

**Peninsula Corridor Joint Powers Board (JPB)  
Board of Directors Meeting  
1250 San Carlos Avenue, San Carlos CA 94070**

**MINUTES OF SEPTEMBER 4, 2014**

**MEMBERS PRESENT:** M. Cohen, J. Deal, R. Guilbault, A. Kalra, T. Nolan (Chair), A. Tissier, P. Woodward

**MEMBERS ABSENT:** J. Cisneros, K. Yeager

**STAFF PRESENT:** J. Averill, J. Cassman, A. Chan, C. Fromson, G. Harrington, C. Harvey, R. Haskin, M. Lee, M. Martinez, N. McKenna, D. Miller, M. Scanlon

Chair Tom Nolan called the meeting to order at 10:04 a.m. and led the Pledge of Allegiance.

**PUBLIC COMMENT**

Doug DeLong, Mountain View, said Citizens Advisory Committee (CAC) Member Jonathan Berk is becoming an embarrassment to San Francisco and the Joint Powers Board. He said Mr. Berk has repeatedly engaged in personal meltdowns and tirades and does not seem psychologically suited to be on the committee.

Michael Ludwig, San Jose, said Santa Clara Valley Transportation Authority (VTA) service is available between Tamien and Diridon Caltrain stations during Caltrain operating hours, but due to structural and financial difficulties, VTA is unable to offer the connection in 30 minutes or less one way and will remain that way until 2017 or 2018. He said VTA service is unacceptably slow, and Caltrain is better equipped to provide a quick trip between the two stations during weekday mid-day hours. He said it is extremely inconvenient to travel to a point near Tamien during these hours. Caltrain is losing out on some customers. He asked if he has to wait three years to conveniently access Caltrain.

Paul Jones, Atherton, said for years the Board has been hearing about the need for quad gates in Atherton. He said Atherton City Council has authorized \$100,000 to assist in getting the project underway. He urged the Board to give it consideration.

Jeff Carter, Millbrae, said the bike racks in Bombardier cars don't accommodate bikes with 29-inch wheels. He said if bike racks are going to be put on the new cars from Metrolink, the bike racks should be redesigned. He said the racks are offset about one foot from the bulkhead, and if they were closer the rack could hold bikes with less protrusion into the aisle.

Director Ash Kalra arrived at 10:09 a.m.

Roland Lebrun, San Jose, said Bay Area Rapid Transit has a new mobile application that is identical to VTA Alert, which allows passengers to discretely send a message and take

a picture when something is wrong on a train, and he said Caltrain should look into this application. He said the points that Mr. Berk brings up on the CAC are valid, but the problem is the way he conveys these points. He said he has to leave the CAC meetings early because there is not much Caltrain service to Tamien Station.

## **CONSENT CALENDAR**

- a. Approval of Minutes of August 7, 2014

Motion/Second: Tissier/Deal

Ayes: Deal, Guilbault, Kalra, Nolan, Tissier, Woodward

Absent: Cisneros, Cohen, Yeager

## **CHAIRPERSON'S REPORT**

### **Resolution of Appreciation to Outgoing Director Jerry Deal**

Chair Nolan said it has been a pleasure working with Director Deal. He said Director Deal is very knowledgeable, well respected, and will be missed a great deal.

Director Tissier said this is a big loss to the Board and she wished Director Deal well.

Director Deal said it has been a great ride and he is looking forward to his move.

Motion/Second: Tissier/Guilbault

Ayes: Deal, Guilbault, Kalra, Nolan, Tissier, Woodward

Absent: Cisneros, Cohen, Yeager

## **REPORT OF THE CAC**

Director Malia Cohen arrived at 10:15 a.m.

Cat Tucker, Chair, CAC, said CAC member Mr. Berk is very passionate and frustrated about the issues he discusses, but he is abrasive. She said she has spoken to him and will do so again. She said if she feels the issue needs to be brought to the Board, she will discuss it with staff. She said there are two vacancies on the CAC and it is impacting the committee. She said the Board should fill the two vacancies. She said the CAC met with a TransitAmerica Services, Inc. (TASI) representative who gave good information to the CAC and clarified some issues. She said the TASI representative will be asked to attend every other month to help the CAC and the public understand issues.

## **REPORT OF THE EXECUTIVE DIRECTOR**

Michael Scanlon, Executive Director, thanked Director Deal and said he has done an incredible job and will be missed.

