BOARD OF DIRECTORS
MINUTES OF THE REGULAR MEETING
MONTEREY-SALINAS TRANSIT
November 14, 2011

1. CALL TO ORDER

Chair Armenta called the meeting to order at 10:04 a.m. in the MST Conference Room and Director Sharp led the Pledge of Allegiance.

Present: Fernando Armenta County of Monterey
           Jerry Edelen (alt) City of Del Rey Oaks
           Alan Cohen City of Pacific Grove
           Libby Downey City of Monterey
           Alvin Edwards City of Seaside
           Susan Kleber City of King
           Frank O’Connell City of Marina
           David Pendergrass City of Sand City
           Sergio Sanchez City of Salinas
           Karen Sharp City of Carmel-by-the-Sea
           Patricia Stephens City of Soledad

Absent: John Huerta, Jr. City of Greenfield
         Maria Orozco City of Gonzales

Staff: Sonia Bannister Office Administrator/Marketing & Sales Specialist
       Kelly Halcon Director of Human Resources
       Hunter Harvath Asst. General Manager/Finance & Administration
       Michael Hernandez Asst. General Manager/COO
       Carl Sedoryk General Manager/CEO
       Zoe Shoats Marketing Analyst
       Deanna Smith Executive Assistant to the GM/CEO
       Robert Weber Director of Transportation Services
       Mike Gallant Planning Manager
       Tom Hicks Mobility Manager
       Rose Bayles HR Generalist
       Mark Eccles Director of IT
       Kathy Williams General Budget & Accounting Manager
       Jacqueline Bernal Customer Service Representative
       Carl Wulf Facilities Manager
       Cristy Sugabo Mobility Specialist

Others: Heidi Quinn De Lay & Laredo
        Eric Petersen Green Party
        Dave Laredo De Lay & Laredo
        Jim Fink MST Bus Rider

Apology is made for any misspelling of a name.
2. CLOSED SESSION

2-1. Conference with Labor Negotiators, Gov. Code § 54957.6 – Monterey-Salinas Transit Employee Association (MSTEA) and MST. (No enclosure) (D. Laredo, K. Halcon) (§54957.6)

3. RETURN TO OPEN SESSION

3-1. Report on Closed Session and possible action.

No reportable action taken.

4. CONSENT AGENDA

4-1. Review highlights of Agenda.

4-2. Adopt Resolution 2012-08 recognizing Cristy Sugabo, Eligibility Specialist, as Employee of the Month for November 2011.

4-3. Disposal of property left aboard buses.

4-4. Minutes of the regular meeting of October 10, 2011.


4-6. Adopt Board Calendar and Meeting Schedule for 2012.

4-7. Adopt New CalTIP Joint Powers Authority Agreement and Resolution 2012-09.

4-8. Approve the Repair and Replacement of Security Fence.

4-9. Ratify MOU between MST and MSTEA and provide the same benefits to non-represented, confidential employees.

Mr. Sedoryk read the highlights of the agenda.

Public Comment – none.

Director Edwards made a motion to approve the consent agenda and was seconded by Director Stephens.

Director Downey requested that item 4-9 be pulled from the consent agenda for a separate vote. Chair Armenta called for a vote to approve consent items 4-2 through 4-8. The motion carried unanimously.

Director Pendergrass made a motion to approve consent item 4-9 and was seconded by Director Edwards. The motion carried 10-1 with Director Downey opposing.
5. SPECIAL PRESENTATIONS

5-1 November Employee of the Month – Cristy Sugabo, Eligibility Specialist.

Mr. Hicks recognized Cristy Sugabo, Mobility Specialist, as Employee of the Month for her positive contribution to the entire community and for exceeding expectations on virtually any task given to her. Ms. Sugabo has taken part in the Mobility Advisory Committee, the ADA Paratransit-RIDES Subcommittee, and has implemented processes resulting in cost savings and improvements for MST RIDES services.

5-2 Transit 101: Insurance presentation.

Kelly Halcon, Director of Human Resources and Risk Management, presented a PowerPoint detailing the purpose and benefits of CalTIP membership, which include significant cost savings in general liability and worker’s compensation claims.

Directors Edelen and Sanchez asked if the RTA could take advantage of similar insurance pooling. Ms. Halcon stated that California law prohibits taxi companies or drivers from participating in insurance pools. Mr. Sedoryk stated that he is researching options for an alternative that would offer similar cost savings, but noted that it would differ from the policy of that offered by CalTIP.

