

SAN MATEO COUNTY TRANSIT DISTRICT (DISTRICT)
1250 SAN CARLOS AVENUE, SAN CARLOS, CALIFORNIA
MINUTES OF BOARD OF DIRECTORS MEETING
JUNE 2, 2021

MEMBERS PRESENT: M. Fraser, J. Gee, R. Guilbault, R. Medina, D. Pine, J. Powell (joined
(Via Teleconference) at 2:03 pm), P. Ratto (Vice Chair), C. Stone (Chair)

MEMBERS ABSENT: C. Groom

STAFF PRESENT: C. Mau, J. Cassman, D. Olmeda, A. Chan, J. Brook, D. Seamans

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

Chair Charles Stone called the meeting to order at 2:00 pm and requested that Director Rico Medina lead the Pledge of Allegiance.

2. ROLL CALL

Ms. Seamans confirmed that a quorum of the Board was present.

3. CONFERENCE WITH LEGAL COUNSEL- REPORT FROM CLOSED SESSIONS AT MAY 5 BOARD MEETING

a. Threat to Public Services or Facilities – Pursuant to Government Code Section 54957(a)

Consultation with: General Counsel

b. Anticipated Litigation: Initiation of Litigation Pursuant to Government Code Section 54956.9(d)(4): One Potential Case

Joan Cassman, Legal Counsel, noted that Item #3a had not been heard during the May closed session and had been placed on the June closed session agenda. She said that the Board received a report for Item #3b and that there were no reportable actions.

Director Josh Powell joined the meeting at 2:03 pm.

4. CONSENT CALENDAR

a. Approval of Minutes of the Board of Directors Regular and Special Meetings of May 5, 2021

b. Acceptance of Statement of Revenues and Expenses for the Period Ending April 30, 2021

c. Acceptance of Capital Projects Quarterly Status Report 3rd Quarter FY 2021

d. Execution of Contracts for Information Technology Licenses, Maintenance Services and Professional Services – Approved by Resolution No. 2021-20

- e. Execution of Contracts for Technology-related Products and Services Through Piggybacking Contracts and Cooperative Purchasing Programs** – *Approved by Resolution No. 2021-21*
- f. Authorization to Execute Master Agreement and Program Supplements for State-funded Transit Projects** – *Approved by Resolution No. 2021-22*
- g. Authorization to File Claims and Receive Funds for Lifeline Transportation Program Projects, and to Enter into Agreements with City Project Sponsors for Pass-through Projects** – *Approved by Resolution No. 2021-23*
- h. Adoption of Financial Reserve Policy** – *Approved by Resolution No. 2021-24*

Motion/Second: Medina/Pine

Ayes: Fraser, Gee, Guilbault, Medina, Pine, Powell, Ratto, Stone

Noes: None

Absent: Groom

5. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA

Robert Allen said the public needed a clear plan for spending the American Rescue Plan money and called for full service restoration post-COVID.

Rick Nahass spoke about bus service from the Coastsides to the Golden Gate Bridge.

Aleta Dupree spoke in support of Clipper and Clipper START, equity programs, electric buses, and fare integration.

Adina Levin, Seamless Bay Area, Friends of Caltrain, TEAMC, spoke in support of full service restoration.

Roland Lebrun, San Jose, requested closed captioning in Zoom. He recommended a complete ban on any new buses that use horizontal ventilation and requested SamTrans' support of VTA (Santa Clara Valley Transportation Authority).

Chair Stone noted that SamTrans is dedicated to upgrading their fleet in spite of the financial obstacles. He said that SamTrans has been helping VTA by running buses down in Santa Clara County.

6. REPORT OF THE CHAIR

Chair Stone asked if the Board wanted to agendaize an item about preserving the ability to join future in-person meetings remotely. Director Jeff Gee, Vice Chair Peter Ratto, and Director Rico Medina concurred.

Public Comment:

Adina Levin discussed the potential of having hybrid in-person/remote meetings.

Roland Lebrun said the Link 21 Project would benefit from having hybrid meetings.

Aleta Dupree said she was in support of hybrid meetings since she has a disability and attends meetings throughout the region and nationally.

The Board meeting recessed to the Special Meeting at 2:30 pm and reconvened at 2:40 pm.

Chair Stone noted that several buses had been wrapped in artwork by local artists, celebrating inclusiveness and diversity. He commended Carter Mau, Acting General Manager/CEO, for his support of the project.

7. REPORT OF THE GENERAL MANAGER/CEO

Mr. Mau said his report was in the packet. He noted that SamTrans has been assisting Santa Clara County following the VTA tragedy by providing bus service so that the families of employees can attend funeral services. He noted that SamTrans was also offering grief counseling services for employees.

Public Comment:

Roland commended SamTrans for providing support to VTA. He said that the southern part of San Jose needs the most transportation support. He said he was going to ask the Caltrain Board to make an emergency request to extend train service on Friday.

8. BOARD MEMBER REQUESTS/COMMENTS

There were no requests.