### **Proclamation Declaring September as Rail Safety Month**

Mr. Scanlon said September is Rail Safety Month. He said Caltrain is sometimes used by troubled individuals as a means to end their own personal torment. He said everyone at Caltrain is deeply affected when there is a death by suicide on the tracks. He said

the Board made a decision several years ago to be a partner in the community efforts to address mental health needs and engage in suicide prevention activities. He said this year the JPB is using the annual observation of rail safety month to continue the effort to focus on mental health outreach and suicide prevention. He said the JPB will be launching a Web page with mental health assistance resources and it will be publicized with an event at the end of this month. He requested that the Board approve a proclamation reaffirming its commitment to be part of the effort to lift the stigma surrounding mental illness. He said Stephen Kaplan, Director, Behavioral Health and Recovery Services, San Mateo County, is leading the local efforts to transform behavioral health, prevention, treatment and recovery systems.

Motion/Second: Tissier/Guilbault

Ayes: Cohen, Deal, Guilbault, Kalra, Nolan, Tissier, Woodward

Absent: Cisneros, Yeager

Chair Nolan presented the proclamation to Mr. Kaplan. Mr. Kaplan thanked the Board for the proclamation. He said the partnership started several years ago after a number of suicides took place on the tracks. He said that tragedy was turned into opportunity when Caltrain started to look at finding better ways of responding. He said the fact that the Board is going to put a link to resources on the website may deter someone from suicide and direct that person to service. He thanked Christine Dunn, Public Information Officer, Mr. Scanlon, and the Board.

Mr. Scanlon continued:

- Key Caltrain Performance Statistics July 2014 compared to July 2013.
  - Monthly and Year-to-date Performance Statistics:
    - Total Ridership was 1,596,719, an increase of 7 percent.
    - Average Weekday Ridership (AWR) was 58,598, an increase of 6.6 percent.
    - Total Revenue was \$7,241,932, an increase of 8.8 percent.
    - On-time Performance (OTP) was 92.6 percent, an increase of 2.4 percent.
    - Caltrain Shuttle Ridership was 9,060, an increase of 36.3 percent.  
Some of this is because of counting problems last July.
- The Bicycle Advisory Committee (BAC) will meet September 18.
- The August 24 earthquake in Napa Valley led to some disruption of the railroad. TASI and Caltrain staff performed physical inspections of the right of way, bridges, tracks, signals, and grade crossings. A total of five trains were delayed or terminated but full service was restored by 10:34 a.m. One special train to Levi's Stadium was cancelled.
- VTA and Caltrain staff are working together to provide additional service to Levi's Stadium and assistance to customers.
- Ridership to Levi's Stadium on August 24 was about 7,200 people. The next events are on September 6, September 14 and September 28.
- There were 12 regular season home games at AT&T Park in August and ridership was about 9,000. Year-to-date ridership is about 550,000 riders, a 15 percent increase.

- Ridership was robust for the Jay Z and Beyoncé performances on August 5 and 6, with more than 15,000 additional riders. One additional train was run on August 5 and three additional trains were run on August 6.
- Stanford football on August 30 carried 1,100 riders.
- A holiday schedule was used on Labor Day, although extra service was provided to the Giants games because of the Interstate 280 closure.
- Staff is preparing to implement the October schedule changes. Many organizations and the public are being made aware of the changes. Staff is shifting off-peak trains to accommodate construction related to the San Mateo Bridges project, and additional time is being added to all trains to compensate for the slow order in effect for that section of the line. The 22<sup>nd</sup> Street Station stop is being added to five train schedules due to high demand, and additional time is being added to five trains with the worst OTP.
- Quint Street Bridge has a 45 mile-per-hour speed restriction but there has been no major movement since emergency repairs were completed.
- Staff is working closely with VTA on the Light-rail Efficiency Project to help complete construction for a pocket track and extending tracks to better enable service to Levi's Stadium.
- The Reading File includes the Safety and Security Report, the schedule change take one, and a brochure for Caltrain to Stanford.

### **Caltrain Modernization (CalMod) Update**

Marian Lee, Executive Officer, CalMod, said

- Staff completed fiber installation from San Jose to Redwood City and is continuing the work in San Mateo. No new complaints have been received over the last several meetings.
- The Local Policy Maker Group (LPMG) will meet September 25 to discuss outreach strategies for the future purchase of the Electric Multiple Units (EMU).
- Staff is continuing with the preparation of the Final Environmental Impact Report (EIR). The environmental effort is on schedule and staff will update the Board in November and ask for approval in December.
- Dave Couch, Director, Project Delivery, and his technical team will be looking at project cost and schedule updates. All estimates were originally done in 2008. The biggest challenge is the need to balance revenue service while creating construction windows for the installation of the electrification system. There is no perfect solution. The team will be updating assumptions made in 2008. Over the next several weeks staff will be working with funding partners to review the scenarios, and will come back in October with a presentation on the key findings.

