the vehicle will be operated from that address.

3. The sale of tangible personal property if the seller is obligated to furnish the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. A lease of tangible personal property which is a continuing sale of such property, for any period of time for which the lessor is obligated to lease the property for an amount fixed by the lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, the sale or lease of tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

C. There are exempted from the use tax imposed by this ordinance, the storage, use or other consumption in the County of tangible personal property:
1. The gross receipts from the sale of which have been subject to a transactions tax under any state-administered transactions and use tax ordinance.

2. Other than fuel or petroleum products purchased by operators of aircraft and used or consumed by such operators directly and exclusively in the use of such aircraft as common carriers of persons or property for hire or compensation under a certificate of public convenience and necessity issued pursuant to the laws of this State, the United States, or any foreign government. This exemption is in addition to the exemptions provided in Sections 6366 and 6366.1 of the Revenue and Taxation Code of the State of California.

3. If the purchaser is obligated to purchase the property for a fixed price pursuant to a contract entered into prior to the operative date of this ordinance.

4. If the possession of, or the exercise of any right or power over, the tangible personal property arises under a lease which is a continuing purchase of such property for any period of time for which the lessee is obligated to lease the property for an amount fixed by a lease prior to the operative date of this ordinance.

5. For the purposes of subparagraphs (3) and (4) of this section, storage, use, or other consumption, or possession of, or exercise of any right or power over, tangible personal property shall be deemed not to be obligated pursuant to a contract or lease for any period of time for which any party to the contract or lease has the unconditional right to terminate the contract or lease upon notice, whether or not such right is exercised.

6. Except as provided in subparagraph (7), a retailer engaged in business in the District shall not be required to collect use tax from the purchaser of tangible personal property, unless the retailer ships or delivers the property into the District or participates within the District in making the sale of the property, including, but not limited to, soliciting or receiving the order, either directly or indirectly, at a place of business of the retailer in the District or through any representative, agent, canvasser, solicitor, subsidiary, or person in the District under the authority of the retailer.

7. "A retailer engaged in business in the District" shall also include any retailer of any of the following: vehicles subject to registration pursuant to Chapter 1 (commencing with Section 4000) of Division 3 of the Vehicle Code, aircraft licensed in compliance with Section 21411 of the Public Utilities Code, or undocumented vessels registered under Division 3.5 (commencing with Section 9840) of the Vehicle Code. That retailer shall be required to collect use tax from any purchaser who registers or licenses the vehicle, vessel, or aircraft at an address in the District.

D. Any person subject to use tax under this ordinance may credit against that tax any transactions tax or reimbursement for transactions tax paid to a county imposing, or retailer liable for a transactions tax pursuant to Part 1.6 of Division 2 of the Revenue and Taxation Code with respect to the sale to the person of the property the storage, use or other consumption of which is subject to the use tax.
Section 12. AMENDMENTS. All amendments subsequent to the effective date of this ordinance to Part 1 of Division 2 of the Revenue and Taxation Code relating to sales and use taxes and which are not inconsistent with Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, and all amendments to Part 1.6 and Part 1.7 of Division 2 of the Revenue and Taxation Code, shall automatically become a part of this ordinance, provided however, that no such amendment shall operate so as to affect the rate of tax imposed by this ordinance.

Section 13. ENJOINING COLLECTION FORBIDDEN. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding in any court against the State or the District, or against any officer of the State or the District, to prevent or enjoin the collection under this ordinance, or Part 1.6 of Division 2 of the Revenue and Taxation Code, of any tax or any amount of tax required to be collected.

Section 14. SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

Section 15. EFFECTIVE DATE. This ordinance relates to the levying and collecting of the District’s transactions and use taxes and shall take effect immediately.

Section 16. TERMINATION DATE. The authority to levy the tax imposed by this ordinance shall expire on the fifteenth anniversary of the operative date.

Section 17. EXPENDITURE PLAN. The expenditure plan required by Revenue and Taxation Code Section 7285.5 for the revenue from the tax approved by this Ordinance is set forth in Attachment 1 to this Ordinance. The District Board may amend this Expenditure Plan from time-to-time provided each amendment is consistent with the purposes of funding transit services for senior citizens, veterans, and the people with disabilities, including the acquisition of necessary specialized equipment and related operating expenses.

Section 18. OVERSIGHT COMMITTEE. There shall be a committee of members of the public to review and report on the revenue and expenditure of funds from the tax adopted by this Ordinance. The membership of the committee shall be appointed by the District Board of Directors and shall consist, at a minimum, of a representative of each the following:

- The Salinas Urbanized Area, to include a representative from the City of Salinas;
- The Seaside-Marina-Monterey Urbanized Area, to include a representative from among the cities of Carmel-by-the-Sea, Monterey, Pacific Grove, Seaside, Del Rey Oaks, Sand City, and Marina;
- The Non-Urbanized Areas, to include a representative from among the cities of Gonzales, Greenfield, Soledad, and King City;
- The County of Monterey, to include a representative from an unincorporated area of Monterey County; and
- A bona fide non-profit organization that represents the interests of taxpayers in the County; and
• The District's existing Mobility Advisory Committee, to include two members of the Mobility Advisory Committee.

The geographical areas referred to above shall have the same meaning as in the District's By-Laws.

Prior to the operative date, the District Board of Directors shall adopt a resolution establishing the composition of the committee, defining the scope of its responsibilities, and setting the term for each member. Also prior to the operative date, the District Board of Directors shall appoint at least a quorum of the members of the committee; the District Board of Directors shall complete the appointment of members of the committee by the end of fiscal year 2015.

Section 19. **ANNUAL INDEPENDENT AUDIT.** Annually the District shall retain an independent auditor to conduct an audit of and provide audited financial statements for revenue received from the tax approved by this Ordinance and expenditures thereof. The auditor's report shall be presented to the District Board of Directors and the oversight committee created by Section 18 of this Ordinance and shall be made available to the public.