9. RECESS TO COMMITTEE MEETINGS

The Board meeting recessed to Committee meetings at 2:49 pm.

Chair Stone left the meeting at 3:38 pm and designated Vice Chair Ratto to resume chairing the Committee meetings and Board meeting.

10. RECONVENE BOARD OF DIRECTORS MEETING

Vice Chair Peter Ratto reconvened the Board meeting at 3:45 pm.

11. MATTERS FOR BOARD CONSIDERATION: COMMUNITY RELATIONS COMMITTEE

Director Guilbault reported on the following items:

SUBJECTS DISCUSSED:

- a. Accessible Services Update
- b. Paratransit Coordinating Council Update
- c. Citizens Advisory Committee Update
- d. Quarterly Dashboard Report – January-March 2021
- e. Monthly Performance Report – April 2021

12. MATTERS FOR BOARD CONSIDERATION: FINANCE COMMITTEE

Director Josh Powell led the Board in voting on the following items together in one motion:

RESOLUTIONS:

- a. Adopting Fiscal Year 2022 Operating Budget in the Amount of \$199,389,100 and Fiscal Year 2022 Capital Budget in the Amount of \$41,050,326 – *Approved by Resolution No. 2021-26*

- b. Awarding a Contract to New Flyer of America, Inc. for the Purchase of Seven Battery Electric Buses through a Commonwealth of Virginia Cooperative Procurement Contract and Increasing the Fiscal Year 2021 Capital Budget by \$8,802,841 for a Total Capital Budget of \$20,701,363 – *Approved by Resolution No. 2021-27*

Motion/Second: Powell/Guilbault

Ayes: Fraser, Gee, Guilbault, Medina, Pine, Powell, Ratto

Noes: None

Absent: Groom, Stone

13. MATTERS FOR BOARD CONSIDERATION: LEGISLATIVE COMMITTEE

Director Marina Fraser reported on the following item:

SUBJECT DISCUSSED:

- a. State and Federal Legislative Update

14. COMMUNICATIONS TO THE BOARD OF DIRECTORS

Vice Chair Ratto noted that the correspondence was in the packet (available online).

15. DATE, TIME AND PLACE OF NEXT REGULAR MEETING

Vice Chair Ratto announced the time and location of the next meeting as Wednesday, July 7, 2021 at 2:00 pm, with teleconference details to be provided prior to the meeting.

16. GENERAL COUNSEL REPORT – CLOSED SESSIONS

- a. **Closed Session: Threat to Public Services or Facilities – Pursuant to Government Code Section 54957(a)**

Consultation with: General Counsel

- b. **Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1): Alice Cutino v. San Mateo County Transit District, Case No. 19-CIV-01788**

- c. **Closed Session: Conference with Real Property Negotiators – Pursuant to Government Code Section 54956.8 – *Approved by Resolution No. 2021-28***

Property: Parcels adjacent to Caltrain right-of-way in vicinity of Bayshore Station: San Francisco Property (APN 009-5102), San Mateo County Property (APNs 005-162-300, 005-162-320, 005-162-350, 005-162-360, 005-340-040, 005-340-090, 005-340-100, 005-350-070, 005-350-080)

Agency Negotiators: Joan L. Cassman, General Counsel, Brian Fitzpatrick, Director of Real Estate, and Gary Cardona, Manager, Capital Project Support & Property Management

Negotiating Parties: Visitacion Investment, LLC, a California Limited Liability Company (San Francisco property) and Oyster Point Properties, Inc., a California corporation (San Mateo County properties)

Under negotiation: Price and terms of contract

d. Closed Session: Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6

Agency-designated Representatives: Pat Glenn, David Olmeda, and Juliet Nogales-DeGuzman

Employee Organizations: Amalgamated Transit Union Local 1574 (Bus Operators, and Maintenance and Customer Service Employees)

Joan Cassman, Legal Counsel, noted that the matters to be discussed included Item #16a, which was originally calendared for May 5. She said that the Board may resume open session following the closed session to report any action. She added that in the event that the Board did not resume open session that she would provide a report-out of the closed sessions at the next Board meeting on July 7

The Board meeting adjourned into closed session at 3:55 pm and reconvened into open session at 5:33 pm.

Ms. Cassman said no reportable action was taken for Items #16a, 16b, and 16d. She read the resolution for Item #16c into the record, which the Board approved.

Motion/Second: Guilbault/Fraser

Ayes: Fraser, Gee, Guilbault, Medina, Powell, Ratto

Noes: None

Absent: Groom, Pine, Stone

17. ADJOURN

The meeting adjourned at 5:36 pm in memory of the VTA employees whose lives were lost in the May 26 shooting and in memory of former Assistant District Secretary Cindy Mamaradlo-Gumpal, who passed away on May 9.

An audio/video recording of this meeting is available online at www.samtrans.com. Questions may be referred to the District Secretary's office by phone at 650-508-6242 or by email to board@samtrans.com.