Director Edwards asked how many claims were outstanding. Ms. Halcon stated that the General Manager’s Administrative Report provided a breakdown of monthly worker’s compensation claims and annual comparisons. Currently, there are approximately 30 open claims.

Public Comment – none.

6. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Jim Fink, MST rider, stated that he has been an MST rider for 5,299 days. He requested a restoration of the Line 55 weekend schedule. He stated that the 7:55 departure from San Jose runs early, and asked that Lines 55 and 79 return to using MCI Coaches. He also thanked MST for years of reliable service and spoke in memory of his late father who would have been ninety-four today.

Eric Peterson, representing the Monterey County Green Party, stated that the way MST has handled “chainsaw oaks” has tarnished its reputation. He requested that MST begin anew the entire process of locating a site for its new facility. He stated that more outreach needs to be done for public hearings and board meetings, and requested holding Saturday meetings, providing free bus transportation to the public for site visits, and increased transparency.

7. COMMITTEE REPORTS

7-1 HR Committee Minutes of October 31, 2011.

8. BIDS/PROPOSALS
8-1 Approve the award of taxi regulation services for the Monterey County Regional Taxi Authority to the City of Monterey.

Mr. Harvath stated that a thorough analysis of options available to MST and the RTA have confirmed that contracting with the City of Monterey for taxi driver and vehicle permitting provides a cost-savings to taxi drivers and the RTA. Specific benefits include offering three (3) days per week for taxi permitting instead of two (2), lowering driver permit fees from an estimated $727 to $486.34, and a more streamlined process for permitting. Negotiations are in process with the City of Salinas to provide similar services for Salinas' taxi drivers, but it is recommended that the transition to Monterey be implemented immediately in time for a January 1, 2012, RTA permit enforcement.

Director Downey asked how soon the City of Monterey would assume permitting responsibilities, and that the recommendation to restrict MST Board members from serving on the RTA Board, received at the October 31, 2011, Taxi Study Session is added to the next RTA agenda. Mr. Harvath stated that the City of Monterey would assume its new role as soon as possible upon Board approval. He stated that the recommendation could be sent to the RTA Board, but that it was important to note that the change would require an amendment to the JPA governing the RTA, signed by all participating jurisdictions.

Director Edwards asked how taxi drivers would be notified of the new permitting location. Mr. Harvath stated that MST staff would be responsible for announcing the change.

Director Pendergrass asked for clarification on why the City of Monterey wants to assume this role. Director Downey provided a history and stated that she urged the city to get involved to lower costs and help out with streamlining administration.

Public Comment

Mr. Fink asked for clarification on how the Senior Voucher Program will affect seniors currently using Senior Scrip. He was provided a personal answer after the Board meeting.

Mr. Peterson asked if the RTA will be trying to catch “underground” unpermitted taxi drivers. Mr. Harvath stated that investigation is a part of the contract. He also thanked Chief Penko and Director Downey for their efforts.

**Director Edwards made a motion to approve the award of taxi regulation services for the Monterey County Regional Taxi Authority to the City of Monterey and was seconded by Director Edelen. The motion carried unanimously.**

8-2 Award contract to analyze and study MST’s transit services in the greater Salinas area and make recommendations for improvements to routes and schedules.

Mr. Harvath directed the Board to a Revised Item 8-2 which included a summary comparison of the two respondents to the RFP. He stated that staff does not look at
pricing when evaluating and scoring RFP responders. Although Nelson Nygaard came in approximately $30,000 higher than Moore & Associates, staff recommends awarding the contract to Nelson Nygaard because they provided a superior RFP submittal, including better references, a track record of working with large national transit agencies, exemplary performance on previous projects, and a scope of services more inclusive than Moore & Associates. The contract is paid for by a grant of up to $100,000, so no MST funds will be used for the study.

Mr. Sanchez asked why the $30,000 extra cost was justified and if local employees would be hired. Mr. Harvath stated that Nelson Nygaard is simply a superior company to deal with a project of this size and they offer more analysis and two (2) to three (3) scenarios for MST to consider. Without this, MST staff would have to supplement the analysis, increasing the total cost of the project. He stated that it is typical for local temp agencies to provide employees.