Section 20. **AMENDMENT OF THIS ORDINANCE.** The following amendments to this Ordinance must be approved by the voters of the District: increasing the tax rate or revising the methodology for calculating the tax such that a tax increase would result; imposing the tax on transactions and uses not previously subject to the tax (unless such amendment occurs automatically by operation of Section 12); or extending the tax. The District Board of Directors may otherwise amend this Ordinance without submitting the amendment to the voters for approval.

Section 21. **APPROPRIATIONS LIMIT.** Pursuant to Article XIIIb of the Constitution of the State of California and applicable laws, the appropriations limit for the District is hereby increased by the aggregate sum authorized to be levied by this special tax for fiscal year 2015-16 and each year thereafter.

Section 22. **SUPPORTING ACTION.** The District Chief Executive Officer, or his designee, is authorized to complete all acts necessary to implement this measure as approved by the voters of the District.

Section 23. **VOTER APPROVAL REQUIRED.** This Ordinance shall become effective only if approved by at least a two-third's majority of the eligible voters voting on the Ordinance at the November 4, 2014, election.

Libby Dowley  
Chairperson  
Carl Sedoryk  
Secretary
PASSED AND ADOPTED BY THE MONTEREY-SALINAS TRANSIT BOARD OF DIRECTORS THIS 14th day of July, 2014, by the following vote:

AYES: Directors: Barrera, Beach, Clark, Cohen, Downey, Pacheco, O'Connell, Orozco, Pendergrass, Stephens

NOES: None

ABSENT: Directors: Armenta, Hughes, Hurley

ATTEST:

[Signature]

Board Secretary (Deputy)
MONTEREY–SALINAS TRANSIT DISTRICT
LOCAL TRANSIT FUNDING FOR SENIOR CITIZENS, VETERANS AND
PEOPLE WITH DISABILITIES ORDINANCE
EXPENDITURE PLAN

After receiving feedback from residents throughout Monterey County on their priorities for the Monterey-Salinas Transit District, the District Board of Directors has determined that the community places a high priority on ensuring that public transit services remain available to senior citizens, people with disabilities and veterans. With federal and state funding and programs that support such services being cut or eliminated, a local source of funds dedicated to serving senior citizens, people with disabilities, and veterans is essential and is addressed with the proceeds from the Local Transit Funding for Senior Citizens, Veterans, and People with Disabilities Ordinance (the “Ordinance”).

Funds from the Local Transit Funding for Senior Citizens, Veterans and People with Disabilities Ordinance will be dedicated solely to services that support transportation planning, specialized equipment and operating expenses required to meet the special mobility needs of veterans, senior citizens and persons with disabilities, including trips required for vital medical appointments and for veterans’ job training/placement services. Funds may also be used to pay for the District’s costs of conducting the election to obtain required voter approval for the Ordinance.
ATTACHMENT 3

AGREEMENT FOR PREPARATION TO ADMINISTER AND OPERATE
DISTRICT'S TRANSACTIONS AND USE TAX ORDINANCE

In order to prepare to administer a transactions and use tax ordinance adopted in accordance with the provision of Part 1.6 (commencing with Section 7251) of Division 2 of the Revenue and Taxation Code, the Monterey-Salinas Transit District, hereinafter called District, and the STATE BOARD OF EQUALIZATION, hereinafter called Board, do agree as follows:

1. The Board agrees to enter into work to prepare to administer and operate a transactions and use tax in conformity with Part 1.6 of Division 2 of the Revenue and Taxation Code which has been approved by a majority of the electors of the District and whose ordinance has been adopted by the District.

2. District agrees to pay to the Board at the times and in the amounts hereinafter specified all of the Board's costs for preparatory work necessary to administer the District's transactions and use tax ordinance. The Board's costs for preparatory work include costs of developing procedures, programming for data processing, developing and adopting appropriate regulations, designing and printing forms, developing instructions for the Board's staff and for taxpayers, and other appropriate and necessary preparatory costs to administer a transactions and use tax ordinance. These costs shall include both direct and indirect costs as specified in Section 11256 of the Government Code.

3. Preparatory costs may be accounted for in a manner which conforms to the internal accounting and personnel records currently maintained by the Board. The billings for costs may be presented in summary form. Detailed records of preparatory costs will be retained for audit and verification by the District.

4. Any dispute as to the amount of preparatory costs incurred by the Board shall be referred to the State Director of Finance for resolution, and the Director's decision shall be final.
5. Preparatory costs incurred by the Board shall be billed by the Board periodically, with the final billing within a reasonable time after the operative date of the ordinance. District shall pay to the Board the amount of such costs on or before the last day of the next succeeding month following the month when the billing is received.

6. The amount to be paid by District for the Board’s preparatory costs shall not exceed one hundred seventy-five thousand dollars ($175,000) (Revenue and Taxation Code Section 7272.)

7. Communications and notices may be sent by first class United States mail. Communications and notices to be sent to the Board shall be addressed to:

   State Board of Equalization  
P.O. Box 942879  
Sacramento, California 94279-0032  
Attention: Administrator, RAAS

Communications and notices to be sent to District shall be addressed to:


8. The date of this agreement is the date on which it is approved by the Department of General Services. This agreement shall continue in effect until the preparatory work necessary to administer District's transactions and use tax ordinance has been completed and the Board has received all payments due from District under the terms of this agreement.
STATE BOARD OF EQUALIZATION

(District)

By ________________________________

(Signature)

__________________________________________________________________________

(Typed Name)

__________________________________________________________________________

(Title)

By ________________________________

Brian Manuel, Administrator
Return Analysis & Allocation
Section
To: Board of Directors

From: Ben Newman, Risk Manager

Subject: Liability Claim Rejection

RECOMMENDATION:

Reject claim by the claimant below.

