

MINUTES OF THE REGULAR MEETING OF THE  
BOARD OF DIRECTORS OF THE  
SAN JOAQUIN REGIONAL TRANSIT DISTRICT  
FRIDAY, FEBRUARY 14, 2014

The Board of Directors of the San Joaquin Regional Transit District (RTD) held a Regular Meeting at 10:00 a.m. on Friday, February 14, 2014, **IN THE BOARDROOM OF RTD'S DOWNTOWN TRANSIT CENTER, 421 E. WEBER AVENUE, STOCKTON, CALIFORNIA**

1. CALL MEETING TO ORDER Chair Restuccia called the meeting to order at 10:00 a.m.
2. MOMENT OF SILENCE/REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. ROLL CALL Present: Duane Isetti Absent: None  
Balwinder T. Singh  
Joni Bauer  
Gary S. Giovanetti  
Michael P. Restuccia

Staff Present

Donna DeMartino, General Manager/CEO  
Al Hoslett, Legal Counsel  
Norman Tuitavuki, Director of Operations  
Wendell Krell, Director of Facilities  
Mike Thompson, Director of Information Technology  
Sharon Miller, Director of Procurement  
Lorena Herrera, Executive and Board Support Analyst  
Carrie McGrath, Temporary Administrative Assistant  
Deffria Bass, Administrative Assistant  
Brad Menil, Operations Superintendent  
Nate Knodt, Service Development Manager  
Paul Rapp, Communications and Customer Relations Manager  
Virginia Alcayde, Finance Manager  
John Coose, Maintenance Supervisor  
Ericka Rocha, Human Resources Analyst  
Dámaris Galvan, Planning Senior Specialist  
Sean Murray, Coach Operator  
George Fifita, Mechanic A  
Kirt Pacheco, Mechanic A  
Shiva Nambiar, Mechanic A  
Alan Wagner, Mechanic C  
Dario Dominguez, Mechanic A  
Gurcharn Sidhu, Utility Worker

Members of the Public Who Indicated They Were Present

James Young Edward Church Tim Ramonett Claudia Hudson

Alan Wagner

Mark Cain

Tu Can Nguyen

Cheryl Ross

Nakia Foster

Shiva Nambiar

5. SPECIAL PRESENTATION

A. EMPLOYEES OF THE MONTH

Special recognition was given to Team Award Recipients: Operations Superintendent Brad Menil, Maintenance Supervisor John Coose, Maintenance Supervisor John Murphy, Mechanic A Dario Dominguez, Mechanic A George Fifita, Mechanic A Juvenal Gonzalez, Mechanic A Kirt Pacheco, Mechanic A Lance Rowe, Mechanic A Hung Trieu, Mechanic A Gerardo Tovar, Mechanic B Matthew Hall, Mechanic B Jose Laurenaria, Mechanic B Armando Pina, Mechanic C Westley Coose, Mechanic C Sal Debudey, Mechanic C William Dickerson, Mechanic C Hector Franco, Mechanic C Alan Wagner, Utility Worker Chris Ballente, Utility Worker Epifanio Becerra, Utility Worker Willie Capers, Utility Worker Saul Dominguez, Utility Worker Mario Franco, Utility Worker Joshua Jones, Utility Worker Angela Manuel, Utility Worker Gurcharn Sidhu, Utility Worker Santokh Singh.

B. CERTIFICATE OF COMMENDATION

A Certificate of Commendation was presented to Planning Intern Choua Her for her courageous action under extraordinary circumstances.

C. EMPLOYEES OF THE YEAR

Special recognition was given to Coach Operator Sean Murray, Transportation Employee of the Year; Mechanic A George Fifita, Maintenance Employee of the Year; Human Resources Analyst Ericka Rocha and Planning Senior Specialist Dámaris Galvan tied for the Administration Employee of the Year.

6. PUBLIC COMMENT

James Young wished everyone a Happy Valentine's Day and noted that there is graffiti on the bus stops near Stagg High School and suggests installing cameras at the bus stops to prevent vandalism.

Edward Church noted that there is an issue with unlawful behavior by passengers at the Downtown Transit Center and commented on the Route 40 weekend service.

