Board of Directors Regular Meeting

Monday, November 8, 2010

MST Conference Room
One Ryan Ranch Road, Monterey

10:00 a.m.

TRANSPORTATION: Ride Line 8 Ryan Ranch-Edgewater to MST Office

1. CALL TO ORDER
   1-1. Roll call.
   1-2. Pledge of Allegiance.

2. CLOSED SESSION
   As permitted by Government Code §64956 et seq. of the State of California, The Board of Directors may adjourn to Closed Session to consider specific matters dealing with personnel and/or pending possible litigation and/or conferring with the Board's Meyers-Milias-Brown Act representative.
   2-1. Conference with labor negotiations-Amalgamated Transit Union, Local 1225 and MST. (§ 549757.6) (D. Laredo, K. Halcon) (No Enclosure)
   2-2. General Manager Performance Evaluation - (§54957(b)) (K. Halcon) (No enclosure)
   2-3. Conference with Legal Counsel-Existing Litigation (Gov. Code § 54956.9 (a)) (Enclosure) Name of Case: Paul Williams v. MST (Kelly Halcon) Worker’s Compensation Claim
   2-4. Conference with property negotiators. (L.2.3, L.2.4.1, L.2.4.3, L.2.4.2, APN 031-011-056-000) (Carl Sedoryk) (No enclosure)

3. RETURN TO OPEN SESSION
   3-1. Report on Closed Session and possible action.

4. CONSENT AGENDA
4-1. Review highlights of Agenda. (Carl Sedoryk)

_These items will be approved by a single motion. Anyone may request that an item be discussed and considered separately._

- **4-2.** Adopt Resolution 2011-11 recognizing Angela Dawson, Accountant, as Employee of the Month for November 2010. (Kathy Williams) (p.1)

- **4-3.** Disposal of property left aboard buses. (Sonia Bannister) (p.3)

- **4-4.** Minutes of the regular meeting of October 11, 2010. (Theodore Kosub) (p.5)

- **4-5.** Financial Report – October 2010. (Hunter Harvath) (p.9)

- **4-6.** Authorize the donation of two Dodge vans to the Community Alliance for a Sustainable Economy. (Mike Hernandez) (p.41)

- **4-7.** Claim Rejection- Guadalupe Mejia. (Benjamin Newman) (p.43)

- **4-8.** Claim Rejection- Jesus Blanco Gonzales. (Benjamin Newman) (p.45)

- **4-9.** MOU – Monterey County Operational Area Authority. (Robert Weber) (p.47)

- **4-10.** Physical Inventory of fixed assets. (Kathy Williams) (p.55)

- **4-11** Fixed Asset Policy. (Hunter Harvath) (p.81)

End of Consent Agenda

---

**5. SPECIAL PRESENTATIONS**

- **5-1.** November Employee of the Month – Angela Dawson, Accountant. (Kathy Williams)

- **5-2.** Certificate of Achievement for Excellence in Financial Reporting Award. (Hunter Harvath)

---

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

_Members of the public may address the Board on any matter related to the jurisdiction of MST but not on the agenda. There is a time limit of not more than three minutes for each speaker. The Board will not take action or respond immediately to any public comments presented, but may choose to follow-up at a later time, either individually, through staff, or on a subsequent agenda._

---

**7. COMMITTEE REPORTS AND PRESENTATIONS**

_No action required unless specifically noted._

- **7-1.** Chronology of Taxi Administrator Procurement. (Hunter Harvath) (p.85)
7-2. Facilities Committee Informational Meeting Minutes - October 11, 2010. (Theodore Kosub) (p.89)

7-3. Transit 101: Human Resources Department. (Kelly Halcon) (No enclosure)

8. BIDS/PROPOSALS

9. PUBLIC HEARINGS

10. UNFINISHED BUSINESS

11. NEW BUSINESS

11-1. Approve AB 2766 Grant from the Monterey Bay Unified Air Pollution Control District. (Hunter Harvath) (p.91)

12. REPORTS & INFORMATION ITEMS

   The Board will receive and file these reports, which do not require any action by the Board.

12-1. General Manager/CEO Report. (p.93)

12-2. TAMC Highlights – October 27, 2010. (p.131)


12-5. Letter from Simon Salinas re: MST Riders Services for Veterans. (p.139)


12-7. Letter from Jackson Booth re: Monterey Jazz Festival. (p.143)

12-8. Staff trip reports. (p.145)

13. COMMENTS BY BOARD MEMBERS

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

14. ANNOUNCEMENTS

15. ADJOURN
**NEXT MEETING DATE:** December 13, 2010 in MST Conference Room.

**NEXT AGENDA DEADLINE:** Dec 1, 2010

Materials related to an item on this Agenda submitted to the Board after distribution of the agenda packet are available for public inspection at the Monterey-Salinas Transit Administration office at 1 Ryan Ranch Road, Monterey, CA during normal business hours.

Upon request, MST will provide written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least 5 days before the meeting. Requests should be sent to Theodore Kosub, MST, One Ryan Ranch Road, Monterey, CA 93940 or tkosub@mst.org
ANGELA DAWSON
NOVEMBER 2010
EMPLOYEE OF THE MONTH

WHEREAS, each month Monterey-Salinas Transit recognizes an outstanding employee as Employee of the Month; and

WHEREAS, the Employee of the Month is recognized for their positive contribution to MST and to the entire community; and

WHEREAS, Angela Dawson began her career as an Accountant in November 2009. She has shown exceptional skills in assisting the General Accounting Manager in documenting, preparing and issuing financial information to the Executive Leadership Team and the Board of Directors; and

WHEREAS, Angela Dawson has successfully met many challenges, including reconciling and documenting MST’s extensive inventory of assets and assisting in the “clean up” of MST’s financial records. She has excelled in assisting with the review of longstanding financial and accounting practices to look for ways to eliminate repetitive efforts and inefficiencies and to utilize technology and innovative strategies to maximize MST’s financial reporting; and

WHEREAS, Angela Dawson has used her skills and talents to enable MST to successfully complete its mission.