FISCAL IMPACT:

$10,000.

POLICY IMPLICATIONS:

None.

DISCUSSION:

On December 11, 2014, a claim was received regarding an accident that occurred on July 28, 2014. Yanghee Moon was driving a vehicle that was struck from behind in stop-and-go traffic by an MST bus alleging injury to her lower back, neck, and left side of body.

After conducting a preliminary investigation into this matter, it is determined that Monterey-Salinas Transit has no liability in this claim and recommends that it be rejected in its entirety.

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: Ben Newman APPROVED BY: Carl Sedoryk
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Monterey-Salinas Transit
Strategic Planning Workshop

1. Review of Agenda. (Carl Sedoryk) (pg. 35)

2. Discuss Organizational Progress. (pg. 37)
   - Review progress towards Strategic Goals and Annual Action Plan. (Executive Leadership Team) (pg. 39)
   - Receive performance update and provide direction on performance measures. (Carl Sedoryk) (pg. 47)

3. Receive Update on Status of Major Capital Projects. (pg. 55)
   - Capital budget update. (Hunter Harvath) (pg. 57)
   - Capital project schedule update. (Mike Hernandez) (pg. 63)
   - Discuss federal and state funding opportunities for 2015. (Carl Sedoryk) (No enclosure)

4. Discuss Board Structure and Protocols. (pg. 65)
   - Receive presentation on alternative Board committee structure and provide direction. (Carl Sedoryk) (pg. 67)
   - Receive presentation on board discussion/public comment protocol and provide direction. (Carl Sedoryk) (pg. 69)

5. Non-agricultural Vanpools. (pg. 75)
   - Discuss MST involvement in non-agricultural vanpool programs and provide direction. (Hunter Harvath) (No enclosure)

6. Measure Q Update and Planning. (pg. 77)
   - Discuss establishing Measure Q Citizen Oversight Committee and provide direction. (Carl Sedoryk) (pg. 79)
   - Discuss establishing a short and long-range spending plan for Measure Q revenues and provide direction. (Carl Sedoryk) (No enclosure)
7. Proposed “Transit Champion” Award. (pg. 81)
   - Receive presentation on proposed Transit Champion Award and provide direction. (Carl Sedoryk) (No enclosure)

8. Return to Agenda for Closing Remarks. (pg. 83)
SECTION 1

Review of Agenda

(Carl Sedoryk)
SECTION 2

Discuss Organizational Progress

- Review progress towards Strategic Goals and Annual Action Plan. (Executive Leadership Team) (pg. 39)

- Receive performance update and provide direction on performance measures. (Carl Sedoryk) (pg. 47)
Status of Achievement toward Strategic Goals

Goal 1: Develop Adequate and Stable Long Term Revenues

Pursue public/private and public/public partnerships, fare-pricing strategies, and revenue generation from the use of MST assets as a means to generate the revenue required to construct needed capital facilities, purchase vehicles, and sustain current and future transit services.

Through education and advocacy, encourage policymakers and the general public to enact legislation at local, state, and federal levels to provide sustained revenue sources that will support the future growth of Monterey County’s public transportation system.

Status: Local sales tax Measure Q has passed providing a 15-year dedicated local source of funding. The state cap1and-trade program will provide new formula allocations and discretionary funding for qualifying transit projects through 2020. State sales and excise taxes on fuel continue to provide over 40% of MST revenue. Federal fuel taxes comprise 25% of MST revenues and are only guaranteed through May 2015.

Goal 2: Provide Quality Transit and Mobility Management Services

Develop and implement services, infrastructure, and technologies to meet and exceed the expectations of customers; and reduce subsidies and improve the value of MST in the community. Continue to explore and implement new technologies and practices that enhance the overall customer experience, improve safety and sustainability, reduce costs, attract new customers, retain existing customers, motivate employees, and improve the value of MST in the community.

Status: MST continues to provide safe, affordable, on time, and dependable services as described in the performance dashboard. Recent surveys indicate both customer and employee satisfaction rates remain acceptably high. MST implemented a mobile version of the MST Online website that is optimized for cell phone and other mobile devices.

Goal 3: Implement board protocols and best practices to achieve effective and efficient board operations and board meeting management

Implement training and orientation for Board members, and provide concise oral and written reports that result in a well informed, well satisfied, participatory policy governance Board.

Status: Staff continues to work with the board, focusing on the continuous improvement of interactions between board members, staff, and community members. Recent examples include reviews and updates of board policies and bylaws.
Goal 4: Educate the public on MST services through promotion, communication and advocacy

Attract new riders and improve community support for MST by utilizing effective marketing, promotion, and communication techniques and by applying greater focus in meeting individual community and stakeholder needs.

**Status:** This past year MST embarked on a television, print, and radio campaign to raise awareness of MST services and how they improve the quality of life for veterans, seniors, and persons with disabilities. The campaign was very well received. MST partnered with a number of local community events including the Artichoke Festival, Sand City West End Celebration, Monterey Jazz Festival, Monterey County Fair, California International Airshow, Ciclovia Salinas, Viva La Familia, Salinas Holiday Parade of Lights, First Night Monterey, and the Del Rey Oaks Annual Community Picnic.

Goal 5: Actively promote organizational values to maintain high quality relationships with MST employees, contractors, vendors, board members, and community stakeholders.

Maintain a commitment to promote individual and organizational safety, efficiency, and effectiveness; and enhance the satisfaction of our customers, employees, partners, board members, and other key stakeholders.

**Status:** Per the results of employee surveys, MST has increased communication with employees, board members, and the community through the monthly newsletter publication “MST Onboard.” A special multi-disciplinary committee of MST operations, maintenance, and management staff was convened to make specific recommendations to reduce violence against MST employees. Relationships with our labor unions, employee associations, and stakeholders remain positive.