Tim Ramonett, pastor of a local church, suggested that RTD extend Route 43 weekend service to the church. Chair Restuccia directed Service Development Manager Nate Knodt to speak with Mr. Ramonett.

Claudia Hudson, International Vice President of the Amalgamated Transit Union (ATU), commended RTD for recognizing ATU members. She made comments about the Del Monte Yard and requested a different facility for employees.

Alan Wagner, President of ATU, Local 276, echoed Claudia Hudson's comments about the Del Monte Yard and commented on service improvements and operator runcuts.

Mark Cain, Cheryl Ross, and Nakia Foster also commented on the Del Monte Yard.

Tu Can Nguyen spoke about organized crime and shared her political views. She also commended RTD coach operators for being competent and reliable.

Shiva Nambiar, Vice President of ATU, Local 276, proposed a meeting between himself, the General Manager/CEO, one Board member, and ATU executive staff in order to resolve issues before they escalate.

## 7. REPORTS

### A. MV REPORT

MV General Manager Susanna Sanchez reported on events at the County Yard including Safety Training, Customer Service Training, and staffing levels.

General Manager/CEO Donna DeMartino addressed some of the comments made during the Public Comments regarding the Del Monte Yard. Donna DeMartino noted that some buses are parked at the Del Monte Yard because RTD has had to consolidate operations during the construction of the Regional Transportation Center. Donna DeMartino and the management team met with employee groups on several occasions during the consolidation planning process to identify challenges and solutions. Facilities staff is in the process of making updates to the Del Monte Yard to make it as comfortable as possible and RTD is pushing the contractors to finish construction. The County Yard is less than one block away from the Del Monte Yard where break room and restroom facilities are available for the operators.

### C. STATE/FEDERAL LEGISLATIVE REPORT

The General Manager/CEO began with the State/Federal Legislative Report providing the following comments:

- The Governor's budget was released and at this point, is good for transit; however, the budget is subject to change based on the May Revise.
- Congress has completed 2014 Federal appropriations, which means RTD should be able to rely on regular and continuing federal formula funding for FY 2015, unlike the last three years when continuing resolutions caused uncertain funding availability and timing.
- Because the Highway Trust Fund could run out of money by late summer, both House and Senate legislators are working on a permanent fix. They are also working on a new Transportation Authorization Bill, because MAP-21 expires in September.
- Noted that the service RTD implemented in January is responsive to the public comments received. RTD is optimistically moving toward increasing service.

B. GENERAL MANAGER/CEO REPORT

The General Manager/CEO:

- Announced the Articulated Bus Rollout on February 18 for Metro Express Route 40. Buses on Metro Express Route 40 are operating at standing room only and there is also high ridership on the weekends, with as many as 70 passengers per revenue hour. The new 60-foot buses will add a lot of capacity and frequency has been increased as well.
- Called on Communications and Customer Relations Manager Paul Rapp and Administrative Assistant Deffria Bass to provide a report on Paul Fairbook's December 2013 purchase of nearly 1,000 bus passes for local non-profit agencies, and an update on RTD's United Way campaign, respectively.

Chair Restuccia, Director Isetti, and Director Bauer commended staff for the United Way campaign.

8. CONSENT CALENDAR

- A. RESOLUTION: MINUTES OF THE JANUARY 3, 2014, REGULAR BOARD MEETING  
Resolution No. 5507: Board approval of the January 3, 2014, Regular Board of Directors Meeting minutes
- B. RESOLUTION: APPROVE DISPOSITION OF NINE VEHICLES  
Resolution No. 5508: Board approval to dispose of nine vehicles that have exceeded their useful service life
- C. RESOLUTION: APPROVE AMENDMENT NO. 2 TO THE CONTRACT WITH THE LAW OFFICES OF AL WARREN HOSLETT  
Resolution No. 5509: Board approval of Amendment No. 2 to the Contract with the Law Offices of AL WARREN HOSLETT

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

9. ACTION ITEMS

- A. RTD STANDING BOARD COMMITTEE AND RETIREMENT BOARD ASSIGNMENTS  
Chair Restuccia proposed that the RTD Board of Directors Standing Board Committee and Retirement Board Assignments included in the Board Package be approved. Following a review of the Board Assignments, the Board of Directors adopted a resolution concurring in the assignments as appointed by the Chair.