THEREFORE BE IT RESOLVED that the Board of Directors of Monterey-Salinas Transit recognizes Angela Dawson as Employee of the Month for September 2010; and

BE IT FURTHER RESOLVED that Angela Dawson is to be congratulated for her excellent work at Monterey-Salinas Transit.

THE BOARD OF DIRECTORS OF MONTEREY-SALINAS TRANSIT PASSED AND ADOPTED RESOLUTION 2011-11 this 8th day of November 2010.

________________________  ______________________
Fernando Armenta          Carl G. Sedoryk
Chairman                  Secretary
To: Board of Directors

From: Sonia Bannister, Office Administrator

Subject: Disposal of unclaimed property left on bus

Goodwill

5 cell phones
2 lunch boxes
2 back packs
4 sunglasses
5 prescription eyeglasses
2 prescription eyeglass cases

4 books
1 blanket
1 wallet
2 make up bags
6 bikes

1 purse
1 charger
3 baby jackets
2 gym clothes

To be disposed

1 prescription eyeglasses
1 make-up bag
2 purses
6 sets of keys
2 coffee mugs
2 lunch bags
1 back pack

2 I.d.
1 jacket
3 credit cards
1 shirt
2 prescription medications
1 coin purse

MST makes an attempt to contact the owners of Lost and Found items. If the items are unclaimed after 30 days, they are added to the above list.

PREPARED BY: Sonia Bannister
REVIEWED BY: Carl Sedoryk
1. CALL TO ORDER

Chairman Armenta called the meeting to order at 10:00 a.m. in the MST Conference Room.

Present:  Karen Sharp  City of Carmel-By-The-Sea  
          Kristin Clark  City of Del Rey Oaks  
          Maria Orozco  City of Gonzales  
          John Huerta, Jr.  City of Greenfield  
          Michael Powers  City of King  
          James Ford  City of Marina  
          Libby Downey  City of Monterey  
          Alan Cohen  City of Pacific Grove  
          Sergio Sanchez  City of Salinas  
          David Pendergrass  City of Sand City  
          Patricia Stephens  City of Soledad  
          Thomas Mancini  City of Seaside  
          Fernando Armenta  County of Monterey

Staff:  Sonia Bannister  Office Administrator/Marketing & Sales Specialist  
        Angela Dawson  Accountant  
        Mike Gallant  Planning Manager  
        Kelly Halcon  Director of Human Resources  
        Hunter Harvath  Asst. General Manager/Finance & Administration  
        Michael Hernandez  Asst. General Manager/COO  
        Tom Hicks  CTSA Manager  
        Theodore Kosub  Executive Assistant to the GM/CEO  
        Reymond Rivera  Coach Operator  
        Carl Sedoryk  General Manager/CEO  
        Zoe Shoats  Marketing Analyst  
        Robert Weber  Director of Transportation Services

Others:  Andy Cook  TAMC  
         David C. Laredo  De Lay & Laredo  
         Timothy C. Miguel  Student – Hartnell College  
         J. Scott Phillips  Citizen  
         Josh Shaw  CA Transit Association
Apology is made for any misspelling of a name.

2. CLOSED SESSION

The Board adjourned to Closed Session to meet with legal counsel regarding General Manager/CEO performance evaluations and meet with labor negotiators.

3. RETURN TO OPEN SESSION

Upon returning to open session, General Counsel Laredo reported that the items were reviewed and no reportable action was taken.

4-1. – 4-13. CONSENT AGENDA

The consent agenda items consisted of the following:

4-2. Adopt Resolution 2011-08 recognizing Reymond Rivera, Coach Operator, as Employee of the Month for September 2010.

4-3. Disposal of property left aboard buses.

4-4. Minutes of the regular meeting of September 13, 2010.


4-6. Authorize the purchase of a portable column hoist.

4-7. Drug and Alcohol Policy Amendment.

4-8. Public Hearings – MST fare structure.

Director Downey moved to approve the items on the consent agenda. Director Clark seconded and the motion carried unanimously.

5. SPECIAL PRESENTATIONS

Robert Weber, Director of Transportation Services, presented Reymond Rivera, Coach Operator, as the October Employee of the Month. Mr. Rivera is a recipient of a 9-year safe driving award and a distinguished Line Instructor. Reymond’s quick and decisive actions as a coach operator helped avert a head on collision with a vehicle that had crossed the center divide on Highway 1. Mr. Rivera was presented with a plaque and an award check. Mr. Rivera thanked everyone in the MST organization.

6. PUBLIC COMMENT
J. Scott Phillips questioned how items appeared on the MST Board Agenda. He stated that he had originally wanted an item placed on the agenda regarding the RTA administration contract, but was denied the opportunity. Additionally, he clarified his qualifications regarding his desire to administer the RTA program and expressed concern with the notification process. Mr. Philips final comment was that the RFQ process was unfair.

7-3. TRANSIT 101: MAINTENANCE DEPARTMENT

Josh Shaw, Executive Director, California Transit Association, gave a presentation concerning state transit funding issues.

Carl Sedoryk pointed out MST’s share directed away by the state is equal to approximately 30 millions dollars.

Director Clark and Director Huerta thanked Mr. Shaw for his comprehensive presentation.

