BOARD OF DIRECTORS
MINUTES OF THE REGULAR MEETING
Monterey-Salinas Transit
May 13, 2013

1. CALL TO ORDER

1-1. Roll call.

1-2. Pledge of Allegiance.

Chair Orozco called the meeting to order at 10:03 a.m. Roll call was taken and the pledge of allegiance followed.

With board approval, Chair Orozco moved to Agenda Item #3-2, followed by Consent Agenda, before continuing with the regular order of business.

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
Hunter Harvath Asst. General Manager/Finance & Administration
Deanna Smith Executive Assistant/Clerk to the Board
Michael Hernandez Asst. General Manager/COO
Kelly Halcon Director of Human Resources & Risk Management
Robert Weber Director of Transportation Services
Mark Eccles Director of IT
Zoe Shoats Marketing Analyst
Mike Gallant Business Development Planner
Sonia Bannister Customer Service Supervisor
Dave Laredo De Lay & Laredo
Alex Lorca De Lay & Laredo

Others: Jim Fink MST Rider
Renee Leonard MST Rider
2. CONSENT AGENDA

2-1. Review highlights of Agenda.

Mr. Sedoryk presented the highlights of the agenda.


2-3. Disposal of property left aboard buses.


Carl Sedoryk requested Agenda Item #2-9 be pulled from the agenda. Jim Fink requested Agenda Item # 2-3 be pulled from the agenda.

Mr. Fink asked staff to confirm whether the cell phone and credit cards listed in Agenda Item 2-3 belonged to him.

Mr. Sedoryk stated that the company that was to build the accessible vehicles had gone out of business. MST will now try to buy the vehicles from a manufacturer in Canada which can produce the vehicles at a lower cost, reducing MST's match requirement. Permission must be received from the federal government, as the vehicles were originally required to be purchased from U.S. manufacturers.

Public Comment – none.
Director Clark made a motion to approve Consent Agenda and was seconded by Director Edwards. The motion carried unanimously.

3. **SPECIAL PRESENTATIONS**

3-1. May Employee of the Month – Michael Gallant, Business Development Planner.

Hunter Harvath recognized Michael Gallant as Employee of the Month for his service to MST and the entire community.

3-2. The Honorable U.S. Congressman Sam Farr, the State of California’s 20th Congressional District.

Chair Orozco welcomed Congressman Farr who provided an update on the current legislative and fiscal issues facing public transportation.

Carl Sedoryk and Chair Orozco presented Congressman Farr with Resolution of Appreciation 2013-27.

Director Downey asked Congressman Farr whether he recommended sending board members to the APTA Legislative Conference in Washington, D.C., to meet with him regarding federal transit funding. Congressman Farr stated that he did not recommend this, and that the board should be meeting with him locally. He stated that since earmarks have been eliminated from MAP-21, and all funding is based on formulas, lobbying for additional dollars is not beneficial.

Director Armenta asked Congressman Farr if he agreed that it was important for the board to remain in contact with their transit agencies and coalitions to encourage advocacy on transit matters. Congressman Farr stated that MST should be utilizing their lobbyists and transit associations to lobby in D.C. He stated that there may be educational benefits for board members at the D.C. conferences, but it may not be a cost-effective way to get the advocacy desired.

Public Comment – none.

Chair Orozco moved to Closed Session.

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

Renee Leonard is unhappy with the cuts to Line 3 and the JAZZ A, B, and C Lines. She stated that the bus stops in Seaside are terrible and all the changes have created mass confusion for riders.

Jim Fink asked, “If it ain’t broke, why fix it?” He believes the JAZZ BRT lines are good for tourists, but terrible for local riders. He requests that local lines be reinstated and asks that MST not sacrifice service to locals to provide service to tourists.

There being no further comment, Chair Orozco moved to Closed Session at 10:34 a.m.
5. COMMITTEE REPORTS

5-1. Finance Committee Minutes from April 8, 2013.

5-2. CTSA Advisory Committee Minutes from January 30, 2013.

Public Comment – none.

6. BIDS/PROPOSALS

7. PUBLIC HEARINGS

7-1. Conduct public hearing regarding implementation of a free, one-hour transfer in coordination with the Emergency Service Reduction Plan.

Hunter Harvath corrected the agenda description of Item #7-1 from a “free, one-hour transfer” to a “free, two-hour transfer.” He explained that if the emergency service reduction is implemented, the two-hour free transfer will help counteract the negative impacts of the reduction in service MST provides the public. The transfer cards must be surrendered to bus drivers once used to avoid fraud and re-use.

Public Comment

Mr. Fink believes MST's fares are too low and MST is benefitting the ridership at the expense of their bottom line.

