

**SAN MATEO COUNTY TRANSIT DISTRICT  
1250 SAN CARLOS AVENUE, SAN CARLOS, CALIFORNIA**

**CITIZENS ADVISORY COMMITTEE  
MINUTES OF MEETING – JUNE 25, 2014**

**COMMITTEE MEMBERS PRESENT:** N. Ballator, K. Gilbert, B. Gomez, K. Heatley, S. Koya, C. Laughon, B. Lock, P. Loranger, J. Manalo, J. McKie, T. Miller, H. Plischke, M. Pye, P. Ratto (Chair)

**SAMTRANS STAFF PRESENT:** K. Cheema, M. Eshleman, C. Groves (Hanson Bridgett), J. Huang, A. John, N. McKenna, C. Patton, A. Rivas, E. Rivas, A. Sayong (MV Transportation), J. Sherman (Hanson Bridgett)

Chair Peter Ratto called the meeting to order at 6:30 p.m. and led the Pledge of Allegiance.

**PUBLIC COMMENT**

Jackie Gallo, South San Francisco, said she rides Route 292 daily into San Francisco. The new schedule is not very good and the bus continues to stop for long periods of time at stops in San Francisco. She would like to go back to the 2013 timetable.

**APPROVAL OF THE MINUTES**

Sonny Koya said on page 5 of the minutes his comment about a feasibility study for Route 292 and being on the committee was omitted.

Motion/Second: Heatley/Gomez

Ayes: Ballator, Gomez, Heatley, Koya, Laughon, Lock, Loranger, McKie, Miller, Plischke, Pye, Ratto

Absent: Manalo

Abstention: Gilbert

**PRESENTATION: RALPH M. BROWN ACT (HANSON BRIDGETT)**

Catherine Groves, Legal Counsel, presented:

- Government ethics laws provide a minimum standard for behavior. Ethics laws are not always intuitive, but if something doesn't seem right, legal counsel recommends stopping and talking to staff or legal counsel.
- The Brown Act is California's open meeting law. The public has a right to be informed and they control the instrument they have created (i.e. this committee). The people have not given public servants the right to decide what is good for the public to know and not know.
- Subject to the Brown Act:
  - Legislative bodies
  - Committees created by a Board of Directors (applies to the CAC)
  - Committees created by a committee
- Brown Act requires:
  - All meetings must be open to the public

- Meetings must be properly noticed in a written agenda available to the public 72 hours prior to the meeting
  - The public must be allowed to comment
- Senate Bill 751 requires individual votes of every member present for all actions taken be recorded and reported.
- What is a meeting?
  - Majority of members of legislative body
  - Same place and time
  - Hear, discuss, deliberate or take action on relevant, body-related issues
  - Within subject matter jurisdiction of legislative body
- What is not a meeting?
  - Contact between member and non-member
  - Conference open to public (but no caucusing or discussion among members about CAC business)
- Closed sessions are not open to the public, and not likely to apply to the CAC.
- Possible violations include:
  - Serial conversations
  - E-mail, chat rooms, and other technology
  - Social engagements
  - Other agencies' meetings
- Penalties and enforcement:
  - Opportunity to cure
  - Civil action
  - Criminal action
  - Public opinion
- Frequently asked questions:
  - Can I call in?
    - Teleconferences are allowed, the location must be listed on the agenda, the location must be open to the public, the public must be able to comment from that location, it must be American's with Disabilities Act (ADA) accessible, the agenda must be posted in public view at that location, and at least a quorum must be participating from the local agency's jurisdiction.
  - Can we discuss an item not on the agenda?
    - Items that are not on the agenda cannot be discussed unless there is an emergency situation, an immediate need for action is required and the need to take action came to the agency's attention after the agenda was posted, or if a meeting that happened five or fewer days prior had an item that was postponed to the current meeting.
  - Can I respond to that?
    - Yes, staff can respond to a question, but needs to be brief or agendize for the next meeting.
  - What if there is no quorum?
    - No official actions can be taken, and minutes are not recorded. Legal counsel's advice is to not hold the meeting.

Peter Loranger asked if minutes are required for committees. Julie Sherman, Legal Counsel, said Brown Act provides for the discretionary keeping of minutes, but a committee's bylaws may require minutes.

Mr. Loranger asked how many penalties and/or enforcements are there each year. Ms. Sherman said there are very few penalties because there is the opportunity to cure, but there are people who complain and write to papers and government bodies.

Mr. Loranger asked what is not a committee. Ms. Sherman said an ad-hoc committee.

Chair Ratto said the CAC may have ad-hoc committees, but they have a defined role and period of meeting.

Mr. Koya asked what the government code section for describing what a meeting is. Ms. Groves said it is 54952.2.

Bob Gomez asked how would he know if an item being discussed is confidential and not to be discussed outside of the room. Ms. Groves said closed sessions are used for confidential issues. Ms. Sherman said it is very unlikely the CAC will have closed session and the members would be made aware of items being confidential.

Katie Heatley asked if a person with an ADA issue was on the committee could call-in every meeting. Ms. Sherman said as long as the person's location was listed on the agenda and the location was open to the public.

Heinz Plischke asked where the name Brown came from. Ms. Sherman said it is Ralph M. Brown who was a member of the legislator in the 1950s.

Juslyn Manlo arrived at 6:58 p.m.

Margaret Pye asked about a Facebook posting and if seven members commenting could be an issue. Ms. Groves said there needs to be caution as an eighth person could post a note and cause a serial conversation.