Director Downey asked if proposition 22 will make it harder for the state to take away transit funding. Mr. Shaw replied that proposition 22 would make fund diversion much more difficult through constitutional changes. Mr. Shaw also mentioned that preliminary polling numbers looked positive for the proposition.

8. BIDS/PROPOSALS

None.

9. PUBLIC HEARINGS

None.

10. UNFINISHED BUSINESS

None.

11. NEW BUSINESS

None.

12. REPORTS & INFORMATION ITEMS


Carl Sedoryk noted the exceptional productivity of several military routes and pointed out that monthly military boardings exceeded 25,000. He also noted the first
few months of ridership statistics for FY 2011 were running ahead of FY 2010 numbers. Mr. Sedoryk mentioned the article concerning MST’s military service in the APTA conference periodical and a copy was given to each board member.

13. COMMENTS BY BOARD MEMBERS

Director Downey asked about on-time compliance for MST Rides. Specifically, she wanted to know why on time compliance was down. Carl Sedoryk suggested mechanical issues as a contributing factor in the drop in on-time compliance. Robert Weber added that ridership has increased and as a result, on-time compliance is down slightly.

Director Clark passed out an ADA Guide for Board Members to each MST Board Member.

Director Downey also asked for special district and JPA General Manager salary information in the Monterey Bay region, so that a comparison might be made.

Carl Sedoryk also made an announcement concerning South County Study community meetings in Greenfield, Soledad, Gonzales and King City.

14. ANNOUNCEMENTS

None.

15. ADJOURNMENT

There being no further business, Chairman Armenta adjourned the meeting at 11:07 a.m.

Prepared by: ______________________________

Theodore Kosub
To: Board of Directors

From: H. Harvath, Assistant General Manager for Finance & Administration

Subject: Financial Reports – September 2010

RECOMMENDATION:

1. Accept report of September 2010 cash flow presented in Attachment #1
2. Approve September 2010 disbursements listed in Attachment #2
3. Accept report of September 2010 treasury transactions listed in Attachment #3

FISCAL IMPACT:

The cash flow for September is summarized below and is detailed in Attachment #1.

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning balance September 1, 2010</td>
<td>$12,002,707.86</td>
</tr>
<tr>
<td>Revenues</td>
<td>1,454,584.47</td>
</tr>
<tr>
<td>Disbursements</td>
<td>&lt;3,725,124.89&gt;</td>
</tr>
<tr>
<td>Ending balance September 30, 2010</td>
<td>$9,732,167.44</td>
</tr>
</tbody>
</table>

POLICY IMPLICATIONS:

Disbursements are approved by your Board each month and are shown in Attachment #2. Treasury transactions are reported to your Board each month, and are shown in Attachment #3.
To:       Board of Directors

From:    M. Hernandez, Assistant General Manager/Chief Operating Officer

Subject: Authorize the Donation of Two Passenger Vans

RECOMMENDATIONS:

Authorize MST to donate two vans to the Community Alliance for a Sustainable Economy in Salinas.

FISCAL IMPACT:

At an auction, these vehicles are estimated to sell for between $500 and $1000 depending on market conditions.

POLICY IMPLICATIONS:

Your Board approves the retirement and sale of vehicles.

DISCUSSION:

The Community Alliance for a Sustainable Economy (CASE) contacted MST requesting the donation of two vans. CASE will use the vans to take members of the community to CASE meetings and other community events (see attachment).

MST’s has 7 retired Dodge vans and 3 Chevy mini-vans. The mileage on these model year 1999, 2000 and 2002 vans is between 92,059 and 249,849 miles. The Dodge vans were used as “relief units”, or for facilities support, and the 3 mini-vans were used in the RIDES program. Several of the Dodge vans were replaced in 2009 with fuel-efficient hybrid Prius sedans. Vehicles transferred to charitable organizations are donated “as is” and are not repaired by MST.

MST’s policy for retiring vehicles is based on FTA or Caltrans 5310 program guidelines. Buses are retired at 12 years/500,000 miles and Mini Buses at 5 years/150,000 miles. MST also retires sedans, vans/SUVs/small trucks at 7 years/125,000 miles. Heavy duty trucks are retired after 10 Years. Vehicles may be retired earlier based on condition, operating costs, or if diesel vehicles can meet current California Air Resources Board emission requirements. Previous attempts to sell vans through First Capital Auction were suspended because transportation costs are approximately $400. These costs are generally offset with the sale of mini buses or large buses; however, it is not cost effective with a low auction price. Staff recommends approving the donation.

PREPARED BY: ___________________ REVIEWED BY:_____________________

Michael Hernandez  Carl G. Sedoryk
To:           Board of Directors

From:         Ben Newman, Risk Manager

Subject:      Liability Claim Rejection

RECOMMENDATION:

Reject claim by the claimant below.

FISCAL IMPACT:

In Excess of $10,000.00

POLICY IMPLICATIONS:

None.

DISCUSSION:

MST received a Liability Claim from Rucka O'Boyle Lombardo McKenna Law Firm representing Ms. Guadalupe Mejia. The Claim is in regards to an alleged incident that occurred on September 13, 2010, while boarding an MST bus. Ms Mejia claims the driver closed the door on her causing her to fall and suffer personal injuries to her head, neck, back, left shoulder, and left leg.

After conducting a preliminary investigation into this matter, it is determined that Monterey-Salinas Transit recommends the Claim to be rejected in its entirety.

If any Board member desires further information on this claim, they may request it be discussed in closed session.