Goal 6: Research, implement, and promote policies and practices that encourage environmental sustainability and resource conservation.

Implement economically sound and environmentally-friendly resource conservation policies that reduce dependence on scarce natural resources and the potential for negative impacts on our environment.

**Status:** MST continues to implement environmentally friendly technologies including hybrid service vehicles, four hybrid-electric buses, and solar powered customer information systems at shelters in South County locations. MST is continuing its demonstration of an electric zero emission trolley vehicle that is scheduled to be put into service May 2015.
Goal 7: To attain industry leadership for like-sized agencies within California and the United States.

Develop and implement programs and practices that distinguish Monterey-Salinas Transit as a leader with the public transit industry.

Status: MST continues to be recognized as a leader in the industry, and our mobility management programs including senior shuttles, reduced fare taxi vouchers for seniors and persons with disabilities, and travel training programs are recognized for their innovation. MST staff maintains leadership roles with major trade associations including the California Association for Coordinated Transportation, the California Transit Association, and the American Public Transit Association.
FY 2015 Action Plan
Status Report Through December 31, 2014

1. Develop and implement service levels appropriate to funding availability. Ongoing
   Status: Service adjustments to military routes have brought expenses in line with new revenues until such time that Congress reestablishes an enhanced transit benefit for military personnel.

2. Review alternative Board Committee structures to better support board governance and implement as appropriate. January 2015
   Status: An alternative Board committee structure has been reviewed by your Board chair and will be discussed at the January strategic planning workshop.

3. Review Legal Services activities and identify processes to better predict and control expenses. September 2014
   Status: Review has been completed and staff is working with general counsel to develop a process to better predict and control expenses.

4. Research strategies to increase public participation in MST service change hearings and implement as appropriate. September 2014
   Status: Completed and staff will incorporate recommendations into public hearing process.

5. Perform community and stakeholder outreach and education related to proposed November 2014 transit revenue ballot measure. November 2014
   Status: Completed.

6. Implement upgrade of telecommunications and intelligent transportation systems. June 2015
   Status: Upgrade of bus communications system completed. The development of text-next-bus app, upgrade of telephone systems, and upgrade of scheduling and dispatch systems are ongoing.

7. Continue review of alternative sites and strategies for financing and construction for MST operating, maintenance, administrative and customer facilities. Ongoing
   Status: Staff continues to finalize design features of rehabilitation of Monterey facility and continues to identify locations for future administrative functions.
8. Provide administrative support in service to Monterey County RTA. Ongoing  
   **Status:** Staff continues to provide administrative support to the RTA.

9. Maintain adequate staffing and organizational structure for MST and RTA. Ongoing  
   **Status:** Staff has filled all vacant operational, maintenance and administrative positions.

10. Implement email and document retention policy. December 2014  
    **Status:** Document retention policy is implemented and staff is working on implantation of email retention policy

11. Complete high/medium priority facility repair projects as funding allows. Ongoing  
    **Status:** Staff has completed repairs of portable and in-ground hoists, repaint of facilities and partnership with Salinas Adult Schools is helping Salinas area bus stop and shelter maintenance, storm water runoff inspections completed.

12. Adopt and execute federal and state legislative programs. Ongoing  
    **Status:** Staff has been actively working with California Transit Association and American Public Transportation Association on legislation important to MST interests.

13. Procure replacement buses as funding allows. Ongoing  
    **Status:** We have placed on order 8 new minibuses for MST RIDES, and one large bus for South County rural services to San Ardo/San Lucas.

14. Participate in local and regional planning activities to develop improved transit corridors and transfer locations including Hwy 1, Hwy 68 and Marina-Salinas multimodal corridor and to develop improved transit services to rural areas. Ongoing  
    **Status:** Staff is working with TAMC and AMBAG staff on a variety of grants to support improvement projects along including Hwy 1, Hwy 68 and Marina-Salinas multimodal corridor.

15. Complete procurement of third party medical services for drug testing and worker compensation. Dec 2014  
    **Status:** Staff is developing bid documents and will be soliciting requests for proposals in the coming month.

16. Actively participate in state and national trade associations to resolve issues related to Department of Labor dispute, MAP-21 implementation, California bus axle weights, and next federal transportation authorization funding bill. Ongoing  
    **Status:** Staff is actively participating in a number of committees of state and federal trade associations to resolve the issues identified above. DOL/State of California dispute has been resolved through 12/31/2015 until legal proceedings
are concluded; Bus Axle weight issue has been resolved through 12/31/2015 pending the outcome of a federal study; and, federal transportation authorization bill has been extended through May 2015.

17. Develop additional employee training and development opportunities through partnerships with local colleges, universities, and vendors. June 2014

**Status:** Staff is working together with the Southern California Regional Transit Training Consortium, Hartnell College, Monterey Peninsula College and local Workforce Investment Board to develop additional training and development programs for MST employees and applicants.

18. Complete construction and implementation of electric trolley utilizing wireless power transfer technology. November 2014

**Status:** Ongoing, with final project completion scheduled for March 2015.

19. Provide support to industry conferences to be held in Monterey this year including Transportation Research Board Rural Intercity Bus Conference and California Transit Association Annual Conference. November 2014

**Status:** Completed with MST playing host to over 550 attendees of the Rural Bus Conference and 800 attendees of the California Transit Association Conference.


**Status:** Ongoing, Staff has settled on a final design concept for the Monterey Operations and Maintenance facility rehabilitation.

21. Review vehicle liability and physical damage insurance programs and implement changes as appropriate. May 2015

**Status:** Pending

22. Review processes of fixed-route and contracted transportation services and implement strategies to achieve improved efficiencies and improved customer satisfaction. March 2015

**Status:** Ongoing. MST staff will begin centralized dispatching MV operated services starting November 1st and will monitor service effectiveness.