ACTION: MOTION: DIRECTOR ISETTI SECOND: DIRECTOR GIOVANETTI

Roll Call:

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

- B. RESOLUTION: AUTHORIZE THE GENERAL MANAGER/CEO TO ENTER INTO A RECIPROCAL AGREEMENT FOR MUTUAL SUPPORT KNOWN AS THE CALIFORNIA TRANSIT MUTUAL ASSISTANCE COMPACT (TRANSMAC)  
Resolution No. 5510: Board approval to authorize the General Manager/CEO to enter into a reciprocal agreement for mutual support known as TransMAC

ACTION: MOTION: DIRECTOR ISETTI SECOND: DIRECTOR GIOVANETTI

Roll Call:

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

In response to Director Giovanetti's question regarding financial commitments, General Manager/CEO Donna DeMartino noted that there are no financial commitments.

Director Isetti commended staff for looking ahead and being prepared for disasters.

In response to Chair Restuccia's comment regarding working with other local agencies, General Manager/CEO Donna DeMartino noted that there have been some tabletop exercises with local agencies and entering into TransMAC will help to expand that effort.

- C. RESOLUTION: AWARD A CONTRACT TO BIG VALLEY FORD LINCOLN FOR SEVEN FORD C-MAX HYBRID NON-REVENUE VEHICLES IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$185,311.00

Resolution No. 5511: Board approval to award a contract to Big Valley Ford Lincoln for seven Ford C-Max Hybrid non-revenue vehicles in a total contract amount not to exceed \$185,311.00

ACTION: MOTION: DIRECTOR ISETTI SECOND: DIRECTOR GIOVANETTI

Roll Call:

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

In response to Director Isetti's question regarding the requirements for using Federal funds, Director of Procurement Sharon Miller noted that RTD is not allowed local preference, but has to award to the lowest bidder.

In response to Director Isetti's comment regarding creating a policy to give preference to local vendors using funds that are not Federal monies, Legal Counsel Al Hoslett and Director of Procurement Sharon Miller confirmed that they will look into the creation of such a policy.

- D. RESOLUTION: APPROVE A THIRD AMENDMENT TO THE CONTRACT OF HANSON BRIDGETT, LLP FOR ON-CALL LEGAL SERVICES FOR \$30,000.00 IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$272,000.00  
Resolution No. 5512: Board approval of a Third Amendment to the Contract of Hanson Bridgett, LLP for On-Call Legal Services for \$30,000.00 in a total contract amount not to exceed \$272,000.00

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

Director of Procurement Sharon Miller confirmed Chair Restuccia's comment that, although this is an increase, in this particular contract it is an overall savings because of the internal employee positions that were eliminated.

- E. RESOLUTION: APPROVE THE PASSENGER CODE OF CONDUCT POLICY  
Resolution No. 5513: Board approval of the Passenger Code of Conduct Policy

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

Director Isetti noted that this is a step in the right direction where RTD can set reasonable fare evasion fines and also receive revenue to decrease the cost of enforcement.

## 10. INFORMATION ITEMS

- A. QUARTERLY REPORT – AWARDED CONTRACTS  
Director of Procurement Sharon Miller provided information on the awarded contracts for the period October through December 2013.

- B. FINANCIAL STATEMENTS  
Finance Manager Virginia Alcaide provided the December Financial Reports to the Board.

Director Isetti commented that staff is doing a great job of keeping expenses down and noted that the new articulated buses will be a great way for RTD to increase advertising revenue.

Chair Restuccia noted that, with increased housing prices, there may be an increase in property tax revenue.

11. QUESTIONS AND COMMENTS FROM DIRECTORS

Director Isetti appreciated the comments regarding the Del Monte Yard and would like to get together to discuss the issues.

12. CLOSED SESSION

Chair Restuccia 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

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) Stokes vs. San Joaquin Regional Transit District, et al., San Joaquin Superior Court Case No. 39-2010-00248009-CU-PA-STK

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

13. BOARD WORKSHOP

A. CORT CHILDCARE CENTER PROPOSAL

The Board conducted a workshop to discuss the Cort Childcare Center Proposal. After some discussion, the Board members noted that they would discuss the Proposal at a future Board meeting.

14. ADJOURNMENT

Chair Giovanetti adjourned the meeting at 1:30 p.m.