

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE  
SAN JOAQUIN REGIONAL TRANSIT DISTRICT  
TUESDAY, OCTOBER 16, 2012

The Board of Directors of the San Joaquin Regional Transit District (RTD) held a Regular Meeting at 3:00 p.m. on Tuesday, October 16, 2012, **IN THE BOARDROOM OF RTD'S DOWNTOWN TRANSIT CENTER, 421 E. WEBER AVENUE, STOCKTON, CALIFORNIA**

1. CALL MEETING TO ORDER Chair Fong called the meeting to order at 3:00 p.m.
2. MOMENT OF SILENCE/REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. ROLL CALL Present: Joni Bauer Absent: None  
Gary S. Giovanetti  
Duane Isetti  
Michael P. Restuccia  
Les J. Fong

Staff Present

Donna DeMartino, General Manager/CEO  
Gloria Salazar, Assistant General Manager/CFO  
Al Hoslett, Legal Counsel  
Shelly Valenton, Executive and Board Support Manager  
Lorena Herrera, Administrative Assistant  
Sharon Miller, Procurement Manager - Contracts  
George Lorente, Grants Manager  
Virginia Alcayde, Finance Manager  
Nate Knodt, Service Development Manager  
Melissa Comages, Accountant I  
Julian Alferez, Coach Operator

Members of the Public Who Indicated They Were Present

Tu Can Nguyen	Jesse Lopez	Deborah Gurley
George Woods	Alan Wagner	Chuck Strothers

5. SPECIAL PRESENTATION

A. EMPLOYEES OF THE MONTH

Special recognition was given to Accountant I Melissa Comages, Administration Employee of the Month for September, Coach Operator Julian Alferez, Transportation Employee of the Month for September, and MV Mechanic B Art Hedalgo, MV Employee of the Month for September.

6. PUBLIC COMMENT

Tu Can Nguyen continued her complaints about organized crime and shared her political

views. She noted that the Route 23 did not show up at a bus stop.

Deborah Gurley commended Routes 40 and 43. She commended a coach operator for announcing that the bus would be out of service.

George Woods continued his comments on the Route 63 service restructure.

Alan Wagner, President of the Amalgamated Transit Union, Local 276 (Union) commented on negotiations between MV and the Union.

Chuck Strothers requested information on Routes 83 and 725.

## 7. REPORTS

### A. MV REPORT

MV Interim General Manager Joe Escobedo gave an update on new hires, noted that all MV Coach Operators received wheelchair certification, and commented on the negotiations between MV and the Union.

### B. GENERAL MANAGER/CEO REPORT

The General Manager/CEO provided the following comments:

- The General Manager/CEO noted that she was asked to be a member of the University of the Pacific Advisory Board for the Westgate Center.
- The General Manager/CEO, Assistant General Manager/CFO Gloria Salazar, and Executive and Board Support Manager Shelly Valenton attended the American Bus Benchmarking Group (ABBG) annual meeting in September. Thirteen agencies including RTD are members of the ABBG. The ABBG will allow the group to include up to 15 agencies.

### C. STATE/FEDERAL LEGISLATIVE REPORT

The General Manager/CEO provided the following comments:

- MAP-21 will continue for 27 months and may be extended through continuing resolutions. This legislation comes with new rules, regulations, and programs including performance indicators, asset management, and safety management. RTD staff will work closely with the Federal Transit Administration (FTA) as the rules, regulations, and programs are developed.
- AB 492 was recently approved by the governor and will go into effect January 2013. The General Manager/CEO has met with the County Administrator, County Treasurer, and County Counsel to identify where the fare evasion money is going. She will meet with City staff to discuss the implementation of this bill to improve the fine collection process for fare evasion citations.

Director Giovanetti noted that RTD is recognized nationally for its participation in the ABBG.

In response to Director Isetti's request for an update on the Proterra Electric buses, General Manager/CEO Donna DeMartino noted that the buses are still in production and are set to be delivered in December. Early next year, the electric buses will be in service once the charging station is installed.

