

RESOLUTION NO. 2015-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARINA
AUTHORIZING THE MAYOR TO SEND A LETTER TO THE U.S. SECRETARY OF
DEPARTMENT OF LABOR THOMAS E. PEREZ REQUESTING THE RELEASE OF
MONTEREY-SALINAS TRANSIT OPERATING FUNDS

WHEREAS, on April 23, 2015 the Monterey-Salinas Transit Board Members received a request from Carl Sedoryk, General Manager/CEO requesting that a letter be sent to the U.S. Secretary of Labor Thomas E. Perez asking him to release Monterey-Salinas Transit District operating funds, and;

WHEREAS, the City of Marina is concerned that the Department of Labor is withholding Federal transit Administration formula funding to the Monterey-Salinas Transit District related to interpretation of the 2012 California Public Employee Pension Reform Act.

WHEREAS, Monterey-Salinas Transit has a long history of respect for the collective bargaining process and those entities that are committed to good-faith negotiations with their employees. A federal district court judge ruling dated December 30, 2014, rejected the contention that PEPRA restricts the collective bargaining rights of transit workers.

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Marina does hereby approve:

1. Resolution No. 2015-, authorizing the Mayor to send a letter to the U.S. Secretary of Department of Labor Thomas E. Perez requesting the release of Monterey-Salinas Transit Operating Funds.

PASSED AND ADOPTED by the City Council of the City of Marina at a regular meeting duly held on the 5th day of May 2015, by the following vote:

AYES: COUNCIL MEMBERS: Amadeo, Brown, Morton, O'Connell, Delgado

NOES: COUNCIL MEMBERS: None

ABSENT: COUNCIL MEMBERS: None

ABSTAIN: COUNCIL MEMBERS: None

Bruce C. Delgado, Mayor

ATTEST:

Anita Sharp Deputy City Clerk

EXHIBIT A

CITY OF MARINA

211 Hillcrest Avenue
Marina, CA 93933
831-884-1278; FAX 831-384-9148
www.ci.marina.ca.us



May 6, 2015

The Honorable Thomas E. Perez
Secretary, United States Department of Labor
220 Constitution Avenue, NW
Washington, DC 22120

Dear Secretary Perez:

The City of Marina is concerned that the Department of Labor is withholding Federal Transit Administration formula funding to Monterey-Salinas Transit District out of concerns related to interpretation of the 2012 California Public Employee Pension Reform Act (PEPRA).

As you know, such actions would deny up to \$6.8M in vital annual funding used to pay for wages, fuel, supplies, and other ongoing expenses related to providing vital transit services to the communities within Monterey County, one of the most transit-dependent areas in the nation. Any delays have the potential to impose long-term negative impacts on the levels of service provided to our county's neediest residents as well as a significant loss of transit jobs.

Monterey-Salinas Transit has a long history of respect for the collective bargaining process and those entities that are committed to good-faith negotiations with their employees. A federal district court judge ruling dated December 30, 2014, rejected the contention that PEPRA restricts the collective bargaining rights of transit workers. Withholding critical federal assistance while the PEPRA/Section 13(c) matter is being resolved serves no one and, in fact, penalizes those who have no formal role in this process, namely, the thousands of daily transit customers in the communities of Monterey County.

Given that this matter is currently the subject of litigation, we urge you to allow the FTA funds to be distributed – at least until the court cases have run their course.

Sincerely,

Bruce C. Delgado
Mayor
City of Marina

Cc: The Honorable Dianne Feinstein
The Honorable Barbara Boxer
The Honorable Sam Farr
The Honorable Barack Obama

April 29, 2015

Item No. **8f(2)**

Honorable Mayor and Members
of the Marina City Council

City Council Meeting
of May 5, 2015

**CITY COUNCIL CONSIDER ADOPTING RESOLUTION NO. 2015-,
AUTHORIZING THE MAYOR TO SEND A LETTER TO THE
SECRETARY OF DEPARTMENT OF LABOR THOMAS E. PEREZ
REQUESTING THE RELEASE OF MONTEREY-SALINAS TRANSIT
OPERATING FUNDS**

REQUEST:

It is requested that the City Council consider:

1. Adopting Resolution No. 2015-, authorizing the Mayor to send a letter to the U.S. Secretary of Department of Labor Thomas E. Perez requesting the release of Monterey-Salinas Transit Operating Funds.

BACKGROUND:

On April 23, 2015 the Monterey-Salinas Transit Board Members received a request from Carl Sedoryk, General Manager/CEO requesting that a letter be sent from local to the U.S. Secretary of Labor Thomas E. Perez asking him to release Monterey-Salinas Transit District operating funds.

Monterey-Salinas Transit is also asking that copies of said letter be sent to Senators Feinstein and Boxer, Congressman Farr and to President Obama as Secretary Perez works for the President.

ANALYSIS:

The City of Marina is concerned that the Department of Labor is withholding Federal transit Administration formula funding to the Monterey-Salinas Transit District related to interpretation of the 2012 California Public Employee Pension Reform Act, such actions would deny up to \$6.8M in vital annual funding used to pay for wages, fuel, supplies, and other ongoing expenses related to providing vital transit services to the communities within Monterey County.

Monterey-Salinas Transit has a long history of respect for the collective bargaining process and those entities that are committed to good-faith negotiations with their employees. A federal district court judge ruling dated December 30, 2014, rejected the contention that PEPRA restricts the collective bargaining rights of transit workers.

CONCLUSION:

Staff is requesting the draft letter (“**EXHIBIT A**”) be sent to the U.S. Secretary of Department of Labor Thomas E. Perez requesting the release of Monterey-Salinas Transit Operating Funds

Respectfully submitted,

Layne P. Long
City Manager
City of Marina