Mr. Scanlon said congratulations are in order to the JPB, its contractor TASI, and subcontractors for passing 200,000 hours without a single lost-time incident. As the installation work is being done on a live railroad, it is important to keep safety paramount.

Director Kalra said the OTP numbers are impressive when moving so many people. He said there are many transit systems that would love to have that number. He said Levi's

Stadium operations are improving. He thanked staff for working with the VTA. He said the upcoming soccer game will have highest capacity yet at the stadium, with around 70,000 people, but the biggest test will be the Oregon versus California college football game on a Friday. He said Mountain View residents have stated the situation has improved and that is a direct reflection on Caltrain.

Mr. Scanlon said he has been working in this industry since 1967. He said it never seems like the timing is right to retire. He decided it was time and has announced his retirement, but he will stay on for a number of months.

Director Cohen asked when the budget numbers, new ridership numbers, and the electrification schedule will be available. Mr. Scanlon said staff is crunching numbers now. He said when working on a live railroad there is tension between the operating people and the construction people. He said staff will be working with the Metropolitan Transportation Commission (MTC) and the funding partners in September, and some of those options will be presented in October or November.

Director Cohen asked if the numbers will be included in the Draft EIR. Mr. Scanlon said they will be in the Final EIR.

Director Cohen asked if there will be a period of time to get feedback after the numbers are published. Ms. Lee said the Final EIR will include responses to the comments that have been received, and staff will be asking the Board to adopt that finished document. She said there will be a 30-day waiting period for anyone who might want to challenge the document.

Mr. Scanlon said the original numbers were 2008 numbers that assumed revenue operations to commence in 2015. The Final will have updated numbers.

#### Public Comment

Jeff Carter, Millbrae, said Mr. Scanlon was the driving force for improved service. He said Mr. Scanlon got the first batch of Bombardier cars, improved the signal system, added crossovers, improved the service for riders, improved the infrastructure, and brought the Baby Bullet service. Mr. Carter said Mr. Scanlon has been a good leader at the helm and he is sorry to see him go. Mr. Scanlon said the staff, the team, contractors, and the Board all worked together to make those improvements.

Doug DeLong, Mountain View, said riders were fortunate to have Caltrain in the aftermath of the earthquake. He said Union Pacific (UP) and Caltrain are under identical Federal Railroad Administration (FRA) regulations. He said Caltrain got going with only a couple hours of impact in the early schedule, but UP blew away the whole Capitol Corridor Joint Powers Authority schedule until 7 p.m.

Roland Lebrun, San Jose, said people are going after the \$1.5 billion in funding that is left on the table. The first \$11 million is going to the bridges, and now talk is starting about raising bond capacity based on fares, which is a slippery slope. He said the United Kingdom is electrifying a large portion of tracks on a live railway. He said

responders to the Request for Qualifications are trying to get hundreds of millions of dollars by being polite and not expressing facts.

Andy Chow, Bay Rail Alliance, thanked Mr. Scanlon for his work during his years. He said Mr. Scanlon brought on the right people and funding. Mr. Chow said that people want faster trains and the baby bullet delivers that service. He said Mr. Scanlon brought the right person to get electrification done. He said Caltrain is implementing EMUs, not old style cars. He said Mr. Scanlon brought people to tell the FRA that Caltrain is going to use modernized train sets.

#### **ACCEPTANCE OF STATEMENT OF REVENUES AND EXPENSES FOR JULY 2014**

Gigi Harrington, Deputy CEO, said June fare revenue is over budget by \$800,000. Expenses are within budget by \$2.7 million. The Rail Operating Contract is showing a \$300,000 variance. Staff is looking into this closely and will have better information next month. The Rail Operating Budget went over budget in Fiscal Year (FY) 2014 and staff will report about that at year end. Fuel was \$3.03 last week, year to date it is \$3.09. There were no funds from the fuel hedge because the price of fuel is so low.