8. CONSENT CALENDAR

- A. RESOLUTION: MINUTES OF THE SEPTEMBER 18, 2012, REGULAR BOARD MEETING  
Resolution No. 5412: Board approval of the September 18, 2012, Regular Board of Directors Meeting minutes
- B. RESOLUTION: FY 2013 TRANSPORTATION DEVELOPMENT ACT (TDA) CLAIM
  - 1. Resolution No. 5413: Board approval to authorize the FY 2013 Local Transportation Fund (LTF) Claim
  - 2. Resolution No. 5414: Board approval to authorize the FY 2013 State Transit Assistance (STA) Claim

ACTION: MOTION: DIRECTOR ISETTI SECOND: DIRECTOR GIOVANETTI  
Roll Call:  
AYES: Bauer, Giovanetti, Isetti, Fong, Restuccia  
NAYES: None  
ABSTAIN: None  
ABSENT: None

9. ACTION ITEMS

Chair Fong announced that item 9B "Award a Contract Piggy-Back for Five Articulated Buses and One 40-ft Bus" would be removed from the Agenda. There being no objection from the Board members, he removed the item from the Agenda.

Chair Fong announced that there was a need to add an item to the Agenda with respect to the approval of Contract Change Order No. 003 to the Contract for Construction of the Bus Rapid Transit (BRT) III Hammer Lane Corridor Improvements, Contract No. 2012-004-C. The Board voted as follows:

RESOLUTION: FINDING NEED TO ADD ITEM ONTO AGENDA REGARDING APPROVE CONTRACT CHANGE ORDER NO. 003  
Resolution No. 5415: Board approval to Add Item onto Agenda Regarding Approve Contract Change Order No. 003

ACTION: MOTION: DIRECTOR RESTUCCIA SECOND: DIRECTOR BAUER  
Roll Call:  
AYES: Bauer, Giovanetti, Isetti, Restuccia, Fong  
NAYES: None  
ABSTAIN: None  
ABSENT: None

- A. RESOLUTION: APPROVE A THIRD AMENDMENT TO THE CONTRACT OF GFI GENFARE FOR BUS RAPID TRANSIT (BRT) FARE VENDING MACHINE (FVM) PURCHASE IN AN AMOUNT NOT TO EXCEED \$65,311.71 IN A TOTAL CONTRACT

AMOUNT NOT TO EXCEED \$2,632,006.65

Resolution No. 5416: Board approval of a third amendment to the contract of GFI Genfare for BRT FVM purchase in an amount not to exceed \$65,311.71 in a total contract amount not to exceed \$2,632,006.65

ACTION: MOTION: DIRECTOR RESTUCCIA SECOND: DIRECTOR GIOVANETTI  
Roll Call:  
AYES: Bauer, Giovanetti, Isetti, Restuccia, Fong  
NAYES: None  
ABSTAIN: None  
ABSENT: None

Director Restuccia asked how the funds were identified for this project and if they were ensured. Procurement Manager Sharon Miller noted that funds are identified through the Grants Department before any negotiations and solicitations. General Manager/CEO Donna DeMartino noted that the FVMs are needed for a new stop along Airport Way.

C. RESOLUTION: APPROVE A THIRD CHANGE ORDER TO THE CONTRACT OF DIEDE CONSTRUCTION, INC. FOR CONSTRUCTION OF THE BUS RAPID TRANSIT (BRT) III HAMMER LANE CORRIDOR IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$721,455.79 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$2,232,672.59  
Resolution No. 5417: Board approval of a Third Change Order to the Contract of Diede Construction, Inc. for construction of the Bus Rapid Transit (BRT) III Hammer Lane Corridor Improvements in an amount not to exceed \$721,455.79 for a total contract amount not to exceed \$2,232,672.59

ACTION: MOTION: DIRECTOR RESTUCCIA SECOND: DIRECTOR ISETTI  
Roll Call:  
AYES: Bauer, Giovanetti, Isetti, Restuccia, Fong  
NAYES: None  
ABSTAIN: None  
ABSENT: None

General Manager/CEO Donna DeMartino noted that the improvements being made by this change order were planned and funded at the beginning of the project. Once the engineering plans were approved, RTD could move forward with funding the project.

## 10. DISCUSSION ITEMS

A. ELECTRONIC PROCUREMENT BIDDING SYSTEM  
Procurement Manager Sharon Miller provided a presentation on the Electronic Procurement Bidding System.

