1. CALL TO ORDER

1-1. Roll call.

1-2. Pledge of Allegiance.

Chair Orozco called the meeting to order at 10:01 a.m. Roll call was taken and the pledge of allegiance followed.

Present: Fernando Armenta County of Monterey
Tony Barrera City of Salinas
Victoria Beach City of Carmel-by-the-Sea
Kristin Clark City of Del Rey Oaks
Alan Cohen City of Pacific Grove
Libby Downey City of Monterey
Alvin Edwards City of Seaside
Terry Hughes City of King
Randy Hurley City of Greenfield
Frank O’Connell City of Marina
Maria Orozco City of Gonzales
David Pendergrass City of Sand City
Patricia Stephens City of Soledad

Absent: None

Staff: Carl Sedoryk General Manager/CEO
Zoe Shoats Marketing Analyst
Michael Hernandez Asst. General Manager/COO
Kelly Halcon Director of Human Resources & Risk Management
Hunter Harvath Asst. General Manager/Finance & Administration
Deanna Smith Executive Assistant to the GM/CEO
Robert Weber Director of Transportation Services
Dave Laredo General Counsel/De Lay & Laredo
Michelle Overmeyer Grants Analyst
Mark Eccles Director of IT
Tom Hicks CTSA Manager
Mike Gallant Business Development Planner
Doris Martinez Schedule/Planning Analyst

Others: Benedict Herman ATP
Tim Sullivan ATP
Dave Pacheco City of Seaside
Ernie Sanchez MST
2. **CONSENT AGENDA**

2-1 Review highlights of Agenda.

Mr. Sedoryk reviewed the highlights of the agenda.

2-2 Adopt Resolution 2013-19 recognizing Ernie Sanchez, Line Instructor, as Employee of the Month for February, 2013.

2-3 Disposal of property left aboard buses.

2-4 Minutes of the Regular Meeting of January 14, 2013.


2-6 Claim Rejection – Smelser.

2-7 Authorize staff to renew contract with City of Monterey to provide RTA Taxicab driver and vehicle permitting services not to exceed $45,000 per year.

2-8 Authorize disposal of retired vehicles.

Director Downey pulled item 2-7 and asked how the new contract with the City of Monterey compared with last year’s contract. Mr. Harvath stated that the exact contract amount had not yet been determined; the memo limits the contract amount to no more than $45,000 which would be at or less than the previous year’s contract.

Mr. Edwards asked why MST is considering this item instead of the RTA Board. Mr. Harvath stated that since MST staff is the lead agency for the RTA, with the City of Monterey being a third party contractor, it is appropriate for the MST Board to approve the contract.

Public Comment – None.

**Director Clark made a motion to approve the Consent Agenda and was seconded by Director Barrera. The motion carried unanimously.**

3. **SPECIAL PRESENTATIONS**

3-1 February Employee of the Month – Ernie Sanchez, Line Instructor.
Mr. Weber recognized Ernie Sanchez as the December Employee of the Month and provided a detailed account of his assistance to a lost young boy at Natividad Hospital.

3-2 Hold Community Workshop for potential emergency service reductions.

Mr. Harvath presented a PowerPoint detailing the cause of possible service reductions, routes potentially affected, funding sources, timeline of future meetings and possible service reduction implementation, and contact information for submitting public comments to MST. Information on Community Workshops held in the cities of Marina, Pacific Grove, Seaside, Soledad, and Salinas was provided. All comments received will be provided at the next Board meeting and will be used to determine service reductions, if necessary.

Director Armenta stated that MST is failing to effectively communicate notice of public meetings, and requested another meeting be held in Salinas.

Board members discussed ways to improve public outreach.

Director Cohen asked if staff knew how long it would take for the funding issue to be resolved.

Mr. Laredo provided a detail of the objection process. Mr. Harvath confirmed that MST posted meeting notices in local newspapers, on the MST website, in press releases, and on car cards in all MST buses. He stated that individuals are generally hired to take surveys only for MST’s Annual Customer Surveys.