23. Review employee incentive programs and adopt new practices as appropriate. June 2015

**Status:** Pending outcome of local sales tax measure staff will review new practices as appropriate.
To: Board of Directors

From: Carl Sedoryk, General Manager/CEO

Subject: Receive performance update and provide direction on performance measures.

DISCUSSION:

On September 9, 2013, your Board began receiving dashboard graphs as part of the monthly GM Report. The dashboard was designed to present MST’s comprehensive performance statistics in a more visual and concise manner. At the same time, the previously agendized Detailed GM Report was removed from the agenda and made available on the MST website.

In an effort toward improving the visual aspect of the dashboard, staff has made further changes for your board’s consideration and input, including “goal,” “minimum,” and “maximum” performance standards (attached). Staff also suggests including color copies of the dashboard in your monthly agendas to maximize the benefits of this format.

Prepared by: ______________________
MST Fixed Route
YTD Dashboard Performance Comparative Statistics
Months of July - October
Fiscal Years 2013-2015

Ridership

Goal = 1,580,000 passengers
Minimum = 1,422,000 passengers

Passengers Per Hour

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

On Time Performance

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

Percentage of Service Delivered

Goal = 99% completed
Minimum = 95% completed

*Data for Fiscal Year 2013 Unavailable
MST Fixed Route
YTD Dashboard Performance Comparative Statistics
Months of July - October
Fiscal Years 2013-2015

Fare Box Recovery Ratio
Goal = 25%
Minimum = 15%

Cost Per Revenue Hour
Maximum = $127.35 per RH
Goal = $115.78 per RH

Miles Between Preventable Collisions
Goal = 200K Miles
Minimum = 100K Miles

Miles Between Road Calls
Goal = 15K Miles
Minimum = 7K Miles
MST RIDES
YTD Dashboard Performance Comparative Statistics
Months of July - October
Fiscal Years 2013-2015

**Ridership**

- **Goal = 36,195 passengers**
- **Maximum = 39,814.50 passengers**

**Passengers Per Hour**

- **Goal = 1.87 passengers p/h**
- **Maximum = 2.06 passengers p/h**

**On Time Performance**

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

**One Way Trips**

- **Goal = 29,900 one-way trips**
- **Maximum = 32,890 one-way trips**
MST RIDES
YTD Dashboard Performance Comparative Statistics
Months of July - October
Fiscal Years 2013-2015

**Fare Box Recovery Ratio**

Goal = 11%
Minimum = 10%

**Cost Per Revenue Hour**

Goal = $54.24
Maximum = $56.95

**Miles Between Preventable Collisions**

Goal = 110K Miles
Minimum = 100K Miles

**Miles Between Road Calls**

Goal = 60,000 miles
Minimum = 30,000 miles
MST Fixed Route
Financial Performance Comparative Statistics
July through October
Fiscal Year 2015

MST Fixed Route Total Revenue
YTD Actual and Budget

Minimum 95%

MST Fixed Route Total Expenses
YTD Actual and Budget

Maximum 105%
SECTION 3

Receive Update on Status of Major Capital Projects

- Capital budget update. (Hunter Harvath) (pg. 57)
- Capital project schedule update. (Michael Hernandez) (pg. 63)
- Discuss federal and state funding opportunities for 2015. (Carl Sedoryk) (No enclosure)
To: Board of Directors

From: Hunter Harvath, Assistant General Manager – Finance & Administration

Subject: Capital Budget Update

DISCUSSION:

At the June 9, 2014, meeting your Board adopted the FY 2015 capital budget (attached) for the agency totaling $17,659,000. The capital budget is divided into seven sections that align with major capital categories as identified by the Federal Transit Administration:

- Bus Rolling Stock
- Bus Support Equipment & Facilities / Intelligent Transportation Systems (ITS)
- Communications / Radio Equipment
- Safety & Security
- Preventive Maintenance
- Bus Stations / Stops
- Major Facilities Expansion / Rehab

Much of the funding for MST’s capital budget is derived from grant sources from a variety of federal, state and local agencies. A small percentage (1.2%) of MST’s FY 15 capital projects are not eligible for special grants and must be paid for with general funds. One major MST project – the Renovation and Expansion of the MST Headquarters (TDA facility) on Ryan Ranch Road – is expected to be partially funded by approximately $10 million in long-term financing, as the work represents a major 20- to 30-year property improvement.

In the near future, MST will be receiving approximately $4.4 million in additional California State Proposition 1B Bond Funds from the Public Transportation Modernization, Improvement & Service Enhancement (PTMISEA) program. When the state sells additional bonds at some point in the future, a final $1 million PTMISEA payment will be received by MST. The total $5.4 million in remaining PTMISEA funds are currently programmed as follows:

<table>
<thead>
<tr>
<th>Project</th>
<th>Current Allocation</th>
<th>Future Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus purchase/local match &amp; related bus equipment</td>
<td>$1,000,000</td>
<td></td>
</tr>
<tr>
<td>Facilities Expansion/Renovation</td>
<td>$1,170,544</td>
<td></td>
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<tr>
<td>Transit Pass Vending Machines</td>
<td>$250,000</td>
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<tr>
<td>Bus Shelters</td>
<td>$250,000</td>
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<tr>
<td>FTA Section 5339 - Bus/Facilities Capital Local Match</td>
<td>$500,000</td>
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<tr>
<td>MCI Commuter Buses Replacement (4) - Local Match</td>
<td>$1,200,000</td>
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<tr>
<td>South County Maintenance Facility</td>
<td>$1,000,000</td>
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<tr>
<td><strong>TOTAL</strong></td>
<td><strong>$4,370,544</strong></td>
<td><strong>$1,000,000</strong></td>
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</table>
FY 2015 BUDGET