PREPARED BY: __________________              APPROVED BY: __________________

Ben Newman                                                 Carl Sedoryk
To: Board of Directors  
From: Ben Newman, Risk Manager  
Subject: Liability Claim Rejection  

**RECOMMENDATION:**  
Reject claim by the claimant below.  

**FISCAL IMPACT:**  
Unknown  

**POLICY IMPLICATIONS:**  
None.  

**DISCUSSION:**  
Jesus Blanco Gonzales submitted a Claim for an alleged injury to his knees when the driver of the bus slammed on the brakes. Mr Gonzales claims he hit his knees on the front seat.  

After conducting a preliminary investigation into this matter, Monterey-Salinas Transit recommends the Claim to be rejected in its entirety.  

The above claim is under investigation. If any Board member desires further information on this claim, they may request it be discussed in closed session.  

PREPARED BY: ________________  
APPROVED BY: ________________  
Ben Newman  
Carl Sedoryk
MEMORANDUM OF UNDERSTANDING
FORMATION AND PARTICIPATION IN
MONTEREY COUNTY OPERATIONAL AREA AUTHORITY
AND
INTERJURISDICTIONAL EMERGENCY MANAGEMENT
COORDINATION SYSTEM

This Agreement is made and entered into as of the ______________________ day of 200__, by and between the County of Monterey, a political subdivision of the State of California, hereinafter called the "County", and the participating cities, special districts, jurisdictions, and other public benefit non-profit corporations that are parties to this Agreement.

WITNESSETH

WHEREAS, there exists the potential for major disasters to occur due to natural, technological or human-conflict related hazards that could impact all or segments of local jurisdictions within Monterey County; and

WHEREAS, it is the responsibility of each respective local government to provide for the health, safety and general well-being of all citizens and properties within the county; and

WHEREAS, a major catastrophe can impact any local jurisdiction to the extent that mutual aid assistance and interagency response coordination is required to mitigate real and potential hazards; and

WHEREAS, the County and participating incorporated cities, special districts, and other public benefit non-profit corporations desire to participate in a countywide, interjurisdictional Operational Area; and

WHEREAS, the formation and functioning of an Operational Area Authority (OAA) within Monterey County is in compliance with State policy and guidance;

NOW, THEREFORE, IT IS MUTUALLY AGREED THAT:

1. OPERATIONAL AREA FORMATION AND PARTICIPATION
   a. There is hereby established and each party agrees to recognize the Monterey County Operational Area, as defined in the California Emergency Services Act (California Government Code, Sec 8550 et seq.) for the purpose of implementing all agreed upon administrative and operational provisions associated with interjurisdictional emergency management.

   b. Each party to this Agreement agrees to participate in the development and functioning of an interjurisdictional system within the designated Operational Area for the purpose of conducting coordinated emergency management functions and response operations within Monterey County during periods of major emergency or disaster. The organization and resources assembled to coordinate and support countywide emergency management operations on behalf of the Operational Area Authority shall be referred to as the Operational Area Emergency Management Organization.

   c. The Operational Area Emergency Management Organization will provide assistance to parties to this Agreement by sharing resources prior to, during, and following an emergency for the purpose of preparing for, responding to, and recovering from the effects of a major disaster impacting the entire county, or two or more jurisdictions within the County.
d. Each of the parties to this Agreement will designate individuals to be trained to represent their jurisdiction within the Operational Area Authority, and the operational component - the Emergency Management Organization. Such training will include orientation on the policies and procedures of the Operational Area Emergency Management Organization. Each party will also designate, in writing, a line of succession of officials who are empowered to represent the party to the Operational Area Authority and the activated Operational Area Emergency Management Organization.

2. CONSIDERATION

The consideration under this Agreement is the mutual advantage of protection and assistance afforded to each of the parties to this Agreement. There shall be no monetary compensation required from any party to another party as a condition of assistance provided under this Agreement, except for reimbursement of direct costs as designated in mutual aid agreements.

3. OPERATIONAL AREA COORDINATION

Each party agrees that the County of Monterey, a legal subdivision of the State of California, shall function as the Operational Area Administrator for the purpose of administering this Agreement. Further, each party shall recognize the County Administrative Officer as the designated Operational Area Director, responsible for performing the required administrative and operational management functions of that position.

Furthermore, each party agrees that the Monterey County Office of Emergency Services shall function as the day-to-day administering agency for all interjurisdictional emergency management issues and activities, under the supervision of the County Administrative Officer, on behalf of the Operational Area Authority.

4. OPERATIONAL AREA ORGANIZATION AND FUNCTIONS

It is expressly understood that this Agreement and the operational plans adopted pursuant thereof shall not supplant existing agreements between any two parties hereto identified as parties to this Agreement.

a. Together, the County, and all incorporated cities, special districts, jurisdictions, and public benefit non-profit corporations participating in this Agreement become the Operational Area Authority for the purpose of conducting and coordinating interjurisdictional emergency management operations. Such authority extends specifically to the need for coordinating multi-jurisdictional emergency response and support activities, whenever the Operational Area is activated.

b. The County shall establish, staff, operate, and maintain a facility designated as the Operational Area Emergency Operations Center (EOC), and that such facility may be co-located with the existing County Emergency Operations Center (EOC), and staffed by trained County and allied agency personnel.

c. Upon activation of the Operational Area Authority, affected jurisdictions shall coordinate all interjurisdictional resource management, mutual aid requests, situation and damage assessment reporting, emergency public information, and consolidated public safety communications through the established Operational Area Emergency Management Organization.

d. The established Operational Area Emergency Management Organization shall function as the official channel of interjurisdictional communication between any affected jurisdiction and the Governor’s Office of Emergency Services (GOES) on all emergency response issues and concerns.

e. The County Administrative Officer, as County Director of Emergency Services, shall serve as the designated Operational Area Director during periods of activation. The Operational Area
Director shall possess all necessary authority to organize and direct the Operational Area Emergency Management Organization, on behalf of all participating jurisdictions comprising the Operational Area Authority. Trained County personnel shall function as the designated Operational Area Emergency Management Coordinating Staff, in support of the Operational Area Director.

f. An Operational Area Emergency Operations Plan (OAEOP) will be developed and adopted by all parties. Such plan will contain general and specific integrated emergency management policies, protocols, and procedures applicable to Operational Area activation and functioning. The County, in cooperation with all participating jurisdictions and organizations, will develop the Operational Area Emergency Operations Plan.