Motion/Second: Tissier/Deal

Ayes: Cohen, Deal, Guilbault, Kalra, Nolan, Tissier, Woodward

Absent: Cisneros, Yeager

#### **AUTHORIZE TERM SHEET FOR THE PURCHASE OF RAIL CARS**

Ms. Harrington said this is a term sheet for the purchase of 16 used cars built in 1995 from Metrolink. The cars have been parked for the last few years and have a leveraged-lease transaction that Metrolink has agreed to buy out in December. The cars are \$350,000 apiece. She said the budget is \$15 million, which includes rehabilitation. Ms. Harrington said in October she will be asking the Board to authorize a contract to finance \$11 million. She said \$4 million has been put aside from FY2013 excess fare revenue. She will ask the Board in December to approve the financing and the contract for rehabilitating the cars. She said a member of the public recommended using funds in the checking account in lieu of financing. Ms. Harrington said those funds were there at the month's end to cover checks that have already been written and commitments that have already been made, and are not available for use. She said the financing will be an interest-only financing. She said there are outstanding bonds from railcars purchased in 2007, so she will come back in 2017 to ask the Board to refinance those bonds, acquire funding needed to cash flow the CalMod Program, and take out this transaction in one swoop.

Director Adrienne Tissier asked when the train cars will be operating. Ms. Harrington said it will be at least a year before they are in service.

Mr. Scanlon said he is trying to get some cars in less than a year because the need is now, but he knows of no way to move faster.

Director Cohen said she would like to change the title of the resolution to include upgrading platforms. Mr. Scanlon said staff will add to the title "and minor platform modifications."

#### Public Comment

Roland Lebrun, San Jose, said in February there was \$58 million in the monthly cash flow and now there is \$68 million. He said he is uncomfortable about what will be happening in 2017 and 2018. He said the JPB has all the money needed and could be smarter about the way it procures trains. He said in Europe, the manufacturer finances the trains and the maintenance and they build a maintenance facility, and all they need is a free lease on the acres for the facility.

Doug DeLong, Mountain View, said he is delighted to see the number of cars the JPB is purchasing increasing from 11 to 16.

Adina Levin, Friends of Caltrain, thanked the Board for this action.

Motion to approve the resolution with the change to the title.

Motion/Second: Cohen/Deal

Ayes: Cohen, Deal, Guilbault, Kalra, Nolan, Tissier, Woodward

Absent: Cisneros, Yeager

#### **ADOPTION OF CALTRAIN STRATEGIC PLAN**

Ms. Lee said the Caltrain Strategic Plan (Plan) commits the JPB to making decisions and taking action to improve the service in a safe, socially responsible and prudent way. It confirms the local, State, and regional partnerships to improve the statewide rail system and high-speed rail (HSR). The Plan includes the vision statement and list of goals and objectives by focus area, with the appropriate narrative and context explaining how the goals and objectives were laid out.

She said staff went through a one-year planning process. There has been significant public engagement including dedicated public meetings in the three counties and in public venues through the JPB, CAC, BAC, and LPMG meetings. Staff received nearly 100 written comments in addition to verbal comments. The document is a summation of the comments and responses used to guide the preparation of the Plan.

Ms. Lee said the Board advisory committee had a particular interest to focus on safety, and suicide prevention, continuing with an effective public engagement process using technology and open source data, and how to not just keep the document on the shelf but create a living document. She said this is the first step in resetting the button since the last Plan was done in 2009. This Plan resets policies, updates the older Plan, and provides a solid foundation for moving forward with implementation and monitoring. She said a Short-range Transit Plan (SRTP), a 10-year implementation plan required by MTC, will be created soon, and will show how to implement the many efforts identified in the Plan.

Ms. Lee said themes from other city partners, riders, and other stakeholders include concerns about:

- Crowded trains
- Bikes bumps
- Low-ridership stations
- The need to figure out how to get customers to and from Caltrain
- The desire for station improvements to support transit-oriented development (TOD)
- Onboard Wi-Fi
- Improved Clipper service
- The ability to support freight traffic and tenant service

Ms. Lee thanked Sebastian Petty, Senior Planner, for his diligent work.

Director Tissier thanked Ms. Lee and the team for their work. She said it took a long time but all the interested groups were involved. Director Tissier said the Plan resets the goals and objectives, which is incredibly important. This helps guide the SRTP and the Sustainable Transit Plan. She said this is a living document and the JPB can look to it to help it on its path. She said she is pleased with what came out of the Plan.