Chair Ratto welcomed Ms. Manalo.

Ms. Manalo said she lives in Daly City and takes Routes 120 and 121 to Daly City Bay Area Rapid Transit.

## **REPORT OF THE CHAIR**

Chair Ratto said San Francisco Municipal Railway drivers had a sick-out earlier in the month.

## **SAMTRANS STAFF UPDATE**

Chester Patton, Director, Bus Transportation, reported:

- May performance:
  - Average weekday ridership was 44,393, an increase of 3.2 percent.
  - On-time performance (OTP) was 81.2 percent.

- Complaints were low at 171.
- Miles between road calls was 27,511.
- Tokens continue to be very popular.
- There were eight missed schedules.

### **CAC MEMBER COMMENTS/REQUESTS**

Judy McKie said there are still problems with the trash cans being full at Delaware Street and First Avenue in San Mateo. The garbage cans are not as full, but now there are two large garbage bags sitting there. Mr. Patton said since this is in a residential area people feel they can put their trash there. If the problem doesn't improve the receptacles will be removed.

Mr. Koya said Route 292 ridership has increased this summer and is a sign of more people working. There seems to be an increased number of people putting their belongs on seats, eating, and cell phone use. He said there has been a suggestion among the riders to see if the Transit Police could make an appearance on the buses as it would send a good message to riders. Mr. Koya said he hopes before the end of the year Route 292 schedule will be fixed.

Charlotte Laughon said the bus stop south of Devil's Side on Highway 1 offers no protection against the elements for those waiting for the bus. She asked if a shelter could be installed without advertising. Mr. Patton said the shelter provider installs them with advertising, but he will check.

Bill Lock commended staff's hard work for the additional signage along Mission Street in San Francisco for Routes 292 and KX.

Nada Ballator said on Monday she took Route ECR and the Clipper reader was out of service and the operator allowed people to ride and was well handled. Today she took Route 294 to Half Moon Bay and got off in front of the new senior housing complex. She said the bench was wet and too low and didn't seem to be ADA compliant. Mr. Patton said there are standards and do comply with ADA, but he is not sure about the height, but will check and report back at the next meeting.

Mr. Gomez said he spoke to the East Palo Alto City Council about cleaning up the area and the school district about getting the children involved in picking up trash. He said recently he has found the drivers are gunning the vehicle and then hitting the brakes constantly. Mr. Patton said this is not normal and if it happens again, please send him the bus number and time and staff will provide additional training to the operator.

Mr. Gomez said he has an idea for rerouting the bus by the Four Seasons Hotel in Palo Alto so he will speak to Michael Eshleman, Planner.

Mr. Gomez said most of the drivers are very helpful and today the driver waited until the older people were sitting down before the bus was moved. The other day he put his bike on the rack and didn't secure it properly. The bus operator stopped and asked whose bike it was and he was able to properly secure his bike.

Ms. Pye asked if racks were put on the FLX. Mr. Patton said the racks will be on the buses before the next meeting.

Ms. Pye said she took Route 296 and operator was 669 was very courteous.

Ms. Pye said southbound El Camino Real and Belmont Avenue in San Carlos the trees are completely blocking the bus stop sign.

Mr. Plischke asked why Route KX service was changed so drastically when it was the flagship line. Mr. Patton said Route ECR is the flagship route and has the most ridership. Frequency on Route ECR has been increased to every 15 minutes.

Mr. Loranger asked if there were staffing changes in the senior mobility area. Mr. Patton said Corinne Goodrich, Manager, Strategic Development, recently retired. There is some reorganization going on and the senior mobility training will be moved to Accessibility Transit Services. There are two annuitants who work on this program.

Mr. Loranger said he was in Philadelphia and anyone with a Medicare card can ride public transit for free. He asked why seniors can't ride for free during off-peak hours with their Medicare card on SamTrans. Mr. Patton said this is a policy decision. Paratransit riders can ride fixed-routes for free.

Tryn Miller said today the bus was very punctual, but her only concern is that some buses have "not in service" on the header. Mr. Patton said those buses are deadheading, which means they are trying to get another location to start another route or going back to the base for the end of their run day.

Ms. Manalo asked what the percentage of youth ridership is. Mr. Patton said there are a lot of youth riders and thinks it is about 20 percent or more. He will bring ridership numbers to the July meeting.

## **LIAISON REPORTS**

### **a. SamTrans Board - Peter Ratto**

- June 19 was designated "Dump the Pump" day.
- The Fiscal Year 2015 Operating and Capital budgets were approved.
- Updates were given on the SamTrans Service Plan and Short-range Transit Plan.

### **b. SamTrans Accessibility Advisory Committee – Judy McKie - no meeting**

### **c. Caltrain Accessibility Advisory Committee - Peter Loranger – no meeting**

### **d. Peninsula Corridor Joint Powers Board – Bill Lock**

- Rose Guilbault was introduced as new Director.
- Public hearing on Codified Tariff changes.
- Parking at Mountain View Caltrain Station will be \$25 when there is an event at Levi's Stadium.

### **e. Peninsula Corridor Joint Powers Board CAC - vacant**

### **f. Senior Mobility Action Plan - vacant**

SamTrans CAC Meeting  
June 25, 2014

**NEXT MEETING:**

The next meeting will be held July 30, 2014, at 6:30 p.m., 1250 San Carlos Avenue, Bacciocco Auditorium, 2<sup>nd</sup> Floor, San Carlos, California 94070.

Adjourned at 7:49 p.m.