5. STANDARDIZED EMERGENCY MANAGEMENT SYSTEM

The Operational Area Organization and its policies and procedures will be regulated by the Standardized Emergency Management System as stated in California Government Code Sec. 8607, and its implementing regulations, California Code of Regulations, Title 19, Division 2, Office of Emergency Services, Standardized Emergency Management System, and guidelines. The Incident Command System (ICS) and Multi-Agency Coordination System (MACS), as described in those regulations and guidelines, will be used for coordination and direction of the parties to this Agreement participating in emergency efforts.

6. OPERATIONAL AREA COORDINATING COUNCIL

An Operational Area Coordinating Council (OACC), is hereby established for the purpose of establishing specific policies and procedures for the governing of the Operational Area Organization, and to review and approve recommendations for changes to these policies and procedures on an annual basis. The Operational Area Director shall serve as the President of the Council, and will officiate at each regular or special meeting.

The Operational Area Coordinating Council may establish its own operating principles and guidelines. The Council may appoint such operating committees and sub-committees as deemed necessary to evaluate and issue appropriate recommendations.

Membership within the Operational Area Coordinating Council shall include one voting representative from each of the following participating jurisdictions and organizations:

a. The County Administrative Officer/Director of Emergency Services, or designated alternate;
b. The County Sheriff-Coroner, or designated alternate;
c. The Monterey County Emergency Services Manager, or designated alternate;
d. The County Fire Warden, or designated representative;
e. The County Director of Health, or designated alternate;
f. The County Director of Social Services, or designated alternate;
g. The County Director of Public Works, or designated alternate;
h. The Emergency Medical Services Administrator, or designated alternate;
i. The President of the Monterey County Police Chief’s Association, or designated alternate;
j. The President of the Monterey County Fire Chief’s Association, or designated alternate;
k. The Commander, California Highway Patrol, Monterey Area, or designated alternate;
1. General Manager, Monterey County Water Resources Agency, or designated alternate;

m. District Ranger, Monterey District, United States Forest Service, or designated alternate;

n. The City Manager of the City of Salinas, or designated alternate;

o. A South County City Manager representing the cities of Gonzales, Greenfield, King, and Soledad, or designated alternate;

p. A Peninsula City Manager representing the cities of Carmel, Del Rey Oaks, Marina, Monterey, Pacific Grove, Seaside, and Sand or designated alternate;

q. A General Manager of a Special District, or designated alternate, selected annually be participating special districts having their entire service area within the boundaries of Monterey County.

r. The Monterey County Superintendent of Education, or designated alternate;

s. A Director or Chief Executive officer, or designated alternate, representing all chapters of the American Red Cross operating within Monterey County, and the Monterey County Disaster Relief Interagency Coordination Group (MCDRIG).

t. Such representatives of other organizations, either civic, business, labor, veterans, professional or other organization having an official group or organization with disaster responsibility, and as may be appointed by the Operational Area Director/County Administrative Officer.

The Operational Area Coordinating Council may also serve as the Monterey County Disaster Council, as described in Monterey County Code, Chapter 2.68. The County of Monterey will provide staff support for the Operational Area Coordinating Council.

7. TERMS OF AGREEMENT

This Agreement shall become effective as to each party when approved or executed by the party, and shall remain operative and effective between each and every party that has heretofore or hereafter approved or executed this Agreement, until participation in this agreement is terminated by the party. The termination by one or more of the parties of its participation in this agreement shall not affect the operation of this Agreement as between the other parties thereto. However, this Agreement may be terminated prior to the conclusion of the term by mutual agreement of a majority of the member parties.

Upon approval or execution of this Agreement by the parties hereto all operational plans heretofore approved by the Board of Supervisors or appropriate city council shall remain in full force and effect as to them until the same may be amended, revised, or modified.

Approval or execution of this Agreement shall be as follows:

a. The Board of Supervisors shall approve the format and substance of this Agreement, which is to be sent to all participating jurisdictions and special districts.

b. The City Council of each participating incorporated jurisdiction shall execute a copy of this Agreement.

c. The governing Board of Directors of each participating special district shall execute a copy of this Agreement.

d. The executive head or governing body of those participating public benefit non-profit corporations shall execute a copy of this Agreement.
e. The Board of Supervisors shall execute a copy of this Agreement on behalf of the County of Monterey and the various departments, offices, and agencies thereof.

8. WITHDRAWAL OF PARTICIPATION

Any party to this Agreement may withdraw as a participant upon providing a thirty (30) day prior written notice to all other parties. Such withdrawal will in no way affect or otherwise impact any other mutual aid agreements between the withdrawing party and any other jurisdictions or organizations, nor will such withdrawal inviolate any portion of this Agreement associated with continued participation of any remaining parties.

9. INDEMNIFICATION AND HOLD HARMLESS

Each of the parties signatory to this Agreement agrees to indemnify and hold all other parties harmless and waives all claims for compensation for any loss, damage, personal injury, death, or other entanglement incurred arising as a consequence of general or specific acts or omissions of the indemnifying parties' own employees, agents and designated representatives in the performance of this Agreement.

IN WITNESS THEREOF this Agreement has been executed and approved and is effective and operative as to each of the parties as herein provided.

