

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
SAN JOAQUIN REGIONAL TRANSIT DISTRICT
FRIDAY, JANUARY 15, 2016

The Board of Directors of the San Joaquin Regional Transit District (RTD) held a Regular Meeting at 10:00 a.m. on Friday, January 15, 2016, **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 10:02 a.m.
2. MOMENT OF SILENCE/REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. SAFETY ANNOUNCEMENT
5. ROLL CALL Present: Gary Giovanetti
Joni Bauer
Les Fong
Balwinder T. Singh

Absent: Michael P. Restuccia

Staff Present

Donna DeMartino, General Manager/CEO
Gloria Salazar, Assistant General Manager/CFO
Kent Bradbury, Legal Counsel, Employee and Labor Relations
Al Hoslett, RTD Legal Counsel
Norman Tuitavuki, Director of Operations
Wendell Krell, Director of Facilities
Brad Menil, Operations Superintendent
Nate Knodt, Service Development Manager
Virginia Alcayde, Finance Manager
Max Vargas, Communications and External Relations Manager
George Lorente, Grants Manager
Teresa Evans, Executive and Board Support Manager
Moorea Warren, Customer Relations Manager
Ravi Sharma, Finance Senior Specialist
Nancy Antonio, Safety, and Risk Specialist
Carrie McGrath, Executive and Board Support Specialist
Lamar Gibbs, Marketing Specialist
Max Cao, Marketing Specialist
Tara Gallegos, Customer Relations Senior Specialist
Boldero In, Grants Analyst
Merab Talamantes, Executive and Board Support Analyst

Members of the Public Who Indicated They Were Present

James Young
Alan Wagner
Becky Thornton
Dewitt Brown

6. ELECTION OF OFFICERS

Director Giovanetti made a motion to nominate Director Restuccia as Chair of the Board.
Director Fong seconded the motion.

ACTION: MOTION: DIRECTOR GIOVANETTI SECOND: DIRECTOR FONG

Roll Call:

AYES: Directors – Giovanetti, Bauer, Fong, Singh

NAYES: None

ABSTAIN: None

ABSENT: Director Restuccia

Director Singh made a motion to nominate Director Fong as Vice Chair of the Board.
Director Bauer seconded the motion.

ACTION: MOTION: DIRECTOR SINGH SECOND: DIRECTOR BAUER

Roll Call:

AYES: Directors – Giovanetti, Bauer, Fong , Singh

NAYES: None

ABSTAIN: None

ABSENT: Director Restuccia

Chair Giovanetti and General Manager/CEO Donna DeMartino congratulated Directors Restuccia and Fong on their election as Chair and Vice Chair, respectively, of the Board of Directors for 2016.

7. SPECIAL PRESENTATIONS

A. EMPLOYEES OF THE MONTH

Special recognition was given to Technician C, Ron Vliet, Maintenance Employee of the Month for October, and MV Coach Operator Jerry Hernandez, Transportation Employee of the Month for December.

8. PUBLIC COMMENT

James Young reported an inoperable fare vending machine by Safeway on Pacific Avenue. James also suggested RTD make periodic announcements on the bus about keeping the noise level down and strollers tucked away. James said he would be available to help RTD by volunteering, and commented that RTD is doing a super job.

Alan Wagner, President of the Amalgamated Transit Union, Local 276 (ATU), referenced Consent Calendar Item 10B; the revised FMLA Policy and the section referring to termination for not returning to work. Mr. Wagner commented that everything is subject to the Labor agreement and the just cause provisions. Mr. Wagner also submitted a letter in response to Action Item 11A stating that the Retirement Board Bylaws should be under the purview of the Retirement Board. He further referenced the 1982 interest arbitration with regard to the rules of the retirement plan. Mr. Wagner suggested the Board pull Action Item 11A and offered to meet with the Board to discuss further.

Becky Thornton tried calling RTD to cancel her Dial-A-Ride. She spoke to Brian to help her cancel, but she was unsuccessful in getting help. Ms. Thornton also reported that the validating machine at Airport and Miner was not working. Director Giovanetti requested that Becky meet with Operations Director, Norman Tuitavuki, to help her resolve her issues.

Dewitt Brown reported that the system does not have a charging system available for wheelchairs and electronic devices. He suggested RTD upgrade the system to provide more access to power sources. Mr. Brown mentioned adding restrooms along the transit routes for women, children, and the handicapped. General Manager/CEO Donna DeMartino responded, reminding Mr. Brown that a charging location is available for wheelchairs at the Customer Service Center in the DTC.

9. REPORTS

A. MV REPORT

MV General Manager Susanna Sanchez reported on November MV events, including a safety training on driving in adverse weather conditions. In place of the December Safety meeting, MV hosted a Safety Blitz, which is a Concentrated Topic and Reward program. All employees received a goody bag and were entered into a raffle for prizes. MV welcomed new Operations Manager, Jim Hayes in December. December events included MV's annual employee appreciation breakfast, luncheon, awards, and a holiday tour of lights show.

B. GENERAL MANAGER/CEO REPORT

The General Manager/CEO reported:

- That several staff members attended the California Transit Association's 50th Annual Fall Conference and Expo in Pasadena. This annual event celebrated the 50th Anniversary of the Association's founding. The provocative speakers who challenged everyone to think about what the future could hold inspired attendees. This event marked the end of Donna DeMartino's two-year term as Chair of the Association.
- That RTD hosted the 17th Annual Stuff the Bus event in November. By collaborating with local transit agencies and the Boy Scouts, RTD collected 41,000 pounds of food and 676 Turkeys for local food bank recipients.