Director Hughes requested that MST hold public meetings in King City.

Director Edwards asked staff to provide the PowerPoint timetable slide to Board members and find a way to provide the information to the public.

Mr. Harvath stated that he will be in Washington, D.C. later in the week to meet with officials in an attempt to speed up the resolution of this issue with legislative representatives, and DOL and ATU representatives. Director Armenta stated that members of the MST Board should be in Washington, D.C. with Mr. Harvath.

Public Comment

Mr. Fink stated that he wants to see Line 45 run on the weekends. He believes that the $95 monthly pass is too inexpensive as it provides 12 free days of service compared to purchasing Day Passes.

Mr. Villa stated that the Marina Senior Center employee was unaware of the meeting that was to be held on January 29. He believes MST On Call service is too expensive.

Ruth Saunders stated that transportation to MST Board meetings is not sufficient, and that notice of MST meetings on the car cards on MST buses does not include meeting times. Ms. Saunders does not like the new JAZZ shelters and stated that they
do not protect riders from the elements. She stated that the sidewalks near the bus stop at Casanova and Fremont Streets do not provide wheelchair access.

Mr. Sedoryk reminded everyone that public comments can still be provided by calling, faxing or emailing all comments and suggestions to MST.

Close Public Comment

4. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA

Mr. Fink stated that other Bus Rapid Transit (BRT) lines do not remove the regular line. He suggests adding back the original lines replaced by BRT and using BRT as a faster option.

Ruth Saunders stated that Line 3 to CHOMP is useless and should be provided as an MST On Call service only.

Mr. Villa stated that he recently waited three (3) hours for On Call Service and was provided the wrong information from the dispatcher.

5. COMMITTEE REPORTS

5-1. Whispering Oaks Ad Hoc Committee minutes of January 14, 2013.

Mr. Sedoryk reminded committee members that the joint meeting of MST Whispering Oaks Ad Hoc Committee and the Board of Supervisors was scheduled for February 19th at 1:30 p.m. at the Monterey County offices in Salinas.

6. BIDS/PROPOSALS

7. PUBLIC HEARINGS

8. UNFINISHED BUSINESS

8-1 Receive update on Bid #13-07 Bus Rapid Transit Traffic Signal Prioritization, and appoint Bid Protest Hearing Officer.

Mr. Sedoryk presented details on the Bid Protest. Staff is recommending Hunter Harvath be appointed as a Hearing Officer since he has not been involved in the bid procurement process. The Board has the alternative to appoint a Board member, a subcommittee, or another MST employee as Hearing Officer.

Public Comment - None.

Director Edwards made a motion to appoint a hearing officer who is not an MST staff member.

Mr. Sedoryk suggested that Mr. Harvath could hear the matter, and then bring a summary of his findings back to a subcommittee appointed by the Board Chair for a final action to avoid any issue of bias.
Director Edwards amended his motion to appointing Hunter Harvath as a hearing officer to officiate at a bid protest appeal hearing, and to report back to a subcommittee of the MST Board for a final decision.

Director Downey preferred the option of appointing someone other than Hunter Harvath.

Mr. Laredo confirmed the Board’s options.

Director Beach seconded Director Edwards’ amended motion. The motion carried unanimously.

Director Orozco appointed the following Board members to the Ad Hoc Committee: Director Edwards, Clark, and Cohen.

8-2 Receive update on JAZZ Bus Rapid Transit stop at 599 Lighthouse Avenue and reconsider MST Board’s previous approval of the shelter location if a suitable resolution cannot be negotiated with the business/property owners.

Mr. Harvath stated that the owners of the rug store at 599 Lighthouse Avenue have requested the Board postpone reconsideration until further options are considered.

8-3 Consider forgiveness of RTA administrative start-up costs incurred by MST.