City/District/Jurisdiction of __________________________
By __________________________

County of Monterey
By __________________________
To: Board of Directors

From: Kathy Williams
General Accounting & Budget Manager

Subject: Physical Inventory of Fixed Assets

RECOMMENDATION:

Accept physical inventory report.

FISCAL IMPACT:

None.

POLICY IMPLICATIONS:

The Federal Transit Administration requires that an inventory must be conducted on a biennial basis and adopted by your Board.

DISCUSSION:

As a recipient of grant funding, MST must comply with various federal, state and local requirements with regard to fixed asset controls and reporting. Conducting regular physical inventories of fixed-assets is consistent with practicing sound fiscal management procedures for a public agency. During the week of September 20-24, 2010, staff conducted a physical inventory of all fixed-assets valued over $500. The results of this inventory are included as an Attachment to this memo. A listing of assets to be disposed will be presented for approval by your Board at a later date.

Attachment: Physical Inventory – September 2010

PREPARED BY: ____________________  REVIEWED BY: ____________________
Kathy Williams    Carl G. Sedoryk
To: Board of Directors

From: H. Harvath – Assistant General Manager for Finance & Administration

Subject: Fixed Asset Policy

RECOMMENDATION:

Approve the Fixed Asset Policy.

FISCAL IMPACT:

None.

POLICY IMPLICATIONS:

Your Board approves agency policies.

DISCUSSION:

During the 2010 Federal Transit Administration (FTA) Triennial Review, a deficiency was found with regards to MST’s fixed asset inventory procedures. To resolve this deficiency, the FTA requires that MST conduct a fixed-asset inventory (see Board memo 4-10) and adopt a Fixed Asset Policy.

In the past, MST has defined a fixed-asset as any tangible, nonexpendable, property that has a useful life of more than one year and an acquisition that exceeds $500. Given that low threshold, tracking MST’s assets over the years has often been challenging and does not accurately reflect current pricing of various types of equipment, materials and supplies that the agency purchases and uses. After conducting research into best inventory management practices, staff is recommending to your Board that as a part of this new Fixed Asset Policy, MST’s fixed-asset threshold be raised to $1,000.

Attachment: MST Fixed Asset Policy

PREPARED BY: ________________     REVIEWED BY: ________________

Hunter Harvath     Carl G. Sedoryk
To: Board of Directors

From: H. Harvath, Assistant General Manager – Finance & Administration

Subject: Chronology of Taxi Administrator Procurement

RECOMMENDATION:

Accept staff report detailing the chronology of the procurement of the Taxi Administrator.

FISCAL IMPACT:

None.

POLICY IMPLICATIONS:

At its August 9, 2010, meeting, the Monterey County Regional Taxi Authority (RTA) awarded a contract to Monterey-Salinas Transit for administrative, licensing and inspection services of the taxi authority. At the September 13, 2010, meeting, your Board awarded a subcontract to GY Investigations to provide day-to-day regulatory-oriented services such as licensing, permitting and inspection, while keeping most administrative functions “in-house” at MST.

DISCUSSION:

Section 2.c.4 of the Monterey County RTA Joint Powers Agreement states, “the RTA shall have the power to contract with MST for the provision of all administrative licensing and inspection services necessary to administer the Regional Taxi Authority Program.” To address concerns from the taxi industry about MST’s role as a transportation provider in Monterey County as well as a potential regulator of taxi services, MST staff recommended to your Board to contract out the day-to-day regulatory functions of the RTA to an independent third party subcontractor. The following represents the chronology of those efforts:

December 1, 2009 Request for Proposals RFP#10-06 “Mobility Management Plan & Program Services” released to the public. The primary scope of work item in the RFP was “Monterey County Taxi Authority….day-to-day operations, licensing and evaluation functions…”
December 29, 2009  Pre-Proposal Conference at MST Administrative Offices. Approximately five prospective bidders participated.

January 5, 2010  Written questions due. None submitted.

February 4, 2010  Proposals due. None received.

Spring/Summer 2010  City Councils / Airport Board vote to form the Monterey County Regional Taxi Authority.

August 9, 2010  First meeting of Monterey County Regional Taxi Authority. RTA awards contract with MST to provide all administrative, licensing and inspection services.

August 16, 2010  Request for Qualifications RFQ #11-05 released to the public with descriptive language that is nearly the same to original the scope of work of the Monterey County Taxi Authority section of MST’s earlier RFP #10-06 from December 2009.

August 23, 2010  Consultant Questions/Clarifications Due – a total of 51 questions were received.

August 25, 2010  MST responses to questions issued to prospective bidders.

September 3, 2010  Proposals due. Three proposals received.

September 13, 2010  MST Board awards contract to the highest scoring of the three proposals (see Attachment) -- GY Investigations.

September 28, 2010  MST issues notice to proceed to GY Investigations to begin start-up tasks and purchases.

Attachment: RFQ #11-05 Request for Qualifications – Taxi Regulation Evaluation Results

PREPARED BY: ___________________________ REVIEWED BY: ___________________________

Hunter Harvath Carl G. Sedoryk
Carl Wulf, Facilities/Capital Projects Manager, provided an update on the Salinas Transit Center renovations and associated lighting issues. Mr. Wulf also gave an update on the future Monterey Bay Bus Operations and Maintenance Center. He mentioned that 90% planning was completed and the county was moving forward with a planning review.

The EIR for the facility had a scheduled date of October 28 for consideration by the county subdivision subcommittee. The target date for consideration by the planning committee is mid-November. It was noted that eight responses had been received for the DEIR and comments received are currently being addressed.

