

SAN JOAQUIN REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS - AGENDA

THE BOARD OF DIRECTORS OF THE SAN JOAQUIN REGIONAL TRANSIT DISTRICT WILL HOLD A REGULAR MEETING AT 10:00 A.M. ON FRIDAY, AUGUST 19, 2016, IN THE BOARDROOM OF SAN JOAQUIN REGIONAL TRANSIT DISTRICT'S DOWNTOWN TRANSIT CENTER, 421 EAST WEBER AVENUE, STOCKTON, CALIFORNIA

ACCESSIBLE PUBLIC MEETINGS: San Joaquin Regional Transit District (RTD) will make all reasonable accommodations for persons with disabilities to participate in this meeting. Upon request to the General Manager/CEO, RTD will provide agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services, to enable individuals with disabilities to participate in public meetings. Please send a written request, including your name, mailing address, phone number, and a brief description of the requested materials and/or preferred alternative format or auxiliary aid or service at least three (3) work days before the meeting. Requests should be sent to RTD, by mail at P.O. Box 201010, Stockton, CA 95201, by fax at (209) 948-8516, or by e-mail to BoardSupport@sanjoaquinRTD.com.

Para información en Español, por favor llame al (209) 943-1111.

1. CALL MEETING TO ORDER
2. MOMENT OF SILENCE/REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. SAFETY ANNOUNCEMENT
5. ROLL CALL
6. SPECIAL PRESENTATIONS
 - A. EMPLOYEES OF THE MONTH
Special recognition to the Administration, Maintenance, and Transportation Employees of the Month
7. PUBLIC COMMENT

Each person who addresses the Board shall not make slanderous or profane remarks to or about any member of the Board, staff, or general public. Any person who utters loud, threatening, personal or abusive language, who is unduly repetitious or engages in extended discussion of irrelevancies, or who engages in any disorderly conduct which disrupts, disturbs or impedes the orderly conduct of any Board meeting shall, at the discretion of the presiding officer or a majority of the Board, be barred from further audience before the Board during that meeting. All Public Comments shall be limited to no more than THREE MINUTES. In addition, applause, loud noises, or any other outbursts or disruptions from the audience are not allowed during or after a public comment. At the discretion of the presiding officer, those who are in violation of this protocol may be removed from the meeting.

8. REPORTS
 - A. MV REPORT
 - B. CHIEF EXECUTIVE OFFICER UPDATE

- C. STATE/FEDERAL LEGISLATIVE UPDATE
 - D. FINANCIAL REPORTS
July Financial Reports provided to the Board
9. INFORMATION ITEMS
These reports are being provided for information only
- A. QUARTERLY UPDATE OF CONTRACTS AWARDED APRIL – JUNE 2016
10. CONSENT CALENDAR
- A. RESOLUTION: APPROVING MINUTES OF THE JULY 15, 2016, REGULAR BOARD OF DIRECTORS MEETING
Board approval of the July 15, 2016, Regular Board of Directors Meeting minutes
11. ACTION ITEMS
- A. RESOLUTION: APPROVING A TWO-YEAR MEMORANDUM OF UNDERSTANDING (MOU) WITH PARATRANSIT, INC. FOR AMERICANS WITH DISABILITIES ACT (ADA) CERTIFICATION SERVICES FOR A TOTAL MOU AMOUNT NOT TO EXCEED \$250,000.00
Board approval of a two-year memorandum of understanding (MOU) with Paratransit, Inc. for Americans with Disabilities Act (ADA) Certification Services for a total MOU amount not to exceed \$250,000.00
 - B. RESOLUTION: AWARDING A CONTRACT TO SIEGFRIED ENGINEERING, INC. FOR PRELIMINARY AND FINAL ENGINEERING FOR THE BUS RAPID TRANSIT (BRT) IV MARTIN LUTHER KING, JR. CORRIDOR IMPROVEMENTS FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$448,701.08
Board approval to award a contract to Siegfried Engineering, Inc. for preliminary and final engineering for the Bus Rapid Transit (BRT) IV Martin Luther King, Jr. Corridor improvements for a total contract amount not to exceed \$448,701.08
 - C. RESOLUTION: AWARDING OF A SINGLE SOURCE CONTRACT TO SIEGFRIED ENGINEERING, INC. FOR PRELIMINARY AND FINAL ENGINEERING FOR THE BUS RAPID TRANSIT (BRT) V CROSSTOWN MINER CORRIDOR IMPROVEMENTS FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$328,416.61
Board approval to award a single source contract to Siegfried Engineering, Inc. for a preliminary and final engineering for the Bus Rapid Transit (BRT) V Crosstown Miner Corridor improvements for a total contract amount not to exceed \$328,416.61
 - D. RESOLUTION: AWARDING A FIVE-YEAR CONTRACT TO PENNINO MANAGEMENT GROUP FOR ON-CALL PROJECT MANAGER SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$550,000.00
Board approval to award a five-year contract to Pennino Management Group for on-call project manager services for a total contract amount not to exceed \$550,000.00
 - E. RESOLUTION: APPROVING SAN JOAQUIN REGIONAL TRANSIT DISTRICT'S (RTD) DISADVANTAGED BUSINESS ENTERPRISE (DBE) OVERALL GOAL OF 2.7% FOR FEDERAL FISCAL YEARS (FFY) 2017, 2018, AND 2019
Board approval of San Joaquin Regional Transit District's (RTD) Disadvantaged Business Enterprise (DBE) overall goal of 2.7% for federal fiscal years (FFY) 2017, 2018, and 2019