CAPITAL
## FY15 Capital Budget

### Bus Rolling Stock

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Prop 1B</th>
<th>S311</th>
<th>S317</th>
<th>S339</th>
<th>MST Finance Bank Loan</th>
<th>JARC</th>
<th>RSTP</th>
<th>FORA</th>
<th>AB2766</th>
<th>P1B QMiddle Home Land Security</th>
<th>Total Grant &amp; Loan Funded</th>
<th>UST Capital Budget</th>
<th>Total Grant &amp; UST Funded</th>
<th>Unfunded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Medium Bus: Replace 15 buses &amp; 1 expansion bus</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>Electric Plug-In Vehicle</td>
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<td>$1,510,000</td>
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<tr>
<td>Additional Salinas Senior Shuttle bus</td>
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<td>$0</td>
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<td>$27,000</td>
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<tr>
<td>Support vehicles: 2 Fleet replacement trucks</td>
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### Bus Support Equipment & Facilities

<table>
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<tr>
<th>Item Description</th>
<th>Prop 1B</th>
<th>S311</th>
<th>S317</th>
<th>S339</th>
<th>MST Finance Bank Loan</th>
<th>JARC</th>
<th>TAMC RSTP</th>
<th>FORA</th>
<th>AB2766</th>
<th>P1B QMiddle Home Land Security</th>
<th>Total Grant &amp; Loan Funded</th>
<th>UST Capital Budget</th>
<th>Total Grant &amp; UST Funded</th>
<th>Unfunded</th>
</tr>
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<tbody>
<tr>
<td>Hasstead Upgrade</td>
<td>$700,000</td>
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<td>$0</td>
<td>$700,000</td>
<td>$0</td>
<td>$700,000</td>
<td>$0</td>
</tr>
<tr>
<td>New Admin. building renovation &amp; fixtures</td>
<td>$60,000</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>$10,000</td>
<td>$70,000</td>
<td>$0</td>
</tr>
<tr>
<td>Facilities: Purchase, repair or replace (e.g.: HVAC, dryer, bus washer, roof, yard, C/W, floor storage, etc.)</td>
<td>$100,000</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>$100,000</td>
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<tr>
<td>MIST &quot;Systems&quot; Data Collection/Summary reporting software package</td>
<td>$100,000</td>
<td>$0</td>
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<tr>
<td>Fleet Equipment: Purchase, repair or replace (e.g.: tire equip; steam cleaner, C/W parts washer, etc)</td>
<td>$110,000</td>
<td>$0</td>
<td>$0</td>
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<td>$110,000</td>
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<tr>
<td>Portable holst &amp; jack stands (C/W)</td>
<td>$110,000</td>
<td>$0</td>
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<td>ITS - Off-Board Fare Payment</td>
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</table>

### Total Bus Support & Equipment

| Total Bus Support & Equipment                         | $990,000| $0 | $0   | $0   | $0                     | $0   | $0        | $0   | $0     | $990,000                     | $990,000                | $0                  | $1,080,000             | $233,500 |

### Communications/Radio Equipment

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Prop 1B</th>
<th>S311</th>
<th>S317</th>
<th>S339</th>
<th>MST Finance Bank Loan</th>
<th>JARC</th>
<th>TAMC RSTP</th>
<th>FORA</th>
<th>AB2766</th>
<th>P1B QMiddle Home Land Security</th>
<th>Total Grant &amp; Loan Funded</th>
<th>UST Capital Budget</th>
<th>Total Grant &amp; UST Funded</th>
<th>Unfunded</th>
</tr>
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<tbody>
<tr>
<td>Replacement handheld radios (4)</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
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<td>Fleet &amp; Operations Laptops (4)</td>
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<td>Project Area</td>
<td>A: Grant Funded</td>
<td>B: MST Capital Budget</td>
<td>C: Total Grant &amp; MST Funded</td>
<td>D: Unfunded</td>
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<td><strong>SAFETY &amp; SECURITY</strong></td>
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<tr>
<td>Replacement Security Camera System - Bus fleet</td>
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<td>Bus Driving/Training Simulator (estimated)</td>
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<td><strong>PRVMSA - DESIGN &amp; ENGINEER</strong></td>
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<td><strong>BSST3A - DESIGN &amp; ENGINEERING</strong></td>
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<td>$10,000</td>
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<td><strong>MAJOR FACILITIES EXPANSION/REHAB</strong></td>
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<td>MST Admin. Building Purchase</td>
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<td>TDA Renovation/Expansion (estimated)</td>
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<td>Misc. Office Space, Rehab/Renovations</td>
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<td><strong>TOTAL GRANTS &amp; MST CAPITAL BUDGET</strong></td>
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<td>$17,445,000</td>
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</table>
To: Board of Directors

From: Michael Hernandez, Assistant General Manager/COO

Subject: Capital Project Schedule Update

DISCUSSION:

In June 2014 your Board approved MST’s FY15 $17,659,000 Capital budget. This presentation will provide an overview on the current status and projected timelines for some of MST’s FY15 major capital procurements, to include new fleet purchases and renovation of the TDA and facility. A handout will be provided at the meeting.

PREPARED BY: ____________________  REVIEWED BY: _____________________

Michael Hernandez  Carl Sedoryk
SECTION 4

Discuss Board Structure and Protocols

- Receive presentation on alternative board committee structure and provide direction. (Carl Sedoryk) (pg. 67)

- Receive presentation on board discussion/public comment protocol and provide direction. (Carl Sedoryk) (pg. 69)
To: Board of Directors

From: Carl Sedoryk, General Manager/CEO

Subject: Receive presentation on alternative board committee structure and provide direction.

DISCUSSION:

Article VII – Board Responsibilities – of the MST Bylaws states that, "subject to the will of a majority of the Board, the Chair may establish permanent and ad hoc committees as determined necessary." Your Board has adopted, as a strategic goal, to implement board protocols and best practices to achieve effective and efficient board operations and board meeting management.