Hunter Harvath, Asst. General Manager/Finance and Administration, mentioned the County Redevelopment Agency was on board with the project and that progress was being made on specific project challenges. He also mentioned continued discussion with CSUMB.

Director Downey asked who the appraiser for the project was and staff responded that Jim Cook from the county Redevelopment Agency was coordinating the appraisal process.

Director Ford asked about additional costs for the project and if they were figured into the budget. Carl Wulf responded that they were not figured in to the budget and would be beyond projected costs.

Director Downey commented that some of the project’s permit fees might be negotiable.

Mike Hernandez, Asst. General Manager/COO, gave an update on the new fare box system. He estimated March 2011 for the project completion date.

Carl Sedoryk, General Manager/CEO, mentioned the new fare box technology will simplify fare zones and will make the experience easier for customers and drivers. He also mentioned the ease of loading money onto the smart cards. Mr. Sedoryk noted a previous fare study would be utilized for a new fare structure. The new structure will be easier to use and more affordable.

Director Ford asked how MST would verify the new fare structure for students and disabled. Carl Sedoryk responded that the drivers would still be vigilant and check eligibility.
To: Board of Directors

From: H. Harvath, Assistant General Manager – Finance & Administration

Subject: AB2766 Air District Grant

RECOMMENDATION:

Approve the execution of FY 2011 Monterey Bay Unified Air Pollution Control District AB2766 grant.

FISCAL IMPACT:

$100,000 in AB2766 grant funds.

POLICY IMPLICATIONS:

Your Board approves expenditures exceeding $25,000.

DISCUSSION:

The Monterey Bay Unified Air Pollution Control District (Air District) conducts an annual grant process authorized by Assembly Bill 2766, which directs a portion of the state’s vehicle licensing fee to emissions reducing projects proposed by local public agencies. At its September meeting, the Air District awarded one grant to MST:

11-21 Salinas Area Service Study ($100,000) – Assess efficiency and effectiveness of current transit services within/to/from the Salinas region and recommend changes to those fixed-route and dial-a-ride services.

MST will seek the assistance of a transit planning consultant to conduct this study. After conducting a Request for Proposals evaluation and procurement process, staff will return to your Board for final approval of the contract price and selection of the project consultant.
TRANSPORTATION AGENCY FOR MONTEREY COUNTY
www.tamcmonterey.org

HIGHLIGHTS

October 27, 2010 Meeting

CARMEL HILL AND RIVER TRAIL PROJECT COMPLETED

The Transportation Agency and its construction partners held an opening ceremony on September 23 to celebrate the completion of the Carmel Hill and River Bicycle Trail Project. Approximately 30 people representing over a dozen organizations who helped make the project a reality attended—including: Monterey County, California State Parks, Monterey Peninsula Regional Park District, Crossroads Shopping Village, and Big Sur Land Trust.

The trail provides a safe pedestrian crossing under Carmel Valley road and a 12-foot wide paved pedestrian and bicycle trail south to Rio Road. The project connects Carmel High School and the neighboring residential areas around Hatton Canyon with the Crossroads and Barnyard shopping centers. Eventually, the trail will link with other trails in the Big Sur Land Trust’s Carmel River pathways plan, including a trail to Garland Ranch Park along the Carmel River.

BEACH RANGE ROAD, BICYCLE AND PEDESTRIAN PATH: CONSTRUCTION BEGINS

A celebration will be held, Thursday, October 28, 2010 to memorialize the beginning of construction on a new bicycle and pedestrian path along Beach Range Road in the Fort Ord Dunes State Park. This major project in the Monterey Bay Sanctuary Scenic Trail Master Plan will improve the existing four-mile paved Beach Range Road so that it can be used as a multi-use bicycle and pedestrian path. Beach Range Road is a former military access road within the Fort Ord Dunes State Park that runs parallel to and west of the existing recreation trail. The new trail offers users a greater separation from traffic on Highway 1 than the existing Caltrans path and will provide connection to the future Monterey Branch Line station at 8th Street. Areas of interest along the path will be highlighted with interpretive panels and picnic tables. The project also includes signs directing travelers onto and off of the trail, and bicycle racks for safe vehicle storage.
After road improvements are made, users will enjoy six-foot bike lanes, and six feet pedestrian paths in areas where the width of the road is 20 feet. Bicyclists and pedestrians will share the facility in areas where the road width is only twelve feet.

Earthworks Paving Contractors, Inc. will begin work on the $212,500 project in November with completion expected in February 2011.

ANNUAL TRANSPORTATION EXCELLENCE AWARDS: CALL FOR NOMINATIONS

Is there an individual, group, business or program in Monterey County that has significantly contributed to the way we get around in 2010? Do they deserve to be recognized? Nominate this individual, group, business or program for a Transportation Excellence Award. The Transportation Agency would like to encourage and appreciate the efforts made by Monterey County residents, businesses and employees. Nomination forms can be found at: http://www.tamemonterey.org/programs/excelaward/index.html and are due by December 6, 2010. The awards ceremony will take place before the regular January 26, 2011 Transportation Agency Board meeting.

Examples of potential awards include but are not limited to:

- Transportation employees who excel at their jobs and go the extra mile to promote the most efficient use of the transportation system.
- Innovative activities that promote more efficient use of the local transportation network.
- Citizens or organizations that have made significant efforts to inform and educate the public about transportation issues.
- Successful efforts to improve transit services and encourage the use of alternatives to driving alone.