Mr. Edelen was worried about the cost difference and recommends more specificity in the RFP to avoid such a bid discrepancy in the future.

Mr. Sedoryk clarified the difference between a Request for Quotation (RFQ) and an RFP (Request for Proposal). An RFP is a proposal for professional services, with the award being based on scope of service, company resume, capacity to perform, etc. Dave Laredo, General Counsel for MST, confirmed that it is customary and within the Board’s authority to review and award an RFP in this manner.

**Director Sanchez made a motion to award a contract for $86,104 to Nelson/Nygaard Consulting Associates, Inc. to perform the Salinas Area Service Analysis II (SASA-II) and was seconded by Director Cohen. The motion passed 10-1 with Director O’Connell opposing.**

Public Comment

Mr. Fink stated that this item is very important as Salinas/Monterey County has very high population densities and the results of the analysis will be valuable.

Director Sanchez left at 11:35 a.m.

9. **PUBLIC HEARING**

9-1 Proposed Service Changes for Line 45 Northridge-Salinas via East Market and Line 49 Northridge via North Main Street.

Mr. Harvath gave a PowerPoint presentation providing a summary of on-time compliance issues and proposed route and frequency adjustments to correct problems. Ms. Smith provided a summary of public comments from the November 10, 2011, Public Hearing.

Public Comment
Mr. Peterson did not see any public notice for the public hearings. He uses Line 49 and did not see the announcement on the bus. He believes Bolivar Street is too narrow for our buses and our bus stops will be too far apart if MST eliminates any stops.

Mr. Fink thinks the changes are good. He requested an evening service to Prunedale on Line 49.

Mr. Harvath stated that Public Notices were placed in English in the Californian, again in English and Spanish in the Californian, and in Spanish in El Sol. Additionally, press releases were sent to all media outlets, car cards were placed in buses, and the press release was on the MST website with a link to the PowerPoint presentation. He confirmed that all stops will be retained and that MST staff have tested the route on Bolivar Street with a bus to make sure it can safely travel through the area. Funding does not allow the return of the evening service on Line 49, but will be considered when funding is available.

Close Public Comment

Director Edwards made a motion to approve the proposed service changes for Lines 45 and 49 and was seconded by Director Edelen. The motion carried unanimously.

10. UNFINISHED BUSINESS

11. NEW BUSINESS

12. REPORTS & INFORMATION ITEMS

12-1 General Manager/CEO Report.
12-2 TAMC Highlights – October, 2011.
12-4 State Lobbyist report – October, 2011.
12-5 Staff trip reports.
12-6 September 17, 2011 Service Reductions Update.
12-7 Correspondence.

13. COMMENTS BY BOARD MEMBERS

13-1 Reports on meetings attended by Board members at MST expense (AB1234).

Director Downey requested more information on the Monterey-Salinas Transit District – Triennial Performance Audit. Mr. Harvath stated that corrections have been made to ensure compliance with deadlines and calculation methodologies in the future.
Director Downey noted that she did not support the approval of the MSTEA MOU because she could not rationalize awarding COLA raises when MST services have been cut. She suggested obtaining a recent Compensation Study conducted by the Monterey Regional Waste Management District.

14. ATTACHMENTS


15. ANNOUNCEMENTS

Mr. Sedoryk announced that a 60 ft. articulated “Novabus” will be tested in Salinas and along the Fremont/Lighthouse corridor over the next several weeks. He encouraged everyone to look for the bus.

16. CLOSED SESSION

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.

16-1 Conference with property negotiators, Gov. Code § 54956.8. (Parcel # APN 032-171-005, L.2.3, L.2.4.1, L.2.4.2, APN 031-011-056-000) (No enclosure) (Carl Sedoryk)

16-2 Conference with Legal Counsel-Litigation, Existing Litigation, Gov. Code § 54956.9(a). Landwatch v. County of Monterey. (Monterey Superior Court Case No. M113552) (No enclosure) (Carl Sedoryk)

16-3. General Manager Performance Evaluation, Gov. Code § 54957 (b) - (No enclosure) (K. Halcon)

17. RETURN TO OPEN SESSION

17-1. Report on Closed Session and possible action.

No reportable action taken.

18. ADJOURN

There being no further business, Chair Armenta adjourned the meeting at 12:37 p.m.

Prepared by: Deanna Smith, Deputy Secretary