Close Public Comment

Director Edwards made a motion to approve the implementation of a free, two-hour transfer in coordination with the Emergency Service Reduction Plan and was seconded by Director Armenta. The motion carried unanimously.

8. UNFINISHED BUSINESS

8-1. Receive update on BRT shelter at 599 Lighthouse Ave.

Carl Sedoryk provided a background on this item and reviewed staff recommendation #1, to leave the shelter at its location as-is at no cost to the owner or MST.

The board discussed their concerns regarding setting a precedent that could result in other objections to shelters placed in front of businesses. Director Downey expressed concern that this business is unduly disadvantaged by the shelter and was not informed in time to make an earlier objection.

Public Comment

Jim Fink stated that MST is hurting the business at 599 Lighthouse by not removing the shelter and recommended alternative # 2 or #5.
Renee Leonard requested that trash cans be replaced at shelters. She believes the Hoffman stop was preferable to the Lighthouse stop.

Patrick Stafford, realtor for the property owners at 599 Lighthouse, stated that the shelter places the business owners at a disadvantage and stated that Big 5 and Grandma’s Kitchen, both of which have shelters in front of their businesses, were concerned with the shelter blocking their signage, not their front windows.

Patrick Congdon, property owner of 599 Lighthouse, stated that larger buildings are impacted less by the shelters. He stated alternative #1 is unacceptable to him and that he supports alternative #2 if MST pays the entire cost.

Close Public Comment

Director Clark stated that she ate dinner at a restaurant across the street from 599 Lighthouse and visibility of their window was fine.

Director Downey made a motion to adopt recommendation #2, at a cost to MST of $6,600. A second to the motion was not received.

Director Edwards made a motion to adopt recommendation #1, leaving the shelter at its present location without modifications and was seconded by Director Pendergrass. The motion passed by a vote of 10 to 3 with Directors Downey, Armenta, and O’Connell opposing the motion.

Director Armenta made a motion to reconsider Director Edwards’ motion by a roll call vote and was seconded by Director Downey. The motion failed to pass by a vote of 8 to 5:

Director Armenta: yes
Director Stephens: no
Director Edwards: no
Director Pendergrass: no
Director Cohen: no
Director O’Connell: yes
Director Downey: yes

Director Orozco: no
Director Hughes: no
Director Hurley: yes
Director Barrera: yes
Director Clark: no
Director Beach: no

Chair Orozco left the meeting at 12:00 p.m.

9. NEW BUSINESS

10. REPORTS & INFORMATION ITEMS


10-2. TAMC Highlights – April, 2013.


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.

Director Downey announced that the City of Monterey has approved forgiving its $1,800 start-up contribution for the RTA. It will also repay MST for the additional $23,000 in start-up costs. She thanked MST for forgiving a portion of their staff time billed to the RTA.

Director Beach stated that she believes members of the public are still confused as to why MST must implement its Emergency Service Reduction Plan. She recommends including language such as “against MST’s will,” or “reductions imposed by,” or “due to…” at all times when speaking or writing about the reductions.

11-3. Board Member Referrals for future agendas.

12. ATTACHMENTS


13. CLOSED SESSION

13-1 Conference with Legal Counsel – Litigation - Existing Litigation, Gov. Code §54956.9 (a). Dean Knox v. MST. Worker’s Compensation Claim.

13-2 Conference with Labor Negotiators – Amalgamated Transit Union, Local 1225 (ATU) and MST. §54957.6

13-3 Conference with Legal Counsel – Litigation - Existing Litigation, Gov. Code § 54956.9(a): Monterey County Superior Court Case No. M 122629 Cal Signal Corp. v. County of Monterey et al.

Conference with property negotiators. (Parcel # APN 259-011-067, 259-011-060, 003-171-024, 003-171-027, 002-248-009-010, 013-312-015-000, 011-486-004, 032-171-005, L.2.1, 1.2.4.3, L.2.4.2, L.2.2.1, L.2.2.2, L.2.3, L.2.4.1)

Public Comment

Jim Fink supports MST regarding its litigation against the County of Monterey.

Close Public Comment

Director Downey requested that the Chair move to Agenda Item #4, Public Comment, before moving to Closed Session.

14. RETURN TO OPEN SESSION

15-1. Report on Closed Session and possible action.

The Board approved settling the worker’s compensation claim of Dean Knox v. MST as recommended by MST staff. No other reportable action was taken.

Chair Orozco moved to Consent Agenda.

15. ADJOURN

There being no further business, in the absence of Chair Orozco, Vice Chair Downey adjourned the meeting at 12:11 p.m.