

**SAN MATEO COUNTY TRANSIT DISTRICT (DISTRICT)  
1250 SAN CARLOS AVENUE, SAN CARLOS, CALIFORNIA  
MINUTES OF BOARD OF DIRECTORS MEETING  
FEBRUARY 3, 2021**

**MEMBERS PRESENT:** M. Fraser, J. Gee, C. Groom, R. Guilbault, R. Medina, D. Pine,  
**(Via Teleconference)** J. Powell, P. Ratto (Vice Chair), C. Stone (Chair)

**MEMBERS ABSENT:** None

**STAFF PRESENT:** J. Hartnett, 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 2:03 pm and led the Pledge of Allegiance.

**2. SWEARING IN:**

**a. Representative for Northern Judicial Cities for a Term Ending 12-31-2024**

Director Rico Medina was sworn into office with a term ending December 31, 2024.

**3. ROLL CALL**

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

**4. CONSENT CALENDAR**

**a. Approval of Minutes of the Board of Directors Regular Meeting of January 6, 2021**

**b. Acceptance of Statement of Revenues and Expenses for the Period Ending December 31, 2020**

**c. Acceptance of Quarterly Investment Report and Fixed Income Market Review and Outlook for the Quarter Ended December 31, 2020**

Motion/Second: Guilbault/Pine

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

Noes: None

Absent: None

**5. PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

Daniel Barton commented on barbecuing.

**6. REPORT OF THE CHAIR**

**a. Appointment of SamTrans Representative to the San Mateo County Transportation Authority**

Chair Stone nominated newly appointed Director Rico Medina.

Motion/Second: Stone/Groom

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

Noes: None

Absent: None

**b. Resolution of Appreciation for Karyl Matsumoto – Approved by Resolution No. 2021-5**

Chair Stone read the resolution. The Board members expressed their appreciation for former Director Karyl Matsumoto's service. Jim Hartnett, General Manager/CEO, applauded former Director Matsumoto's service. He noted that she was not afraid to make tough decisions or express her opinion. Chair Stone noted former Director Matsumoto's integrity. Joan Cassman, Legal Counsel, expressed her appreciation of former Director Matsumoto in her many different roles.

Motion/Second: Gee/Pine

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

Noes: None

Absent: None

**7. REPORT OF THE GENERAL MANAGER/CEO**

Jim Hartnett, General Manager/CEO, said that the report was in the packet.

**a. Blue Ribbon Transit Recovery Task Force Update**

April Chan, Chief Officer, Planning, Grants/Transportation Authority, provided an update on the Task Force, noting that she had provided a presentation at the January 6 Board meeting which gave an overview of the Task Force's role. She said that Stone, Groom and Pine participated in the February 1 MTC (Metropolitan Transportation Commission) meeting.

Director Carole Groom said that the purpose of the Task Force was to have better communication and better coordination amongst agencies, rather than do a mass reorganization. Chair Stone said he would like to see more acknowledgment of the work of local agencies such as SamTrans and the TA in the future. Mr. Hartnett said the Task Force was slated to wrap up its work in June. He said that Task Force member Assemblymember David Chiu expressed his intent to submit legislation in the future.

Public Comment:

- Rick Nahass expressed his support of a coordinated transit agency.
- Adina Levin, Friends of Caltrain & Seamless Bay Area, commended the work of local transportation agencies.
- Roland Lebrun said the concept of a network manager emanates from the Seamless Bay Area group and not MTC.
- Joel Kohn said he hoped the regional effort would reduce wait times between transit modes.

Director Dave Pine said he was surprised at the momentum of the network manager concept by the Task Force.

Director Jeff Gee said that there are existing models in the region that acknowledge and address public needs. He said that ease of connectivity should be paramount, sharing the analogy of public college education in the state. Chair Stone said he also supported better coordination to allow riders to move around seamlessly using Bay Area transit.

## **8. BOARD MEMBER REQUESTS/COMMENTS**

### **a. Report on the Reimagine SamTrans Ad Hoc Committee Meeting of January 20, 2021**

Director Josh Powell provided a report-out on the most recent Reimagine SamTrans Ad Hoc Committee meeting, where they received additional information on the three network alternatives that are being developed: direct and frequent bus service focusing on trips within San Mateo County, better connections to rail in the region, and maintaining geographic coverage. He said the Board would hear more about the network alternatives at the March meeting.

#### Public Comment:

- Adina Levin commented that the alternatives should also include changing routes to ensure smooth connections and affordable fares for making those connections.

## **9. RECESS TO COMMITTEE MEETINGS**

The Board meeting recessed to Committee meetings at 2:57 pm.

