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

Minutes
April 11, 2016

1. CALL TO ORDER

1-1. Roll Call.

1-2. Pledge of Allegiance.

In the absence of Chair Downey, Vice Chair Barrera called the meeting to order at 10:01 a.m. and roll call was taken. The pledge of allegiance followed.

1-3. Review Highlights of the agenda.

Mr. Sedoryk reviewed the highlights of the agenda.

Present: Fernando Armenta County of Monterey
          Tony Barrera City of Salinas
          Robert Bonincontri City of Gonzales
          Ken Cuneo (Alternate) City of Pacific Grove
          Mike LeBarre City of King
          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: Victoria Beach City of Carmel-by-the-Sea
        Kristin Clark City of Del Rey Oaks
        Libby Downey City of Monterey
        Dan Miller City of Pacific Grove

Staff: Carl Sedoryk General Manager/CEO
       Hunter Harvath Asst. GM/Finance & Administration
       Michael Hernandez Asst. GM/COO
       Kelly Halcon Director of HR & Risk Management
       Lisa Rheinheimer Director of Planning and Development
       Andrea Williams General Accounting & Budget Manager
       Mark Eccles Director of Information Technology
       Robert Weber Director of Transportation Services
       Carl Wulf Facilities Manager
Zoë Shoats Marketing Manager
Tom Hicks CTSA Manager
Sandra Amorim Purchasing Manager
Deanna Smith Compliance Analyst
Anita Flanagan Clerk to the Board
Heidi Quinn De Lay & Laredo
Miriam Gutierrez Customer Service Representative
Michelle Overmeyer Grants Analyst

Public:
Fritz Conle Teamsters Local Union No. 890
Corey Jensen NJPA
Joe Foster Blue Scope
Brian Aldrich Blue Scope
Ken Walker ATU
MacGregor Eddy Salinas Californian
Herman Farley MV Transportation
Don Parslow MV Transportation
JR Berke MV Transportation
Leon Ramirez Teamsters Local Union No. 890
Juan Rovaces Teamsters Local Union No. 890
Jorge Valeymela Teamsters Local Union No. 890
Erich Friedrich AMBAG
Lester Farley MV Transportation

Apology is made for any misspelling of a name.

2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

No public comment.

3. CONSENT AGENDA


3-2. Adopt Resolution 2016-23 recognizing Ruben Cano, Coach Operator, as Employee of the Month for April 2016.

3-3. Adopt Resolution of Appreciation 2016-24 for services rendered by Victoria Beach.

3-4. Minutes of the regular meeting of March 7, 2016.

3-5. Minutes of the Legislative Committee March 7, 2016.

3-6. Minutes of the Measure Q Citizens Oversight Committee March 11, 2016.

3-8. Disposal of property left aboard buses.

3-9. Ratify the emergency purchase of one replacement medium bus from Creative Bus Sales.

3-10. Approve the disposition Accountable Property.


3-12. Receive FY 2015 Comprehensive Annual Financial Report (CAFR) and receive opinion from Measure Q Citizens Oversight Committee that Measure Q funds were appropriately used during FY 2015.

3-13. Award contract to Moore & Associates in the amount of $28,875.20 to conduct Onboard Passenger and Attitude and Awareness (Non-Rider) surveys.


Director Barrera requested to discuss items 3-9, 3-11, and 3-12 before approving consent.

Item 3-9:

Michael Hernandez requested that your Board ratify the purchase of one medium bus from Creative Bus Sales for $90,580 to replace a medium bus that was in an accident and "totaled." An insurance claim with MV Transportation is in process.

Item 3-11:

Zoë Shoats provided information regarding the Community Stakeholder survey, which measures stakeholders' knowledge and opinions of MST services. Director Armenta suggested breaking down the survey into 12 cities and conducting a survey for MST employees.

Item 3-12:

Hunter Harvath noted that the CAFR auditors do not certify or provide opinions regarding the appropriateness of Measure Q funds expenditures; that is the responsibility of the Measure Q Oversight Committee, which recently met and approved the use of Measure Q funds for FY2015.

