

**SAMTRANS**  
**CORRESPONDENCE**  
**as of 12-02-2020**

**From:** [Seamans, Dora](#)  
**To:** [Brook, Jean](#)  
**Subject:** FW: Please post as Board Correspondence ASAP (no need to email to Board) FW: Chair Matsumoto's response  
FW: Brown Act and PRA Violations - Appointment of Two SamTrans Public Member Seats  
**Date:** Wednesday, December 02, 2020 1:42:23 PM

---

-----Original Message-----

From: Seamans, Dora  
Sent: Wednesday, December 2, 2020 1:19 PM  
Subject: Chair Matsumoto's response FW: Brown Act and PRA Violations - Appointment of Two SamTrans Public Member Seats

Dear SamTrans Board Members (and staff) - please note Chair Matsumoto's response below. Please also note that IT confirmed that prior responsive emails sent out to the requestor on 11/13/20, 11/25/20, and 12/01/2020 were all successfully sent out from the SamTrans email system (and relayed receipts were received for each with no bounce back).

Best,  
Dora Seamans

---

From: Matsumoto, Karyl  
Sent: Tuesday, December 01, 2020 5:39 PM  
To: [hkmmvi@gmail.com](mailto:hkmmvi@gmail.com)  
Subject: RE: Brown Act and PRA Violations - Appointment of Two SamTrans Public Member Seats

Dear Mr. Costello,

I spoke with our Attorney and was informed that the December 2, 2020 Board Agenda of the San Mateo County Transit District is quite clear as to the subject matter that the Board will be considering to appoint two public members to the Board of Directors. If you are interested in this subject matter, I invite you to attend the meeting and offer comment before any action is taken by the Board.

Unfortunately, the pandemic has made it more difficult to take care of business as efficiently and in the same exact manner as may have been done in the past. However, I have been advised that there has been no violation of any law with respect to the manner in which we will be handling the appointments to the Board.

I am checking with the District staff as to the status of your public records request. Thank you for your interest.

Respectfully,

Karyl Matsumoto  
Chair, San Mateo County Transit District Board of Directors \_\_\_\_\_  
From: [hkmmvi@gmail.com](mailto:hkmmvi@gmail.com) [[hkmmvi@gmail.com](mailto:hkmmvi@gmail.com)]  
Sent: Tuesday, December 01, 2020 3:42 PM  
To: [board@samtrans.com](mailto:board@samtrans.com); Matsumoto, Karyl  
Subject: Brown Act and PRA Violations - Appointment of Two SamTrans Public Member Seats

Dear Chair Matsumoto,

On the Samtrans board agenda for December 2, 2020, under the Chair's report is the Appointment of Two Public Member Seats for Four-year Terms Ending 12/31/2024. The published board agenda does not specify which two applicants are being appointed nor is there a written report from the committee stating who they will be recommending to the Board. The lack of wording in the agenda does not allow the public an opportunity to be prepared to submit public comment on the recommendation and action and to see if it is worth the public's time to participate in the meeting.

It has been the past practice of Samtrans to list the names of those to be appointed.  
12/7/2016 - APPOINTMENT OF ROSE GUILBAULT AND JOSH POWELL REPRESENTING PUBLIC  
MEMBERS FOR A TERM OF JANUARY 1, 2016 TO DECEMBER 31, 2019

Of further concern related to this board action is my request for public records that have not been responded to and are past the Public Records Act 10 day notification period. The public should be aware of the applicants to provide public comment.

The California Brown Act and Public Records Act are both intended to provide transparency to the public and I perceive the actions made by Samtrans as violations in which I will submit to the Fair Political Practices Commission if Samtrans does not remedy these concerns before the board action.

Tom Costello  
Belmont, CA

----- Forwarded message -----

From: <hkmmvi@gmail.com<<mailto:hkmmvi@gmail.com>>>

Date: Tue, Nov 24, 2020 at 7:41 PM

Subject: Public Board Member Applications

To: <pra@samtrans.com<<mailto:pra@samtrans.com>>>, <cgroom@smcgov.org<<mailto:cgroom@smcgov.org>>>, <CStone@belmont.gov<<mailto:CStone@belmont.gov>>>, <rattop@samtrans.com<<mailto:rattop@samtrans.com>>>

This request was previously submitted via the SamTrans PRA online form and have yet received an acknowledgment or response.

I am requesting the electronic copies of all applications for the Samtrans public member seats that were submitted. I understand if you are required to redact personal information.

Tom Costello

<<https://www.ssf.net/cityhallvideo/>>