

## MST BOARD OF DIRECTORS

Monterey Bay Unified Air Pollution Control District  
Board Room, 3<sup>rd</sup> Floor  
24580 Silver Cloud Ct., Monterey  
and  
799 W. Birch Court, Louisville, CO 80027

### Minutes June 13, 2016

#### 1. CALL TO ORDER

1-1. Roll Call.

1-2. Pledge of Allegiance.

Chair Downey called the meeting to order at 10:00 a.m. and requested all present to observe a moment of silence for the victims of the recent Orlando, Florida mass shooting. Roll call was taken and the pledge of allegiance followed.

Director Santibañez arrived at 10:02 a.m.

1-3. Review Highlights of the agenda.

Mr. Sedoryk reviewed the highlights of the agenda.

<b>Present:</b>	Fernando Armenta	County of Monterey
	Tony Barrera	City of Salinas
	Robert Bonincontri	City of Gonzales
	Libby Downey	City of Monterey
	Carolyn Hardy	City of Carmel-by-the-Sea
	Mike LeBarre	City of King
	Pat Lintell	City of Del Rey Oaks (alt)
	Dan Miller	City of Pacific Grove
	Frank O'Connell	City of Marina (remote call)
	David Pacheco	City of Seaside
	David Pendergrass	City of Sand City
	Leah Santibañez	City of Greenfield
	Patricia Stephens	City of Soledad

**Absent:** None

<b>Staff:</b>	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
Tom Hicks	Mobility Services Manager
Robert Weber	Director of Transportation Services
Alvin Johnson	Contract Transportation Supervisor
Deanna Smith	Compliance Analyst / Deputy Secretary
Michelle Overmeyer	Grants Analyst
Zoë Shoats	Marketing manager
Dave Laredo	De Lay & Laredo
Miriam Gutierrez	Customer Service Representative

**Public:** MacGregor Eddy Salinas Californian  
Dana Cleary CHISPA

*Apology is made for any misspelling of a name.*

**2. PUBLIC COMMENTS ON MATTERS NOT ON THE AGENDA**

No public comment.

**3. CONSENT AGENDA**

- 3-1. Adopt Resolution 2016-29 recognizing Michelle Overmeyer, Grants Analyst, as Employee of the Month for June 2016.
- 3-2. Minutes of the regular meeting of May 9, 2016.
- 3-3. Minutes of the Finance Committee May 9, 2016.
- 3-4. Financial Report – April 2016.
- 3-5. Disposal of property left aboard buses.
- 3-6. Authorize the purchase of one support truck.
- 3-7. Award contract to Monterey Signs and ASAP Signs for Real-Time Information bus stop signs and brackets.
- 3-8. Authorize the filing of documents for grant funding under the Affordable Housing and Sustainable Communities Program.
- 3-9. Award contract to Vavrinek, Trine, Day, and Co., LLP, for financial audit services.
- 3-10. Approve revised MST Board of Directors stipend policy.

Mr. Sedoryk requested that item 3-8 be pulled for discussion.

Public Comment – none.

**Director Pendergrass made a motion to approve the Consent Agenda, excepting item 3-8, and was seconded by Director LeBarre. The motion passed unanimously by roll call vote.**

Grants Analyst Michelle Overmeyer summarized item 3-8, in which MST will partner with the Community Housing Improvement Systems and Planning Association (CHISPA) to provide public transportation to support the project's proposed senior housing development near the Marina Transit Exchange. Upon grant award, MST would receive \$200,000 to purchase a medium bus and related equipment to provide a senior shuttle to serve seniors in Marina, which would be operated with Measure Q funds.

Public Comment – none.

Vice Chair Barrera thanked CHISPA for its exceptional work on behalf of the community.

**Director Bonincontri made a motion to approve item 3-8 and was seconded by Director Pacheco. The motion passed unanimously by roll call vote.**

#### **4. RECOGNITION AND SPECIAL PRESENTATIONS**

4-1. June Employee of the Month – Michelle Overmeyer.

Hunter Harvath recognized Michelle Overmeyer, Grants Analyst, as the June Employee of the Month for her outstanding contribution to MST and the entire community. Mr. Sedoryk recognized Ms. Overmeyer for her exceptional work securing millions of dollars in grants for MST projects.

Dana Cleary from CHISPA stated that she has been impressed with Ms. Overmeyer's professionalism and work ethic.

#### **5. PUBLIC HEARINGS – none.**

#### **6. ACTION ITEMS**

6-1. Appoint Ad Hoc Nominating Committee.

Public Comment – none.

**Director LeBarre made a motion to authorize the Chair to nominate members to the Ad Hoc Nominating Committee and was seconded by Director Armenta. The motion passed unanimously by roll call vote.**

Director Downey appointed Directors O'Connell, Pacheco, Miller, and Stephens to the Ad Hoc Nominating Committee to recommend officers for approval by the Board in July 2016. Director Stephens will serve as the Chair of the committee. Director

Downey requested that all directors who are interested in serving as Chair and Vice Chair contact either her, Mr. Sedoryk, or director Stephens by June 27. Officers will serve a two-year term beginning July 11, 2016.

6-2. Appoint new member to the Measure Q Oversight Committee.