Regarding Item 3-13, the directors provided suggestions, which included using college students to provide surveying services, offer discounts to those who complete a survey, and conducting surveys at farmers' markets.

No public comment.
Director Santibañez made a motion to approve the Consent Agenda, which was seconded by Director LeBarre. The motion passed unanimously.

4. RECOGNITION AND SPECIAL PRESENTATIONS

4-1. April Employee of the Month – Ruben Cano.

4-2. Resolution of Appreciation - Victoria Beach, City of Carmel-by-the-Sea.

5. PUBLIC HEARINGS

6. ACTION ITEMS

6-1. Receive staff analysis regarding MV Transit employees’ request for MST to fund negotiated wage and benefits, and encourage MV Transit management and bargaining representatives to continue towards a mutually acceptable labor agreement.

Carl Sedoryk and General Counsel explained the issues surrounding the request to provide financial assistance to MV’s employees, which include violating the California Constitution’s prohibition against gift of public funds and MST’s procurement policy, and interference with good faith bargaining efforts. Mr. Sedoryk also noted that your Board has the authority, in future contracts of this nature, to include requirements regarding employee wages and benefits.

Public Comment:

Fritz Conley of Teamsters Local Union No. 890 expressed support for funding negotiated wage and benefits for MV transportation.

Close public comment.

Director Armenta made a motion for staff to request further information from MV Transportation and bring back to your board within 60 days. There was no second to this motion.

Director O’Connell made a motion to receive this analysis and encourage MV Transit management and bargaining representatives to continue towards a mutually acceptable labor agreement. This motion was seconded by Director LeBarre. Director Armenta voted No, and the remaining 9 directors voted Yes.


Sandra Amorim noted that these minor proposed changes to the policy will allow MST to fully utilize the efficiencies of cooperative procurements.

No public comment.
Director Stephens made a motion to approve the revised MST Procurement Policies and Procedures. This motion was seconded by Director LeBarre and passed unanimously.

6-3. Authorize Participation in the National Joint Powers Alliance Cooperative and Approve Facility Design Coordination.

Mike Hernandez provided information to the board regarding the benefits of this participation, including a decreased construction timeline and other cost savings to this project.

No public comment.

Director Cuneo made a motion to authorize participation in the National Joint Powers Alliance Cooperative and approve facility design coordination. The motion was seconded by Director Armenta and passed unanimously.


Michael Hernandez noted that approval of this item will provide additional services for the remodel of MST’s maintenance and operations facility and will be funded with the Proposition 1B funds.

No public comment.

Director Armenta made a motion to authorize a change order for additional design/engineering and support services from AECOM for the remodel of MST’s maintenance and operations facility, not to exceed $102,730. Director LeBarre seconded the motion, which was passed unanimously.

7. REPORTS & INFORMATION ITEMS


7-4. Staff Trip Reports.

7-5. Correspondence.

8. CLOSED SESSION

No public comment.

General Counsel Heidi Quinn announced the items for discussion, and Vice-Chair Barrera moved to Closed Session.


9. RETURN TO OPEN SESSION

9-1. Report on Closed Session and possible action.

General Counsel reported that items 8-1 and 8-2 were discussed and no reportable action was taken.

No public comment.

10. BOARD REPORTS, COMMENTS, AND REFERRALS

10-1. Reports on meetings attended by board members at MST expense (AB 1234).

Director LeBarre noted that he attended the annual American Public Transportation Association (APTA) Legislative conference in Washington D.C. from March 12-15.

10-2. Board member comments and announcements.

10-3. Board member referrals for future agendas.

11. ATTACHMENTS

11-1. The detailed monthly Performance Statistics and Disbursement Journal for February 2016 can be viewed online within the GM Report at http://mst.org/about-mst/board-of-directors/board-meetings/

12. ADJOURN

There being no further business, Vice Chair Barrera adjourned the meeting at 11:57 a.m.

[Signature]

Deanna Smith, Deputy Secretary