Director Kalra said the Plan is good, not overly cumbersome, not tough to decipher, easy to read, and helpful to the public. He said he appreciates TOD being on the JPB radar because it will help create communities along the corridor and improve ridership. He said every city along the corridor is talking about how to develop more intelligently, as opposed to developing through sprawl. He said he appreciates the social responsibility factor in the Plan and addressing connectivity to other systems.

Chair Nolan said at San Francisco Municipal Transportation Agency, their Strategic Plan is cited on every item and every item discusses which part of the Strategic Plan is being addressed, and that is very helpful.

Director Cohen said she wants to address inclusiveness and equitable distribution of resources and transparency. She said she is concerned about the turnaround time since the deadline for feedback was Friday. She said she hasn't had an opportunity to review the matrix but it does not have any responses from San Francisco. Director Cohen said she questions how thoroughly the feedback has been interpreted and implemented inside the document.

Director Cohen said she represents an ethnically, socially and economically diverse section of San Francisco. She said she would like language to be added. Director Cohen said the language currently reads, "Pursue markets that are socially, geographically and economically representative of all Peninsula Corridor communities." She suggested adding language, "Work to grow and accommodate a consumer base that is socially, geographically and economically representative of all the Peninsula Corridor communities."

She said another example is language that reads, "Strive for an equitable distribution of system benefits and project impacts throughout the corridor." She said she would like to see language added that reads, "Seek to improve geographic, social and economic equity in service planning and policy decisions, specifically calling out fare structure, connectivity, and access and scheduling." She said this goes back to some of the conversations heard earlier about how there is no mode to connect to the station from other parts of San Francisco and she thinks that in order for the JPB to continue to grow and attract more diversity, the Plan should have some voice and language that reflects that, which ultimately reflects the values of this body.

Director Cohen said adding language is easy, but the larger part of incorporating the recommendations will require more time and discussion.

Director Tissier said this has been worked on for a year. There have been 10 public meetings, lots of outreach and stakeholder meetings. She said Director Cohen's suggestions are unacceptable because these are goals and objectives, they are somewhat broad, and the things Director Cohen has talked about can be implemented along the way. She said a tremendous amount of time has been spent on this document, and some friendly amendments are fine, but adoption of the Plan does not need to be stalled.

Director Cohen said the deadline was on Friday and today is Thursday, and she asked if the feedback has been incorporated into the document.

Director Tissier said the feedback that has been received has been incorporated into the document. She said Director Cohen could have attended any of the meetings and heard any of the feedback.

Director Cohen said the feedback is not reflected in the document, and the Plan is a living document that posterity will be able to review.

Director Tissier said that is not true, the advisory committee fleshed out the comments and put the objectives and goals in verbiage that was very simple and succinct and the comments were put into consideration.

Director Cohen said strategic plans are supposed to be detail-oriented and not broad.

#### Public Comment

Jeff Carter, Millbrae, said he works in District 10 and has seen tremendous change in that area along with ridership growth at 22<sup>nd</sup> Street Station. He said the Plan should be adopted. He asked if this will be a working document, and if staff will work with stakeholders to improve the document. He asked if this will be a lead into the SRTP.

Adina Levin, Friends of Caltrain, said she is glad to see elements in the Plan calling for a user-friendly schedule designed to maximize customer throughput, greater integration with a regional transit system, TOD strategy to support the region's growth around transit, and work to providing a more equitable and representative system including

TOD and the connections to achieve it. She said she looks forward to seeing specific targets and goals and leadership to help Caltrain achieve the goals.

Roland Lebrun, San Jose, said he has not had time review the document or make comments. It was posted on August 27, two days before the deadline for comments.

Ms. Lee said strategic plans come in many forms; there is no one way to do it. She said the biggest focus was to update the old Plan, which was done in 2009 before the partnership with California HSR. Since then, the JPB has hit a milestone with communities on the blended system, which reflected all the compromises that were made to help California HSR advance the JPB's needs and be respectful of the community. She said the JPB needed a high-level policy document to capture that commitment besides the nine-party Memorandum of Understanding. She said that was the driving force for this update and it framed the general approach for developing the Plan. She said transparency and process are her highest priority. All the words and the context narrative do not matter; what matters are the goals and the objectives and the vision. She said she could spend years wordsmithing, but that is not how she wants to spend time with the stakeholders and Board members. The objectives and the goals anchor how to make decisions and important policy decisions to focus on. She said she and Mr. Petty have gone through 10 iterations of the goals and objectives, each time reflecting input from the stakeholders. This document reflects all input from stakeholders. She said there is no stakeholder that can say he or she did not have a dialogue concerning the document. Ms. Lee said this document, which has been out for 10 days, puts narrative and context to the goals and objectives.

