

MST BOARD OF DIRECTORS
Monterey Bay Unified Air Pollution Control District
24580 Silver Cloud Ct., Monterey

Minutes
April 13, 2015
10:00 a.m.

1. CALL TO ORDER

1-1. Roll call.

1-2. Pledge of Allegiance.

Vice-Chair Barrera called the meeting to order at 10:00 a.m., and roll call was taken. Director O'Connell led the pledge of allegiance.

1-3. Review Highlights of the agenda.

Mr. Sedoryk reviewed the highlights of the agenda and announced that Chairperson Downey would be attending the meeting via conference call.

Present:	Fernando Armenta	County of Monterey
	Tony Barrera	City of Salinas
	Carrie Theis	City of Carmel-by-the-Sea (alt)
	Robert Bonincontri	City of Gonzales
	Kristin Clark	City of Del Rey Oaks
	Libby Downey	City of Monterey (10:11 a.m.)
	Mike LeBarre	City of King
	Dan Miller	City of Pacific Grove
	Frank O'Connell	City of Marina
	David Pacheco	City of Seaside
	David Pendergrass	City of Sand City
	Leah Santibañez	City of Greenfield
	Patricia Stephens	City of Soledad

Absent: None

Staff:	Carl Sedoryk	General Manager/CEO
	Hunter Harvath	Asst. General Manager/Finance & Administration
	Michael Hernandez	Asst. General Manager/COO
	Kelly Halcon	Director of Human Resources & Risk Management
	Mark Eccles	Director of Information Technology
	Robert Weber	Director of Transportation Services
	Lisa Rheinheimer	Director of Planning and Development
	Andrea Williams	General Accounting & Budget Manager
	Zoé Shoats	Marketing Manager
	Deanna Smith	Executive Assistant/Clerk to the Board
	Dave Laredo	De Lay & Laredo
	Isamar Velazquez	MST Customer Service Representative

Public:	MaryAnn Jackson	MVT
	MM Osborne	Seaside
	Ken Walker	ATU
	Connie Hubbell	Glenwood Circle
	Shinee Yang	Glenwood Circle
	Janet Ross Neuroh	Glenwood Circle
	Roger Eisele	Glenwood Circle
	Amanda O'Brien	Glenwood Circle
	Roberta Hernandez	Glenwood Circle
	Salvador Rosas	Glenwood Circle
	Mike Jimenez	Glenwood Circle
	Gaspare Aliotti	Corral de Tierra
	Percy Bryant	E. Carmel Rd.
	Frank Soliz	Retired MST
	Jim Fink	Rider
	Bob Parks	ATU
	Claudia Hudson	ATU
	Ryan Evanger	CSUMB
	Savannah Flynn	CSUMB
	Elisa Yu	AMBAG

Apology is made for any misspelling of a name.

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Mr. Fink would like MST to emphasize connectivity over meeting time points when considering service cuts. Friday night Line 81 was so full that military passengers going to Ft. Hunter Liggett could not ride the bus. The Line 23 weekend service from Soledad should have the same inbound and outbound stops.

Roger Eisele, a resident of Glenwood Circle, handed out a petition requesting improved bus service, integrating Glenwood Circle with the JAZZ A bus. The JAZZ A bus would provide residents of this community with service along Fremont Street and Sand City.

Chairperson Downey entered the meeting via conference call at 10:11a.m.

Margaret Osborne stated that she recently rode the Coast Starlight from Sacramento to San Jose Diridon Station to connect with MST Line 55. She arrived at Diridon Station at 12:20 p.m. Ten people, including a disabled senior and a woman with a baby, had to wait beside a locked MST bus until 2:05 p.m. before they were able to board. She would like MST to fix this scheduling conflict. She also would like MST to invest in a shelter for passengers who must wait for the bus at Diridon Station.

A woman stated that young people who work at the Del Monte Shopping Center must wait two hours for an MST bus at Glenwood Circle. The bus stop is dangerous and passengers need more frequent service.

A Glenwood Circle resident stated that bus service to Monterey Peninsula College (MPC) is not accessible at the back of the school.

The property manager of Glenwood Circle stated that the stop serving Glenwood Circle can be dangerous. Many residents attend MPC and bus service is inadequate to both MPC and the Del Monte Shopping Center. Passengers need safe shelter and lighting.

A Glenwood Circle resident stated that young people living in this community need bus service more than every two hours. The bus stop is dark, has no shelter, and is not safe. Some residents have been accosted at the bus stop.

A local resident stated that his sister and niece live at Glenwood Circle and requests accessible transportation options. He stated the JAZZ A bus is preferable for passengers with disabilities.

A Glenwood Circle resident stated that she has to walk 30 minutes Monday through Friday to get to the bus stop. Her young daughter must walk that distance as well, and it is not safe.

Janet Neuroh, resident of Glenwood Circle and Home Owner's Association President, asked that the request made by Mr. Eisele via petition be agendaized for board consideration. She would like to see a low-floor bus serve Glenwood Circle. She stated that when the gate closes at MPC, passengers must walk two miles around the property to access a bus. She also feels the bus stop needs more lighting and is not safe. She has spoken with the City of Monterey about the lighting issue.