Historically, the Monterey-Salinas Transit District, and its predecessor the MST joint powers agency, has utilized a standing committee structure based on functional work groups to perform detailed analyses and make recommendations to the full board. The standing committees have been Facilities, Finance, Human Resources, Legislative Policy, Planning and Operations, and Marketing. These committees attempt to meet at least twice each year and staff has historically created a suggested schedule of meeting dates.

Dynamic events in the environment in which MST operates has led to increasing numbers of committee meetings being rescheduled in order for staff to receive appropriate guidance on a variety of issues before bringing them to the full board for final direction. This has led to some dissatisfaction among board members who have difficulty making long range schedule commitments as MST Committee meetings are rescheduled. Also, the narrow scope of the current committees results in board members serving on those committees not being exposed to broader issues impacting MST.

In order to attempt to provide a more predictable committee meeting process and to provide board members with a broader experience regarding issues impact MST and the communities we serve, staff has researched other transit organizations and proposes a different board committee structure as detailed on the following pages.

PROPOSED BOARD COMMITTEE STRUCTURE:

1. Administrative Performance Committee

   Purpose:
   To provide policy direction to the Board and monitor performance in areas of Finance and Budget, Procurement, Risk Management, Legislative, Intergovernmental Relations, Service Design/ Development, Marketing, and Customer Service.
Members:
Past-Chair plus 5 members to meet in odd numbered months, or as needed.

2. Operations Performance Committee

Purpose:
To provide policy direction to the Board and monitor staff performance in areas of Service Delivery/Capital Investment Requirements, Asset Maintenance, and Labor Relations.

Members:
Vice-Chair plus 5 members to meet in even numbered months, or as needed.

3. Board Governance Committee

Purpose:
To provide policy direction to the Board on Board Governance matters including: directing agenda development, board strategic planning, reviewing organizational performance, CEO performance, general counsel performance, selecting the nominating committee and other ad hoc committees; and to act as an intermediary between OPC and APC.

Members:
Board chair, Vice-Chair, and Past-Chair to meet quarterly, or as needed.

ADVANTAGES OF NEW STRUCTURE:
This structure may provide: 1) more opportunities for staff to receive policy guidance; 2) increased opportunities for board members to be exposed to different aspects of the organization; and 3) greater board focus on performance.

DISADVANTAGES OF NEW STRUCTURE:
This structure may require: 1) some board members to attend more meetings in a year; and 2) some board members may think the "Governance Committee" has too much influence.

Prepared by: ______________________
To: Board of Directors

From: Carl Sedoryk, General Manager/CEO

Subject: Receive presentation on board discussion/public comment protocol and provide direction.

DISCUSSION:

At the March 18, 2013, Strategic Planning Workshop, the MST Board of Directors made the following comments under Board meeting Recommendations and Improvements:

1. Staff and Board should refrain from answering Public Comments; direct staff to contact speaker after meeting.

2. Create a Public Comment procedure and policy document and have it visible at meetings.

In response to these recommendations, staff created a “script” for the board chairperson to use when opening public comment [attached]. This script was used by the current board chair, Maria Orozco, but has since been incorporated as a routine announcement by the subsequent board chairperson, Libby Downey.

At the July 14, 2014, MST board meeting, Chair Downey requested the board discuss a protocol to guide board comments prior to public comments at a future meeting. In response, staff provides three variations of a multi-step action-item process for consideration. Details on legal and regulatory compliance are provided, as well as an analysis of the pros and cons of each option.

Board members retain discretion to establish a protocol for taking action on agenda items while complying with the Brown Act and basic parliamentary procedure. The Brown Act ensures public access to: a) participate in official MST business (meeting agenda, location, and time); b) information presented to your Board (reports, memos, and presentations); and c) decisions made by your Board (meeting minutes) – all of which are to be provided in a reasonable and timely manner.

To aid this discussion, staff has provided three variations of an eight-step action-item process for the MST Board to discuss and consider. Each variation ensures legal compliance and meets the intent of full and open public discourse.

Option #1: (protocol used by the Monterey Peninsula Airport District)

1. Chair introduces agenda item.

2. Presentation by staff to board.
3. Questions to staff from board.
4. Motion and second by board.
5. Board comments and discussion.
6. Chair opens public comments. (The public makes comments to the board, but may not question staff; staff shall not respond to the public during public comment)
7. Chair closes public comments (Following public comment, staff may respond to questions or offer information only at the direction of the Chair).
8. Board action/vote. (The Chair should restate the motion, call for the vote and announce who voted aye or nay (or abstained))

Benefits of Option #1:

By obtaining a second to the motion before board comments and discussion, unnecessary board and public comment is avoided. Additionally, the motion drives the discussion and minimizes tangential issues that may confuse the business-at-hand. If, during or after board discussion and public comment, it is determined the motion does not support the consensus of the board, an amended motion may be made.

Drawbacks of Option #1:

By placing public comment immediately before board action, the board is not able to include public input into the discussion. This opens up the possibility further board discussion will be needed. Additionally, the board may be uncomfortable placing a motion on the table before hearing from the public or from other board members.

Option #2:

1. Chair introduces agenda item.
2. Presentation by staff to board.
3. Questions to staff from board.
4. Motion and second by board.
5. Chair opens public comments. (The public makes comments to the board, but may not question staff; staff shall not respond to the public during public comment)
6. Chair closes public comments (Following public comment, staff may respond to questions or offer information only at the direction of the Chair)
7. Board comments and discussion.
8. **Board action/vote.** (The Chair should restate the motion, call for the vote and announce who voted aye or nay (or abstained))

**Benefits of Option #2:**

As with Option #1, by obtaining a second to the motion before board comments and discussion, unnecessary board and public comment is avoided. Additionally, the motion drives the discussion and minimizes tangential issues, that may confuse the business-at-hand. If, during or after board discussion and public comment, it is determined the motion does not support the consensus of the board, an amended motion may be made.