Motion to adopt the Strategic Plan incorporating the additional language from Director Cohen.

Motion/Second: Tissier/Guilbault

Ayes: Deal, Guilbault, Kalra, Nolan, Tissier, Woodward

Noes: Cohen

Absent: Cisneros, Yeager

Director Perry Woodward left at 11:32 a.m.

**AUTHORIZE ENTERING INTO COOPERATIVE AGREEMENT WITH THE CAPITOL CORRIDOR  
JOINT POWERS AUTHORITY AND INCREASE THE FISCAL YEAR 2015 CAPITAL BUDGET IN THE  
AMOUNT OF \$1 MILLION FOR THE SOUTH TERMINAL PHASE II PROJECT**

April Chan, Executive Officer, Planning and Development, said the Board previously approved \$500,000 in the prior year capital budget to start the planning process for this project. If the Board approves this agreement, it will allow the work to begin.

Motion/Second: Tissier/Kalra

Ayes: Cohen, Deal, Guilbault, Kalra, Nolan, Tissier, Woodward

Absent: Cisneros, Woodward, Yeager

Director Rose Guilbault left at 11:33 a.m.

## **LEGISLATIVE UPDATE**

Casey Fromson, Government Relations Officer, provided the following update:

### State

Two bills have passed the State legislative session to extend the design-build authority. Staff urged the governor to sign at least one and this will apply to the CalMod Program, specifically the electrification portion that has a design-build procurement method.

### Federal

The House and Senate returned from their August recess and they are expected to pass a continuing resolution before the mid-term elections in October.

## **UPDATE ON EXECUTION OF THE FISCAL YEAR 2015 FUEL HEDGE PROGRAM**

Ms. Harrington said staff hedged half of the fuel portfolio in June at \$2.95 a gallon. There was one bidder. The program is in place for budget certainty purposes.

Director Guilbault returned and Director Cohen left at 11:36 a.m.

### Public Comment

Roland Lebrun, San Jose, said the June 15 Operating Budget fuel costs were projected at \$17.7 million, and the projected price was \$3.40 per gallon. He said if you divide \$17.7 million by \$3.40, you get 5.2 million gallons. He said now the fuel is hedged and the maximum the JPB will pay for fuel is \$3.10, but the budget is still \$17.7 million. He said the JPB is hedging 2.3 million gallons, 50 percent of the consumption, which is 4.3 million gallons, not 5.2 million. He said JPB partnered with the San Mateo County Transit District (District), which hedged 1.2 million gallons, or 70 percent of the District's expected annual consumption. He said it is time for Caltrain to leave SamTrans, because it looks like the JPB fuel is going to end up in SamTrans buses.

Mr. Scanlon said Mr. Lebrun has not accounted for taxes on the 4.6 million gallons of fuel that are used by the JPB and the 1.7 million gallons used by the District.

## **CAPITAL PROJECTS QUARTERLY STATUS REPORT – 4<sup>TH</sup> QUARTER FISCAL YEAR 2014**

Ms. Harrington said this is an informational item.

## **CORRESPONDENCE**

No discussion.

## **BOARD MEMBER REQUESTS**

Chair Nolan said he saw on the news that there is excessive watering at the Diridon Station, with water running out into the street, and he asked who is responsible for watering.

Chuck Harvey, Deputy CEO, said part of the station is owned by Caltrain, part is by VTA. He said JPB is generally in charge of the maintenance around the system and staff will look at the irrigation to see if there is a problem.

**GENERAL COUNSEL REPORT**

Director Cohen returned at 11:40 a.m.

David Miller said the Board will meet in closed session to discuss a pending litigation matter.

- a. Closed Session: Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(a): Doris Patterson v. Peninsula Corridor Joint Powers Board, et al

Adjourned to closed session at 11:41 a.m.

Reconvened at 11:50 a.m.

Mr. Miller said the Board met in closed session as permitted by the Brown Act to receive a report from Special Counsel on a matter of pending litigation. Instructions have been provided to Special Counsel in an effort to resolve the case by a settlement.

**DATE/TIME/PLACE OF NEXT MEETING**

The next meeting will be Thursday, October 2, 2014, 10 a.m. at San Mateo County Transit District Administrative Building, Bacciocco Auditorium, 2<sup>nd</sup> Floor, 1250 San Carlos Avenue, San Carlos, CA 94070.

Adjourned at 11:51 a.m.