

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
SAN JOAQUIN REGIONAL TRANSIT DISTRICT
TUESDAY, SEPTEMBER 24, 2013

The Board of Directors of the San Joaquin Regional Transit District (RTD) held a Regular Meeting at 3:00 p.m. on Tuesday, September 24, 2013, **IN THE BOARDROOM OF RTD'S DOWNTOWN TRANSIT CENTER, 421 E. WEBER AVENUE, STOCKTON, CALIFORNIA**

1. CALL MEETING TO ORDER Chair Giovanetti 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: Duane Isetti Absent: None
Les J. Fong
Joni Bauer
Michael P. Restuccia
Gary S. Giovanetti

Staff Present

Donna DeMartino, General Manager/CEO
Gloria Salazar, Assistant General Manager/CFO
Al Hoslett, Legal Counsel
Norman Tuitavuki, Director of Operations
Wendell Krell, Director of Facilities
Mike Thompson, Director of Information Technology
Mary Ann Jackson, Director of Strategic Initiatives
Shelly Valenton, Executive and Board Support Manager
Lorena Herrera, Executive and Board Support Analyst
Deffria Bass-Nwoffiah, Administrative Assistant
Sharon Miller, Procurement Manager – Contracts
Virginia Alcayde, Finance Manager
Nate Knodt, Service Development Manager
Daniela Romero, Mobility Analyst
Sunny Pannu, Human Resources Analyst
Donald DeCavit, Maintenance Supervisor
Dámaris Galvan, Planning Senior Specialist
Cameron Isaacson, Operations Superintendent
Soledad Laguna, Planning Analyst
Maria Laney, Transportation Supervisor
John Murphy, Maintenance Supervisor
LaShonda Nelson, Transportation Supervisor
Robert Roth, Transportation Supervisor
Jitendra Ram, Transportation Supervisor
Judith Spiro, Office Assistant II
Omar Thomas, Transportation Supervisor

Keo Xanouvong, Transportation Supervisor

Members of the Public Who Indicated They Were Present

Larry Stewart

Jesse Lopez

Jeremiah Stanley

Tu Can Nguyen

Alan Wagner

5. SPECIAL PRESENTATION

A. EMPLOYEES OF THE MONTH

Special recognition was given to Human Resources Analyst Sunny Pannu, Administration Employee of the Month for August.

A team award was presented to Maintenance Supervisor Donald DeCavit, Planning Senior Specialist Dámaris Galvan, Operations Superintendent Cameron Isaacson, Service Development Manager Nate Knodt, Planning Analyst Soledad Laguna, Transportation Supervisor Maria Laney, Maintenance Supervisor John Murphy, Transportation Supervisor LaShonda Nelson, Transportation Supervisor Robert Roth, Transportation Supervisor Jitendra Ram, Office Assistant II Judith Spiro, Transportation Supervisor Omar Thomas, and Transportation Supervisor Keo Xanouvong for their extraordinary work during the August Operator sick-out.

Chair Giovanetti thanked staff for their extra effort and noted that it means a great deal to the Board and to RTD's riders.

6. PUBLIC COMMENT

Larry Stewart commended Service Development Manager Nate Knodt, Office Assistant II Merab Talamantes, Mobility Analyst Daniela Romero, and Senior Administrative Assistant Sharlene Torres for their great customer service skills. He noted that they take their time to explain RTD's service.

Jesse Lopez commented on weekend service and the Route 54.

Jeremiah Stanley commented on Route 710 and he suggested that disabled passengers should be first to board the buses.

Tu Can Nguyen commented on the electric bus, spoke about organized crime, and shared her political views.

Alan Wagner, President of the Amalgamated Transit Union, Local 276 (ATU), commented on the Public Employee Pension Reform Act (PEPRA) issue and its effect on RTD's bus service.

7. REPORTS

A. MV REPORT

General Manager/CEO made a report on the pending labor issues between MV and its employees. On August 15, the MV employees working at the County Yard filed a decertification petition with the National Labor Relations Board. In September, the National Relations Board held a decertification election at the County Yard. By a large majority (82%), the employees voted against ATU representation and now have been successfully decertified from the ATU. The employees must remain unrepresented for a year. After that time, they can decide if they wish to be represented by some other union.

MV General Manager Susanna Sanchez reported on events at the County Yard. She noted that at MV's monthly safety meeting employees participated in hands-on-training to practice safely making left- and right-hand turns.