Director Gary S. Giovanetti asked if the system shows vendor's work history with RTD and whether the system will alert users about a vendor's cost overrun. Procurement Manager Sharon Miller noted that the system allows for comments to be added on individual vendors and a vendor's status can be changed to unapproved.

In response to Chair Fong's question on the yearly cost for the E-Bid System, Procurement Manager Sharon Miller noted that there are six user agreements that have an annual cost of

\$600.00 and the cost of the system was \$23,000.00.

B. REGIONAL TRANSPORTATION CENTER (RTC) UPDATE  
Consultant Phil Pennino provided a presentation on the RTC.

In response to Director Restuccia's question on funding for the RTC, General Manager/CEO Donna DeMartino noted that RTD based the design of the RTC on the Orange County Transportation Center. The construction of that project was \$47 million and the estimates for the RTC are coming in at \$67 million. To move forward, although the project is not fully funded, RTD will begin the solicitation process to determine the actual construction costs.

Director Restuccia noted that it may be more cost effective to consider financing options to build the RTC while construction costs are low rather than phasing the project and building when construction costs are higher. He asked if financing the project would preclude RTD from receiving grants to pay the debt. General Manager/CEO Donna DeMartino noted that financing the project will not preclude RTD from receiving grants to pay the debt and that RTD has discussed financing options with FTA.

C. QUARTERLY REPORT – AWARDED CONTRACTS  
Procurement Manager Sharon Miller provided information on awarded contracts for the period July through September 2012.

In response to Director Giovanetti's request for an update on the contract with G4S Solutions, Acting/Assistant Director of Operations Norman Tuitavuki noted that G4S Solutions will provide security services on RTD routes, at the Downtown Transit Center, and at the Hammer Triangle Station.

D. FINANCIAL STATEMENTS  
Finance Manager Virginia Alcayde provided the September Financial Reports to the Board.

Director Isetti commended RTD staff for watching expenses closely and being under budget.

In response to Chair Fong's question regarding rising fuel costs, General Manager/CEO Donna DeMartino noted that RTD is a part of a purchasing consortium which allows RTD to get the best possible value for fuel.

11. QUESTIONS AND COMMENTS FROM DIRECTORS

Director Giovanetti reported on his participation at the American Public Transportation Association Annual Conference and discussed the following topics:

- Transit Bus Axle Weight Limits
- Public-Private Partnerships
- ABBG
- State of Good Repair
- Vehicle Miles Traveled
- FTA Triennial Review
- Advertising

Director Bauer congratulated RTD staff on a successful United Way Campaign and thanked employees for their participation in the Annual Benefit Golf Tournament.

12. CLOSED SESSION

Chair Fong announced that the Board would recess to Closed Session to discuss the following matters:

A. LABOR NEGOTIATIONS

1. Conference with Labor Negotiator  
Agency Negotiator: Donna DeMartino, General Manager/CEO  
Employee Organization: Amalgamated Transit Union, Local 276

B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code section 54956.8:

1. Sale of Property: Parcels known as 1533 East Lindsay Street and 1528 East Fremont Street, Stockton, CA  
Agency Negotiator: Donna DeMartino, General Manager/CEO  
Under Negotiation: Purchase Price and other related terms
2. Sale of Property: Parcels known as 1545 East Miner Avenue and 1544, 1602, and 1604 East Lindsay Street, Stockton, CA  
Agency Negotiator: Donna DeMartino, General Manager/CEO  
Under Negotiation: Purchase Price and other related terms

C. LITIGATION – CONFERENCE WITH LEGAL COUNSEL

1. Existing Litigation, pursuant to Government Code Section 54956.9, subdivision (a). Two cases:
  - (i) San Joaquin Regional Transit District vs. DSS-2731 Myrtle LLC, et al., San Joaquin Superior Court Case No. 39-2010-00252684-CU-EI-STK
  - (j) San Joaquin Regional Transit District vs. Alan Wagner, etc., et al., San Joaquin Superior Court Case No. 39-2012-00285364-CU-CO-STK

Upon returning from Closed Session, Chair Fong announced that no reportable action had been taken.

13. ADJOURNMENT

Chair Fong adjourned the meeting at 4:30 p.m.