Public Comment – none.

Mr. Sedoryk requested the Board's consideration of Susan Miller of King City to serve on the Measure Q Oversight Committee. Ms. Miller was recommended by Director LeBarre and will fill the position formerly held by Susan Kleber representing the non-urbanized area. Ms. Miller's application was included in the board packet.

**Director Armenta made a motion to approve the appointment of Susan Miller to the Measure Q Nominating committee as the representative for the non-urbanized area and was seconded by Director Stephens. The motion passed unanimously by roll call vote.**

6-3. Receive and adopt revised Drug and Alcohol Policy.

Kelly Halcon requested the Board's approval of the revised Drug and Alcohol Program. FTA Triennial reviewers recently requested that a clarification be made to the definition of "covered employees." Ms. Halcon has also updated job titles within the policy and the person designated as the Drug and Alcohol Program Manager.

Public Comment – none.

**Director LeBarre made a motion to approve the revised Drug and Alcohol Program and was seconded by Director Pacheco. The motion passed unanimously by roll call vote.**

6-4. Receive and adopt proposed FY 2017 Operating & Capital Budget, Action Plan, and Staffing Levels, and authorize grant applications and funding requests.

Mr. Harvath presented the draft proposed FY 2017 Operating and Capital Budget. The proposed \$95,896,575 combined budget includes MST's fixed route operating (\$39,505,212) and capital (\$52,313,279) budgets, and MST's RIDES operating (\$4,056,084) and capital (\$22,000) budgets. The FY 2017 budget is an increase of 6.7% over the FY 2016 budget and includes \$7.5 million in Measure Q sales tax revenue and a 15% operating reserve of \$6,534,195 as of June 30, 2017.

Public Comment – none.

**Director Barrera made a motion to approve the Fiscal Year 2017 Operating & Capital Budget, Action Plan, and Staffing Levels, and to authorize grant applications and funding requests. The motion was seconded by Director LeBarre and passed unanimously by roll call vote.**

6-5. Authorize Permit Fees for Facility Remodel.

Mike Hernandez requested authorization for up to \$350,000 for potential additional permit fees for the TDA facility remodel project. MST is required to be under contract for construction by November 2016 to be eligible for the \$10M in TIRCP funds all Public Comment – none.

Public Comment – none.

**Director Barrera made a motion to approve up to \$350,000 in potential additional permit and plan check fees for the TDA facility remodel and was seconded by Director Miller. The motion passed unanimously by roll call vote.**

**7. REPORTS & INFORMATION ITEMS**

- 7-1. General Manager/CEO Report – April 2016.
- 7-2. Washington, D.C. Lobby Report – May 2016
- 7-3. State Legislative Advocacy Update – May 2016.
- 7-4. Staff Trip Reports.
- 7-5. Correspondence.

**8. CLOSED SESSION**

MST General Counsel, Dave Laredo, announced the Closed Session items, and Chair Downey moved to Closed Session at 10:58 a.m.

Public Comment – none.

- 8-1. Conference with Legal Counsel – Initiation of Litigation, Gov. Code § 54956.9(c): One potential case.
- 8-2. Conference with Legal Counsel – Existing Litigation, Gov. Code § 54956.9(a). McBride, Michael v. MST. Workers Compensation Claim. (Kelly Halcon)
- 8-3. Conference with Legal Counsel – Existing Litigation, Gov. Code § 54956.9(a). Pearson, Pearly v. MST. Workers Compensation Claim. (Kelly Halcon)
- 8-4. Conference with Labor Negotiators, Gov. Code § 54957.6: Amalgamated Transit Union and MST (D. Laredo, K. Halcon)

**9. RETURN TO OPEN SESSION**

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

Mr. Laredo reported that MST staff and general counsel provided a status report on items 8-1 and 8-4, but no reportable action was taken.

**Regarding item 8-2, Director LeBarre made a motion to approve staff's recommendation and authorize a settlement. The motion was seconded by Director Lintell and passed unanimously by roll call vote.**

**Regarding item 8-3, Director Armenta made a motion to approve staff's recommendation and authorize a settlement. The motion was seconded by Director Stephens and passed unanimously by roll call vote.**

## **10. BOARD REPORTS, COMMENTS, AND REFERRALS**

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

10-2. Board member comments and announcements.

Director Downey welcomed Director Carolyn Hardy, the new representative for the City of Carmel-by-the-Sea.

Mr. Sedoryk reminded the Board that the MST July 11 meeting is on track to take place at the new MST Administrative Building located at 19 Upper Ragsdale Dr., Suite 100.

10-3. Board member referrals for future agendas.

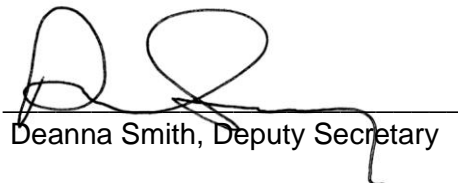
## **11. ATTACHMENTS**

11-1. The detailed monthly Performance Statistics and Disbursement Journal for April 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, Chair Downey adjourned the meeting at 11:28 a.m.

Submitted by:

  
Deanna Smith, Deputy Secretary