Bob Parks, MST bus driver and ATU Local 1225 president, stated that MST's four regional routes are priced at \$3.50 for a regular fare and \$1.75 for a discounted fare. MST has now discounted the Line 20 regional route. He believes if one regional route is discounted, all regional routes should be discounted.

Savannah is a CSUMB student and a resident of Marshall Park. She stated that MST's public transit system is not adequate. She and her friends have waited up to 45 minutes at Sand City for a bus without an estimated time of arrival. She and her friends find the system too infrequent to be useful. Line 18 is the only service within two miles from her home and it only runs once per hour.

Vice-Chair Barrera stated that MST takes the public's concerns seriously and will work to address them.

3. CLOSED SESSION

- 3-1. Conference with Labor Negotiators, Gov. Code § 54957.6. Amalgamated Transit Union (ATU), Monterey-Salinas Transit Employee Association (MSTEA) and MST.
- 3-2. Conference with Legal Counsel – Anticipated Litigation, Gov. Code § 54956.9(b).

Vice-Chair Barrera moved to Closed Session at 10:25 a.m.

Public Comment – none.

4. RETURN TO OPEN SESSION

4-1. Report on Closed Session and possible action.

Vice-Chair Barrera returned to Open Session at 10:41 a.m. No reportable action was taken.

5. CONSENT AGENDA

5-1. Adopt Resolution 2015-32 recognizing David Hobbs, Coach Operator, as Employee of the Month for April 2015.

5-2. Minutes of the regular meeting of March 2, 2015.

5-3. Financial Report – February 2015.

5-4. Disposal of property left aboard buses.

5-5. Approve staff appointments.

5-6. Receive and approve updated Drug and Alcohol Policy.

5-7. Adopt Resolution 2015-33 recognizing Frank Soliz, Inventory Clerk, for his 17 Years of Service.

5-8. Receive and appoint new members to the Mobility Advisory Committee.

5-9. Approve Resolution 2015-34 authorizing the filing of a grant application with the California Governor's Office of Emergency Services.

5-10. Authorize a contract for Design & Engineering services for the TDA fuel island.

Public Comment – none.

Director Clark made a motion to approve the Consent Agenda and was seconded by Director Armenta. The motion passed unanimously with Director Downey temporarily disconnected from the meeting.

6. SPECIAL PRESENTATIONS

6-1. April Employee of the Month – David Hobbs.

Robert Weber recognized David Hobbs as Employee of the Month for his exemplary service to MST and to the entire community. On March 7, 2015, Mr. Hobbs displayed incredible skill and good judgment to avoid a head-on collision with an

intoxicated driver. While the incident did result in a minor collision, there were no injuries sustained by the vehicle's driver, MST passengers, or Mr. Hobbs.

Libby Downey returned to the meeting via conference call.

6-2. Frank Soliz – Retirement.

Sandra Amorim recognized Frank Soliz for his 17 years of service with MST. Over his 17 years, he has saved MST over \$300,000 through his work in the Parts Department. Mr. Soliz stated that he considers his coworkers to be family and enjoyed his time with MST. He misses coming to work, but enjoys being able to spend time with his family.

7. COMMITTEE REPORTS

7-1. Minutes of the Finance Committee – March 2, 2015.

7-2. Minutes of the Ad Hoc Measure Q Nominating Committee – March 31, 2015.

Vice-Chair Barrera recognized Amalgamated Transit Union (ATU) International representative, Claudia Hudson, and thanked her for attending the meeting.

Director Armenta stated that due to a scheduling conflict, he was unable to attend the Measure Q Nominating Committee meeting.

Vice-Chair Barrera asked if the committee members interviewed the applicants before making their recommendations for appointment. Mr. Sedoryk stated that there were no interviews. Applications were reviewed by the committee and many of the applicants were known by Directors Pacheco and LeBarre.

Public Comment – none.

8. MAJOR PROCUREMENTS

9. PUBLIC HEARINGS

9-1. Conduct public hearing and adopt FY 2015 Program of Projects.
Vice-Chair Barrera opened the public hearing for comments.

Public Comment – none.

Director LeBarre made a motion to adopt the FY 2015 Program of Projects for Fixed Route Bus Planning & Operations and to authorize the filing of grant applications with the Federal Transit Administration and Caltrans. The motion was seconded by Director Clark and passed unanimously by roll call with all members present.

10. UNFINISHED BUSINESS

11. NEW BUSINESS

11-1. Receive and approve members for the Measure Q Oversight Committee.

Director Armenta asked if the nominees reflected the demographic who would benefit from services provided with Measure Q revenue. Director Pacheco confirmed that all applications were reviewed to ensure that nominees were representative of those who would receive services funded by the sales tax revenue, i.e., seniors, veterans and persons with disabilities.

Directors Armenta and Barrera stated that they would have liked an interview process for the selection of nominees.

Director Clark made a motion to approve the nominees for the Measure Q Oversight Committee and was seconded by Director Stephens. The motion passed unanimously with all members present.

11-2. Review possible service modifications due to objections raised by ATU to the U.S. Department of Labor's processing of Section 13(c) certification and authorize public hearings.