CITY OF GREENFIELD RECEIVES STATE TRANSPORTATION FUNDS

The Transportation Agency allocated more than $315,000 in Regional Surface Transportation Funds to the City of Greenfield for a public works & transit facility paving project and an El Camino Real storm drain project. The funding comes from federal monies that are allocated by the Transportation Agency to cities and the County based on population and lane miles.
COUNTY OF MONTEREY RECEIVES
LOCAL TRANSPORTATION FUNDS

The Transportation Agency allocated more than $245,000 in Local Transportation Funds to the County of Monterey for street and highway construction, maintenance, bicycle and pedestrian projects and local transportation planning. Local Transportation Funds are used to support public transit, rail projects, planning and administrative costs, and bicycle and pedestrian facilities. The funds can also be used for local street and road improvements, congestion management contributions, local transportation planning costs and other minor eligible claims, but only after funds are allocated for any reasonable unmet transit needs that are identified by the Agency each fiscal year.
TO: Carl Sedoryk

FROM: Thomas P. Walters

The following report summarizes recent actions taken on behalf of Monterey-Salinas Transit:

- Researched Bureau of the Census Proposed Urban Area Criteria and contacted FTA and Senate Banking Committee staff regarding potential impact on MST.

- Planned and scheduled Congressional and Federal agency meetings for Washington, D.C., advocacy trip.

- Contacted Congressman McGovern (D-MA) to advocate for H.R. 891, the *Commuter Benefits Equity Act*, and to coordinate lobbying for legislation to extend the Transit Pass Transportation Fringe Benefits program.

- Advised on lobbying strategies and MST Federal agenda and priorities.

- Provided updates to MST on transportation and appropriations legislation.

TPW:dwg
MEMO

DATE: October 27, 2010
TO: Carl Sedoryk, General Manager/CEO
     Monterey-Salinas Transit
FROM: John E. Arriaga, President
SUBJ: October Activity Report

Week of October 4, 2010
• Legislature in recess
• Prepared Special Issue of Capitol Weekly Report on State Budget
• Monitored legislative interim hearings

Week of October 11, 2010
• Legislature in recess
• Scheduled and attended meeting with Hunter Harvath and Deb Gore, Legislative Coordinator at HCD, regarding seeking grant funding from HCD to assist in building a mixed-use residential/commercial and-office development on 3 acres of land it owns in Downtown Marina that also contains a major transit station.
• Monitored legislative interim hearings

Week of October 18, 2010
• Legislature in recess
• Monitored legislative interim hearings

Week of October 25, 2010
• Legislature in recess
• Monitored legislative interim hearings

Please feel free to contact me at (916) 669-1340 with any questions or concerns you may have regarding information contained in this report.
October 12, 2010

Carl G. Sedoryk
General Manager/CEO
Monterey-Salinas Transit
One Ryan Ranch Road
Monterey CA 93940

Subject: MST Rides Services for Veterans

Dear Mr. Sedoryk:

As you are aware, on Friday, July 16, 2010, a number of disabled veterans utilized MST Rides for transport from Marina to the Monterey County Fairgrounds. Unfortunately, due to a breakdown in communications and protocol, our veteran passengers experienced an unnecessary delay in transport.

In follow-up, I understand that Monterey-Salinas Transit conducted a thorough review of information related to this complaint including a review of their automatic vehicle location and geographic positioning systems, telephone voice recordings, and interviews with MST and MV Transportation Incorporated staff. Further, I understand that MST determined some of the claims in the original complaint were found not to be completely accurate, however, MST did discover two instances of MV Transportation staff not following standard operating procedures which contributed to the one hour delay experienced by the customer. As a result of this investigation appropriate management measures were taken to reduce the likelihood of a similar situation occurring in the future.

We appreciate MST’s follow up on this matter, and assurance that MST Rides will continue to provide the highest level of timely service to our veteran community.

Regards,

Simón Salinas
3rd District Supervisor (Chair)

cc: Fernando Armenta, Chair of Monterey-Salinas Transit District, 1st District Supervisor
October 5, 2010

Robert Weber
Monterey Salinas Transit
One Ryan Ranch Road
Monterey, CA 93940

Dear Robert:

On behalf of the Board of Directors of the California International Airshow, I want to thank you for all of your support and generosity in helping with this year’s Airshow. We are very pleased with our event, and that wouldn’t have been possible without your support.

The Airshow is very proud to have Monterey Salinas Transit as a sponsor. We sincerely appreciate your continued support of this great community event. Our goal is to constantly improve so if you have any questions or suggestions, please let me know.

We’re already laying the groundwork for our 2011 show and we should be ready to announce our dates and performers in December.

Thanks again for helping to make our Airshow the successful event that it is.

Sincerely,

[signature]

Harry D. Wardwell
Executive Director
October 1, 2010

Mr. Carl G. Sedoryk  
General Manager, CEO  
Monterey Salinas Transit  
One Ryan Ranch Road  
Monterey, CA 93940

Dear Carl,

On behalf of the Monterey Jazz Festival I want to extend our thanks and  
congratulations to Monterey Salinas Transit for its outstanding service to our  
Monterey Jazz Festival patrons this September.

Once again this year, the MST shuttle bus service to and from the Monterey  
Peninsula College parking lots to the Festival on the Monterey Fairgrounds was  
a great success and brought high praise from our fans.

We would also like to express our sincere thanks to your wonderful staff who  
worked closely with our MJF staff to co-ordinate the shuttle service and to your  
drivers who did their usual excellent job in transporting our patrons in a  
friendly and efficient manner. And special thanks to Hunter Harvath, Charles  
Armbruster, Zoe Shoats, Alvin Johnson and Ed Goodin for their efforts on our  
behalf both before and during the Festival.

The Monterey Jazz Festival Board and staff want you to know how much we  
value our partnership with Monterey Salinas Transit and we look forward to  
working with you and your staff again in 2011.

Best Regards,

Jackson Booth  
President, Monterey Jazz Festival

JRB:mcp