- F. RESOLUTION: AWARDING A CONTRACT TO YORK RISK SERVICES GROUP, INC. FOR WORKERS COMPENSATION CLAIMS THIRD-PARTY ADMINISTRATION (TPA) SERVICES FOR A THREE-YEAR BASE TERM, PLUS TWO ONE-YEAR OPTIONS, IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$200,947.00
Board approval to award a contract to York Risk Services Group, Inc. for workers compensation claims third-party administration (TPA) services for a three-year base term, plus two one-year options, in a total contract amount not to exceed \$200,947.00
 - G. RESOLUTION: AUTHORIZING THE EXECUTION OF THE AGREEMENT FOR THE PUBLIC BENEFIT GRANT PROGRAM
Board approval to authorize the execution of the agreement for the Public Benefit Grant Program
 - H. RESOLUTION: AUTHORIZING THE EXECUTION OF A MASTER AGREEMENT AND PROGRAM SUPPLEMENTS FOR STATE-FUNDED TRANSIT PROJECTS
Board approval to authorize the execution of a master agreement and program supplements for state-funded transit projects
 - I. RESOLUTION: APPROVING THE REVISED RETIREMENT BOARD BYLAWS BASED ON COMMENTS RECEIVED FROM THE RTD RETIREMENT BOARD MEMBERS
Board approval of the revised Retirement Board Bylaws based on comments received from the RTD Retirement Board Members
12. QUESTIONS AND COMMENTS FROM DIRECTORS
13. CLOSED SESSION
- 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 LEGAL COUNSEL—EXISTING LITIGATION
[Paragraph (1) of subdivision (d) of Government Code, Section 54956.9]:
 - 1. San Joaquin Regional Transit District vs. DSS-2731 Myrtle LLC, et al., San Joaquin Superior Court Case No. 39-2010-00252684-CU-EI-STK
14. ADJOURNMENT
- NOTE: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD ON FRIDAY, OCTOBER 14, 2016, AT 10:00 A.M.
- DATE POSTED: AUGUST 12, 2016

SPECIAL PRESENTATION: RECOGNITION OF ADMINISTRATION, MAINTENANCE,
AND TRANSPORTATION EMPLOYEES OF THE MONTH

LEAD STAFF: DONNA DeMARTINO
CHIEF EXECUTIVE OFFICER

BACKGROUND:

To qualify as Employee of the Month (EOM), employees must meet the following basic requirements:

1. Has been an employee for at least six months
2. Has not been selected EOM for the previous six months
3. Has a perfect attendance record for the month
4. Does not have any disciplinary action pending or in effect

RTD selects EOMs based on the following criteria:

1. Takes initiative and accepts and carries out additional responsibilities beyond regular job assignments
2. Provides exceptional internal and external customer service by being courteous and helpful
3. Projects a positive image and has a helpful and cooperative attitude
4. Exemplifies trustworthy and ethical behavior
5. Promotes a positive work environment
6. Comes to work on time, on a daily basis

The Administrative EOMs are selected as follows:

1. A member of the management team nominates employees at a monthly meeting.
2. Nominees are selected as EOM when they receive at least a 2/3 majority of the votes cast by members of the management team.

A majority of their respective supervisors selects Maintenance and Transportation EOMs. There may be months where no EOM is selected for Administration, Maintenance, or Transportation.

Every EOM receives:

-) EOM watch
-) RTD coffee tumbler
-) Certificate and acceptance photograph

RTD recognizes employees of the month by posting their photographs at each RTD Facility in frames designed for EOM recognition and through a feature article with photographs in the employee newsletter, "As the Wheels Turn."

The EOM program provides that RTD select the Employee of the Year (EOY) from the previous 12 months' EOMs. RTD offers EOYs the opportunity to represent their department/division at one of the conferences of the American Public Transportation Association (APTA).

REPORT: MV TRANSPORTATION, INC. REPORT/UPDATE

LEAD STAFF: SUSANNA SANCHEZ
MV GENERAL MANAGER

DISCUSSION:

MV Transportation staff will provide an update.