B. GENERAL MANAGER/CEO REPORT

The General Manager/CEO:

- Noted that the San Joaquin Council of Governments and RTD sponsored the San Joaquin Valley Fall Policy Conference. At the conference, RTD will receive an Award of Merit for the Hammer Triangle Station.

C. STATE/FEDERAL LEGISLATIVE REPORT

The General Manager/CEO:

- Provided a presentation on the California Public Employees' Pension Reform Act (PEPRA) and noted that Governor Jerry Brown has temporarily exempted transit workers. Sacramento Regional Transit was the first agency to have a grant decertified. Because of the decertification, the Governor will file a lawsuit against the Department of Labor. Although this will help the flow of money, RTD has not received federal funding in five quarters or a year and a half.
- Noted that RTD plans to survey passengers to be responsive to their needs. In hopes that funding will be received, RTD plans to increase service in January 2014.

Director Isetti and Director Fong thanked the General Manager/CEO for the public outreach efforts.

8. CONSENT CALENDAR

- A. RESOLUTION: MINUTES OF THE AUGUST 14, 2013, EMERGENCY BOARD MEETING Resolution No. 5480: Board approval of the August 14, 2013, Emergency Board of

Directors Meeting minutes

- B. RESOLUTION: MINUTES OF THE AUGUST 20, 2013, REGULAR BOARD MEETING
Resolution No. 5481: Board approval of the August 20, 2013, Regular Board of Directors Meeting minutes

ACTION: MOTION: DIRECTOR ISETTI SECOND: DIRECTOR FONG

Roll Call:

AYES: Giovanetti, Fong, Bauer, Restuccia, Isetti

NAYES: None

ABSTAIN: None

ABSENT: None

9. ACTION ITEMS

- A. RESOLUTION: APPROVE SECOND AMENDMENT TO THE CONTRACT OF HANSON BRIDGETT, LLP FOR ON-CALL LEGAL SERVICES FOR \$60,000.00 IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$242,000.00
Resolution No. 5482: Board approval of a second amendment to the contract of Hanson Bridgett, LLP for On-Call Legal Services for \$60,000.00 in a total contract amount not to exceed \$242,000.00

ACTION: MOTION: DIRECTOR RESTUCCIA SECOND: DIRECTOR FONG

Roll Call:

AYES: Giovanetti, Fong, Bauer, Restuccia, Isetti

NAYES: None

ABSTAIN: None

ABSENT: None

Chair Giovanetti noted that there have been some savings because a contract position was eliminated and that position's duties will now be a part of the contract.

General Manager/CEO Donna DeMartino noted that there is no increase in the budget. This is a budgeted amount that is being shifted from a contracted position to legal services. This will be a better value because the legal firm was reviewing the work of the contracted employee. There is a potential for savings.

10. INFORMATION ITEMS

- A. Equal Employment Opportunity (EEO) Annual Report
Chair Giovanetti announced that Item 10A would be pulled from the Agenda. There being no objection, he moved on to the next item on the Agenda

- B. FINANCIAL STATEMENTS
Finance Manager Virginia Alcaide provided the August Financial Report.

Director Restuccia asked about the impact of operating the electric bus on the financial report. In response, Virginia Alcaide noted that the expenses will move from Materials to Utilities on the Financial Report. At this time, there is approximately one month of expenses for the electric bus on the report.

In response to Director Isetti's question regarding the increase of non-transportation revenue, Virginia Alcaide noted that the increase is due to years of accumulated American Express rebates.

RTD Legal Counsel reported that at the Closed Session of the Board of Directors held as a part of the Board Meeting on March 20, 2012, the RTD Board of Directors approved authorizing the settlement of the matter of Dominguez vs. the San Joaquin Regional Transit District, case number SJSD 384634, in an amount not to exceed \$281,400.00, by motion of Director Restuccia, second by Director Giovanetti, and approved by the following roll call vote:

AYES:	Giovanetti, Fong, Bauer, Restuccia, Isetti
NAYES:	None
ABSTAIN:	None
ABSENT:	None

11. QUESTIONS AND COMMENTS FROM DIRECTORS

In response to Director Isetti's question regarding MV employees at the County Yard, General Manager/CEO Donna DeMartino noted that MV employees will have to work directly with MV to negotiate wages and make improvements.

Chair Giovanetti noted that there was an increased expense due to high absenteeism in August. He requested RTD staff to provide the Board a monthly report of absenteeism expenses.

12. CLOSED SESSION

Chair Giovanetti announced that there would be no Closed Session.

13. ADJOURNMENT

Chair Giovanetti adjourned the meeting at 3:55 p.m.