## **10. RECONVENE BOARD OF DIRECTORS MEETING**

Chair Stone reconvened the Board meeting at 3:51 pm.

## **11. MATTERS FOR BOARD CONSIDERATION: COMMUNITY RELATIONS COMMITTEE**

Director Rose Guilbault reported on the following items:

#### SUBJECTS DISCUSSED:

- a. Accessible Services Update
- b. Paratransit Coordinating Council Update
- c. Citizens Advisory Committee Update
- d. Mobility Management Report – COVID-19 Update
- e. Monthly Performance Report – December 2020

## **12. MATTERS FOR BOARD CONSIDERATION: FINANCE COMMITTEE**

Director Josh Powell reported on the following items:

#### SUBJECTS DISCUSSED:

- a. Fuel Hedging Update
- b. Final Pilot Report of the California Uniform Public Construction Cost Accounting Act (CUPCCAA) Pilot Program

### **13. MATTERS FOR BOARD CONSIDERATION: LEGISLATIVE COMMITTEE**

Director Marina Fraser led the Board in voting on the following item:

MOTION:

- a. State and Federal Legislative Update and Approval of Legislative Proposals: Support ACA 1 and SB 44

Motion/Second: Fraser/Guilbault

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

Noes: None

Absent: None

### **14. COMMUNICATIONS TO THE BOARD OF DIRECTORS**

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

### **15. DATE, TIME AND PLACE OF NEXT REGULAR MEETING**

Chair Stone announced the time and location of the next meeting as Wednesday, March 3, 2021 at 2:00 pm, with teleconference details to be provided prior to the meeting.

### **16. GENERAL COUNSEL REPORT**

- a. **Closed Session: Public Employee Performance Evaluation Pursuant to Government Code Section 54957 / Conference with Labor Negotiators Pursuant to Government Code Section 54957.6**

**Agency-designated Representative: Board Chair**

**Title/Unrepresented Employee: General Manager/CEO Jim Hartnett**

*The Board adjourned into closed session at 3:56 pm*

*The Board reconvened into open session at 5:36 pm*

Joan Cassman, Legal Counsel, reported that in light of Mr. Hartnett's intent to resign as of April 9, 2021 after completing six years as General Manager/CEO of SamTrans and as Executive Director of JPB and the TA, the Board reviewed his employment agreement and considered two actions.

1. Authorize payment of performance pay that the Board previously awarded based on the performance review conducted of Mr. Hartnett last year, which covered his April 2019 to March 2020 contract year:
  - On April 1, 2020, the Board concluded Mr. Hartnett's employee performance evaluation for his fifth year of employment and found Mr. Hartnett's performance to have exceeded expectations and satisfied all established goals, thereby entitling him to performance pay of \$50,000 for that 2019-2020 contract year.
  - However, at Mr. Hartnett's request, the Board deferred payment of this amount until the financial effect of the COVID-19 pandemic on the District and the region could be more fully understood and determined, with the understanding

that the Board would take additional action to authorize payment no later than March 15, 2021.

- Based on the Board's performance evaluations of Mr. Hartnett last spring and the evaluations at the closed sessions at the Board meetings last month and today, the Board is now prepared to take action to authorize payment of Mr. Hartnett's performance pay for the 2019-2020 contract year that was previously awarded on April 1, 2020.

Motion/Second: Fraser/Ratto

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

Noes: None

Absent: Powell

2. Approve the fifth amendment to Mr. Harnett's employment agreement that will:

- Accept with regret Mr. Hartnett's decision to resign effective April 9, 2021; and
- Recognize that Mr. Hartnett has not received and is waiving the 3 percent pay increase already awarded to him and granted to all other District employees as of July 1, 2019, and will not seek performance pay for his sixth full year of service ending in March 2021; and
- Authorize Mr. Hartnett to remain on the District's payroll in non-active employee status through December 30, 2021 while he exhausts approximately 1,400 hours of accrued paid time off (PTO) at his current cumulative pay rate of approximately \$193 per hour with the understanding that Mr. Hartnett:
  - Will remain available to assist the District, JPB, and the TA during this time; and
  - Will continue to accrue PTO credits at a lower base rate (\$143 per hour) and receive holidays and health benefits during this time period as required by law on the payroll.

Public Comment:

Roland Lebrun commented that he was speechless.

Motion/Second: Ratto/Fraser

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

Noes: None

Absent: Powell

## **17. ADJOURN**

The Board meeting adjourned at 5:46 pm.

An audio/video recording of this meeting is available online at [www.samtrans.com](http://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](mailto:board@samtrans.com).