A PowerPoint presentation was provided by Mr. Harvath, reviewing possible service modifications as a result of objections raised by the ATU to the U.S. Department of Labor's processing of Section 13(c) certification. MST staff is requesting authorization to hold three public hearings in Salinas, Monterey, and Soledad to inform and solicit input from the public. Staff will return at the May 11, 2015, meeting of the MST Board to present a final proposed draft emergency reduction plan if the issue is not resolved in the interim. If the reduction plan is approved and a solution is not identified, the service reductions would be implemented as early as May 16, 2015.

Director O'Connell asked if additional hearings could be held on the Peninsula. Mr. Harvath stated that staff could attend city council meetings or hold additional meetings as requested. Given the time constraints, MST noticed the three public hearings to meet MST and federal requirements.

Director O'Connell would like a meeting held in Marina and Director Pacheco would like a hearing held at Seaside City Hall or the Seaside Boys and Girls Club.

Director Armenta asked how many passengers and drivers would potentially be affected by possible layoffs. Mr. Harvath stated that thousands of passengers could be affected and as many as 70 drivers may face layoffs.

Director Clark asked if MST could face any liability by reducing service to this degree. MST General Counsel stated that MST cannot incur liability for having to reduce service due to funding reductions.

Public Comment

Mr. Fink asked why MST doesn't raise fares in an effort to offset the loss of revenue. He is concerned about losing Lines 28 and 29.

Claudia Hudson stated that Section 13(c) gives transit employees the right to bargain their pay and benefits. Governor Brown's Public Employee Pension Reform Act (PEPRA) interferes with that right. ATU has a long history of bargaining in good faith with MST, and she asks that the proposed cuts not be implemented. She believes the cuts are extreme and unnecessary, and that the issue will be resolved.

Bob Parks believes the cuts are too drastic. He would like to know if the majority of cuts are labor costs. He requests a detailed breakdown of the cost associated with each discontinued or reduced route.

Director Barrera asked if staff was able to answer Mr. Parks' question. Dave Laredo stated that staff would be able to provide the information after public hearings are held.

Director LeBarre made a motion to authorize staff to hold public hearings on proposed service modifications and was seconded by Director Clark. The motion passed unanimously with all members present.

- 11-3. Review, provide direction, and take action regarding reductions in labor force (RIF) affecting ATU, MSTEA, and/or unrepresented employees; delegate to GM/CEO Sedoryk authority to meet & confer on the RIF, issue layoff notices, and develop long-term strategies to minimize disruption of federal funding.

Mr. Sedoryk referred the Board to page 87 of the agenda which provided a detailed timeline of ATU's objections from 2012 to the present. Given the potential significant loss of funding, MST must consider reductions to its transit services and workforce to remain fiscally solvent.

Public Comment

Claudia Hudson stated that MST is obligated to provide Mr. Parks with the requested financial information now, not after public hearings. She will be making a formal request, in writing, for this information. She stated that the solution is to bargain, not get rid of Section 13(c).

Mr. Fink asked why MST will not raise its fares.

Close Public Comment

Director LeBarre acknowledged that reducing fares and drivers was a very tough decision.

Director Armenta asked MST staff to request comments from all mayors in the MST jurisdiction.

Director Armenta made a motion to delegate to Mr. Sedoryk the authority to meet & confer on the proposed reductions in service and workforce, issue layoff notices, develop long-term strategies to minimize disruption of federal funding, and to request all mayors within the MST jurisdiction to weigh in on the issue. Director Clark seconded, and the motion passed unanimously with all members present.

Mr. Laredo stated that MST will do its utmost to communicate, bargain, and inform all parties. MST will be meeting and conferring with ATU representatives and members immediately following the board meeting

12. REPORTS & INFORMATION ITEMS

- 12-1. General Manager/CEO Report – February 2015.
- 12-2. Washington D. C. Lobbyist Report – March 2015.
- 12-3. State Legislative Advocacy Update – March 2015.
- 12-4. TAMC Highlights – March 2015.
- 12-5. Staff Trip Reports.
- 12-6. Correspondence.
- 12-7. Staff Announcements.

Carl Sedoryk stated that he is travelling to the CalACT Conference later today to accept its Outstanding Transportation Agency award.

13. COMMENTS BY BOARD MEMBERS

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

Chairperson Downey would like to provide her report at the next board meeting.

Vice-Chair Barrera attended the APTA Legislative Conference in March. He is appreciative of the representation MST staff provides at the conferences.

- 13-2. Board member Comments and Announcements.

Director Stephens requested that Mr. Sedoryk keep board members updated on the ATU issue.

13-3. Board member Referrals for future agendas.

14. ATTACHMENTS

14-1. Detailed monthly Performance Statistics and Disbursement Journal, February 2015. *(This item is located online within the GM Report at: <http://www.mst.org/about-mst/board-of-directors/board-meetings/>)*

15. ADJOURN

There being no further business, Vice-Chair Barrera adjourned the meeting at 11:56 a.m.

Prepared by

A handwritten signature in black ink, appearing to be 'B. Barrera', written over a horizontal line.