C. STATE/FEDERAL LEGISLATIVE REPORT

The General Manager/CEO reported:

- That the Air Resources Board (ARB) is working on Advanced Clean Technology Regulations. The regulations would mandate that all transit agencies move to electric or zero emission buses as quickly as possible. The ARB is working with RTD to understand our concerns in an effort to avoid a mandate without funding. Donna DeMartino will join the Transit Advisory Group that supports this effort.
- That in December, RTD received federal authorization for a five-year federal transportation legislative bill. The new act is named Fixing America's Surface Transportation (FAST). This development is great news for RTD because it provides five years of relatively reliable spending at the federal level.

10. CONSENT CALENDAR

- A. RESOLUTION: MINUTES OF THE NOVEMBER 13, 2015 REGULAR BOARD MEETING
Resolution No. 5602: Board approval of the November 7, 2014, Regular Board of Directors Meeting minutes

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

The original minutes failed to include the items to be discussed in Closed Session and a statement that no reportable actions were taken in Closed Session.

- B. RESOLUTION: APPROVE REVISED RTD FAMILY MEDICAL LEAVE ACT (FMLA)/CALIFORNIA FAMILY RIGHTS ACT (CFRA) POLICY
Resolution No. 5603: Board approval of the revised RTD FMLA/CFRA Policy incorporating 2015 changes to California Law.

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

- C. RESOLUTION: AUTHORIZE THE EXECUTION OF THE CERTIFICATIONS AND ASSURANCES FOR THE FY 2015 LOW CARBON TRANSIT OPERATIONS PROGRAM (LCTOP)
Resolution No. 5604: Board approval to authorize the execution of the certifications and assurances for the FY 2015 Low Carbon Transit Operations Program (LCTOP).

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

- D. RESOLUTION: AUTHORIZE THE FY 2015 TRANSIT SYSTEM SAFETY, SECURITY, AND DISASTER RESPONSE ACCOUNT (TSSSDRA) PROGRAM
Resolution No. 5605: Board approval to authorize the necessary actions to obtain financial assistance the FY 2015 Transit System Safety, Security, and Disaster Response Account (TSSSDRA) Program.

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

11. ACTION ITEMS

Chair Giovanetti advised the Board that there was a need to add an item on the Agenda for the Board's consideration:

RESOLUTION: FINDING THE NEED TO ADD ITEM ONTO THE AGENDA RE:
ACCEPTANCE OF SUMMARY OF PUBLIC INPUT, UNMET TRANSIT NEEDS
Resolution No. 5606: Board approval to accept the findings of the Unmet Transit Needs Public Hearings Summary Report

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

- A. RESOLUTION: ADOPT A SET OF BYLAWS TO GOVERN THE ACTIVITIES OF THE RETIREMENT BOARD OF THE RTD RETIREMENT PLAN
Resolution No. 5607: Board approval to adopt a set of bylaws to govern the activities of the Retirement Board of the RTD Retirement Plan

Chair Giovanetti asked General Counsel, Al Hoslett, to address some of the issues mentioned during public comment. Mr. Hoslett stated that under the enabling legislation, Public Utilities Code section 50150 provides that this Board shall define the powers, duties, and tenure of the members of the Retirement Board. This is state law that provides the basis for the action proposed at this meeting. Legal Counsel and EEO Officer, Kent Bradbury, concurred. Director Singh responded that without sufficient time to review the letter brought forward in Public Comment today by ATU Local 276 President, Alan Wagner, he would like to postpone the discussion on this matter. Director Giovanetti pulled this item from the agenda and stated that it would be placed on the agenda of the next meeting of the Board of Directors.

- B. RESOLUTION: ADOPT A SET OF FOUR RESOLUTIONS ALLOWING RTD TO ENTER CALPERS HEALTH PLANS PURSUANT TO THE RECENT INTEREST ARBITRATION AWARD
Resolution No. 5608: Board approval to adopt a set of four resolutions allowing RTD to enter CalPERS Health Plans pursuant to the recent interest arbitration award

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

- C. RESOLUTION: APPROVE AMENDMENT TO PASSENGER CODE OF CONDUCT POLICY
Resolution No. 5609: Board approval to amend Passenger Code of Conduct Policy

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

- D. ORDINANCE: INTRODUCE AN ORDINANCE TO APPROVE AMENDMENT TO PASSENGER CODE OF CONDUCT ORDINANCE
First reading of a proposed ordinance for amending the ordinance adopting Passenger Code of Conduct. This proposed Ordinance will be placed on the Agenda of the next Board of Directors Meeting for consideration and possible action.

- E. RESOLUTION: TO ACCEPT THE FINDINGS OF THE FY 2015 UNMET TRANSIT NEEDS PUBLIC HEARINGS
Resolution No. 5610: Board acceptance of the Findings of the FY 2015 Unmet Transit Needs Public Hearing.

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

12. INFORMATION ITEMS

- A. REGIONAL TRANSPORTATION CENTER (RTC) RECAP
Communications and External Relations Manager, Max Vargas, and Customer Relations Senior Specialist, Tara Gallegos, provided a presentation to the Board.

B. EQUAL EMPLOYMENT OPPORTUNITY (EEO) ANNUAL REPORT
Staff provided a presentation on RTD's Equal Employment Opportunity Annual Report

C. FINANCIAL REPORTS
Finance Manager Virginia Alcayde reviewed the December Financial Reports with the Board.

13. QUESTIONS AND COMMENTS FROM DIRECTORS

Director Singh congratulated Donna and her staff for the great teamwork and leadership effort on the RTC Grand Opening. Director Singh further commented that he looked forward to the same teamwork continuing between represented and non-represented employees.

14. CLOSED SESSION

Chair Giovanetti announced that there would be no closed session.

15. ADJOURNMENT

Chair Giovanetti adjourned the meeting at 11:12 a.m.