Option #2 places board comments and discussion after public comment, allowing the board to include public input into the discussion. This may avoid more than one session of board discussion prior to board action.

**Drawbacks of Option #2:**

As with Option #1, while the early motion and second aids in guiding the discussion toward specific action, the board may be uncomfortable placing a motion on the table before hearing from the public or from each other.

**Option #3:**

1. **Chair introduces agenda item.**
2. **Presentation by staff to board.**
3. **Questions to staff from board.**
4. **Chair opens public comments.** (The public may comment to the board, but may not question staff; staff shall not respond to the public during public comment)
5. **Chair closes public comments** (Following public comment, staff may respond to questions or offer information only at the direction of the Chair)
6. **Motion and second by board.**
7. **Board comments and discussion.**
8. **Board action/vote.** (The Chair should restate the motion, call for the vote and announce who voted aye or nay (or abstained))

**Benefits of Option #3:**

As with Options #1 and 2, by obtaining a second to the motion before board comments and discussion, unnecessary board and public comment is avoided.
Additionally, the motion drives the discussion and minimizes tangential issues, that may confuse the business-at-hand. If, during or after board discussion and public comment, it is determined the motion does not support the consensus of the board, an amended motion may be made.

Option #3 again places board comments and discussion after public comment, allowing the board to include public’s input into the discussion. This may avoid more than one session of board discussion prior to action.

**Drawbacks of Option #3:**

By placing public comment before the motion and second, the public does not have the opportunity to present their comments on the specific motion, but will have had the opportunity to address the subject under discussion.

**RECOMMENDATION:**

Staff recommends Option #3 as it provides the public an early opportunity to address the board. Requiring a motion after both public comments and board discussion and comments will help minimize tangential conversation, the need for alternate motions, and will allow the board to consider public opinion before placing a motion on the table.

Staff also recommends, given the complex and subjective nature of this issue, that this item be placed on the agenda for the MST Strategic Planning Session to be held in January 2015.

Prepared by: ___________________________
PUBLIC COMMENT SCRIPT FOR BOARD CHAIR
MATTERS NOT ON THE AGENDA

1. Chair reads the following:

“Members of the public may address the Board on any matter related to the jurisdiction of MST but not on the agenda. All Members of the Public who wish to make a comment will be provided an opportunity to do so.

“Per the procedures established by the MST Board of Directors, when recognized by the Board Chair please approach the podium and state your name and city of residence. All comments should be addressed to the Board Chair and not to other Board members, MST staff, or members of the public. You will have 3 minutes to make your comments. The Board will not take action or respond to your comments or questions, although the Board Chair will refer your comments or questions to MST staff for follow up if necessary.”

2. Chair invites the first member of the public to the podium.

3. When the last person has spoken the Chair states the following:

“Seeing that there are no further comments, Public Comment is closed.”
1. **After staff presentation and a motion is on the table, the Chair will open Public Comment and read the following:**

   “Members of the public may now address the Board on this matter. If anyone wishes to speak on the matter before the Board, please approach the podium and state your name and city of residence. All comments should be addressed to the Board Chair and not to other Board members, MST staff, or members of the public. The Chair may limit the time given for Public Comment at his/her discretion.”

2. **When the last person has spoken the Chair states the following:**

   “Seeing that there are no further comments, Public Comment is closed and we will bring the matter back to the Board for further discussion.”
SECTION 5

Non-Agricultural Vanpools

- Discuss MST involvement in non-agricultural vanpool programs and provide direction. (Hunter Harvath) (No enclosure)
SECTION 6

Measure Q Update and Planning

- Discuss establishing Measure Q Citizen Oversight Committee and provide direction. (Carl Sedoryk) (pg. 79)

- Discuss establishing a short and long-range spending plan for Measure Q and provide direction. (Carl Sedoryk) (No enclosure)
To: Board of Directors

From: Carl Sedoryk, General Manager/CEO

Subject: Discuss establishing Measure Q Citizen Oversight Committee and provide direction.

DISCUSSION:

Section 18 of Ordinance 2015-01: Imposing a Transactions and Use Tax to be Administered by the State Board of Equalization states:

There shall be a committee of members of the public to review and report on the revenue and expenditure of funds from the tax adopted by this Ordinance. The membership of the committee shall be appointed by the District Board of Directors and shall consist, at a minimum, of a representative of each of the following:

- The Salinas Urbanized Area, to include a representative from the City of Salinas;
- The Seaside-Marina-Monterey Urbanized Area to include a representative from among the cities of Carmel-by-the-Sea, Monterey, Pacific Grove, Seaside, Del Rey Oaks, Sand City, and Marina;
- The Non-urbanized Areas, to include a representative from among the cities of Gonzales, Greenfield, Soledad, and King City;
- The County of Monterey, to include a representative from an unincorporated area of Monterey County; and
- A bona fide non-profit organization that represents the interests of taxpayers in the County; and
- The District’s existing Mobility Advisory Committee, to include two members of the Mobility Advisory Committee

The Ordinance further states:

Prior to the operative date, the District Board of Directors shall adopt a resolution establishing the composition of the committee, defining the scope of its responsibilities, and setting the term for each member. Also prior to the operative date, the District Board of Directors shall appoint at least a quorum of the members of the committee; the District Board of Directors shall complete the appointment of members of the committee by the end of fiscal year 2015.

Prepared by: [Signature]
SECTION 7

Proposed “Transit Champion” Award

- Receive presentation on proposed Transit Champion Award and provide direction. (Carl Sedoryk) (No enclosure)
SECTION 8

Return to Agenda for Closing Remarks