Mr. Sedoryk stated that at the RTA meeting of January 28, 2013, the RTA Board requested that consideration by the MST Board to forgive a portion of RTA start-up costs be agendized. The RTA Board further requested that responses from all RTA jurisdictions who have not yet responded to the request to consider forgiveness be obtained.

At this time, staff is requesting consideration by the MST Board whether to forgive a portion of the start-up costs incurred by MST staff during the formation of the RTA. Staff is also requesting authorization to invoice MCRTA member jurisdictions to recoup audited start-up costs, prorated on the basis of jurisdiction population and hotel rooms, as listed within Memo 8-3. Mr. Sedoryk stated that the final invoiced amounts would be based on the results of the RTA audit currently being conducted. The authorization to invoice allows participating jurisdictions time to include the reimbursement amounts in their FY 2014 budget preparations.

Director Beach stated that she had to leave before the vote would be taken, but wanted to inform the Board that initial discussions lead her to believe that the City of Carmel will not approve forgiveness. She also stated that the MST Finance Committee had discussed this issue previously and had recommended to the MST Board to not forgive any of the money due to them.

Public Comment
Mr. Fink requested clarification on which entity, MST or the RTA, is being requested to forgive a debt.

Close Public Comment

**Director Downey made a motion to continue the item until all responses from participating jurisdictions have been received and was seconded by Director Cohen.**

Mr. Sedoryk stated that the TAMC Board accepted staff recommendation to not contribute a portion of start-up costs, as they made their initial estimate of start-up costs according to their best estimate at the time and as they are not a participating jurisdiction.

Director Downey asked MST General Counsel if he could send a letter of request to TAMC. Mr. Laredo stated that he could send a letter if directed to do so by Board request.

Director Beach left at 11:20 a.m.

The Board discussed issues surrounding the lengthy start-up process.

**Director Orozco called for a vote on the motion. The motion passed 11-1, with Director O’Connell opposed.**

9. **NEW BUSINESS**

9-1 Authorize staff to enter into contract negotiations with Greyhound to sell tickets and process baggage at the Salinas Train Station.

Hunter Harvath explained that the contract with Greyhound will benefit MST passengers by providing easy transfers between Greyhound and MST buses as well as providing longer Customer Service hours, access to public restrooms, and a location for retrieving lost and found items. Employees hired to staff the location would be non-union represented employees as are current Customer Service employees.

Public Comment

Mr. Fink does not understand whether Greyhound and MST are moving from their current location to the AMTRAK station or staying where they are.

Mr. Harvath stated that this has nothing to do with future plans for Greyhound’s location, nor is MST’s bus station on Salinas Street moving, it will simply provide enhanced Customer Service options to MST passengers within Greyhound.

Close Public Comment

**Director Edwards made a motion to authorize staff to enter into contract negotiations with Greyhound to sell tickets and process baggage at the Salinas**
Train Station and was seconded by Director Stephens. The motion carried unanimously.

10. REPORTS & INFORMATION ITEMS

10-5. Staff trip reports.
10-6. Correspondence.

Public Comment – None.

11. COMMENTS BY BOARD MEMBERS

11-1. Reports on meetings attended by Board Members at MST expense (AB1234).
11-2. Board Member Comments and Announcements.

Chair Orozco announced that Directors Stephens and Armenta will be attending the APTA Legislative Conference in March 2013.

11-2-1. Strategic Planning Update.

Carl announced that the date for the MST Strategic Planning Workshop will be March 18 from 9:00 a.m. to 1:00 p.m. within the Board room at 1 Ryan Ranch Rd.

11-3. Board Member Referrals for future agendas.

12. ATTACHMENTS


13. CLOSED SESSION


14. RETURN TO OPEN SESSION

14-1 Report on Closed Session and possible action.
Director Armenta made a motion to approve the General Manager/CEO’s performance pay at 2%, or $3,489.80, for FY 2011-2012 and was seconded by Director Edwards. The motion carried by a vote of 9-2 with 1 abstention.

15. ADJOURN

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

Prepared by: [Signature]
Deanna Smith, Deputy Secretary