REPORT: CHIEF EXECUTIVE OFFICER UPDATE

LEAD STAFF: DONNA DeMARTINO
 CHIEF EXECUTIVE OFFICER

RTD CUSTOMER COMMENTS SUMMARY – JULY 2016

EMPLOYEE COMMENDATION	0	RTD received 3 commendations for the month of July. This is a decrease of 2 compared to last month, and equal to the same month last year.
OPERATOR COMMENDATION	3	
TOTAL COMMENDATIONS	3	
OPERATOR CONDUCT	21	RTD received 47 comments for the month of July. This is a decrease in overall comments received from last month, and an increase compared to the same month last year.
BUS CONDITION	2	
FARE VENDING MACHINE	1	This increase may be attributed to the new system, SugarCRM that was implemented in May. Some of the cases inputted into the new system did not contain enough information to fully investigate and several comments received were duplicates.
SCHEDULE ADHERENCE	8	
SERVICE	9	
CRIME/VANDALISM	1	Staff continues working on correcting these issues. Operations staff continues addressing behavior-related issues through corrective actions, which may include discipline and remedial training.
BAD/INCORRECT INFORMATION	1	
SECURITY GUARDS/POLICE	4	
TOTAL DOCUMENTED COMMENTS	47	

POLICE ACTIVITIES

Officer Ordaz worked 4 days; Officer Tran worked 3 days; Officer Butcher worked 21 days; Officer Jue worked 21 days; Officer Serrano worked 21 days. Their production statistics are listed below:

Type of Report Filed	Quantity	Type of Report Filed	Quantity	Type of Report Filed	Quantity
Felony Arrests	13	Intoxication Arrests	0	Field Interviews	121
Warrants Arrests	18	Moving Citations	7	PC 640 Citations	62
Other Arrests	0	SMC Citations	1	Misdemeanor Arrests	10
Parking Citations	2	Traffic Citations	3	Abandoned Autos	0
Other Citations	0	Vehicles Towed	0	Self-Initiated Activity	0
Calls for Service	47	Weapons Seized	2		

MEETINGS

RTD participates in conferences and meetings of the following committees and organizations:

-) Air Resources Board: Donna DeMartino, CEO
-) American Bus Benchmarking Group (ABBG): Donna DeMartino, CEO; Gloria Salazar, Assistant General Manager/CFO; Nate Knodt, Director of Planning; Damaris Galvan, Service Development Manager
-) American Public Transportation Association (APTA): Donna DeMartino, CEO; Gloria Salazar, Assistant General Manager/CFO
-) Bus Coalition: Donna DeMartino, CEO; Max Vargas, Public Affairs Manager

- J California Transportation Association (CTA): Donna DeMartino, CEO; Gloria Salazar, Assistant General Manager/CFO; George Lorente, Grants Manager; Max Vargas, Public Affairs Manager
- J California Association for Coordinated Transportation (CALACT): Donna DeMartino, CEO
- J CALSTART: Donna DeMartino, CEO; George Lorente, Grants Manager; Max Vargas, Public Affairs Manager
- J Southern California Regional Transit Training Consortium (SCR TTC): Donna DeMartino, CEO; Brad Menil, Superintendent-Operations
- J City of Stockton City Council: Nate Knodt, Director of Planning; Max Vargas, Public Affairs Manager
- J City of Stockton Mayor's Task Force for Person with Disabilities: Daniela Romero, Mobility Analyst
- J City of Stockton – RTD Joint Action Committee (JAC): Donna DeMartino, CEO; Nate Knodt, Director of Planning; Max Vargas, Public Affairs Manager
- J San Joaquin County Board of Supervisors: Donna DeMartino, CEO; Nate Knodt, Director of Planning; Max Vargas, Public Affairs Manager
- J San Joaquin County Smoking & Tobacco Outreach/Prevention Program (STOPP): Nancy Antonio, Safety and Risk Specialist
- J San Joaquin Council of Governments (SJCOG) Board of Directors: Donna DeMartino, CEO; Gloria Salazar, Assistant General Manager/CFO; Nate Knodt, Director of Planning; George Lorente, Grants Manager; Max Vargas, Public Affairs Manager
- J SJCOG Citizens Advisory Committee (CAC): Nate Knodt, Director of Planning
- J SJCOG Interagency Transit Committee: Nate Knodt, Director of Planning; George Lorente, Grants Manager; Max Vargas, Public Affairs Manager
- J SJCOG Management & Finance Committee: Donna DeMartino, General CEO
- J SJCOG Project Delivery Committee: Nate Knodt, Director of Planning; George Lorente, Grants Manager
- J SJCOG Technical Advisory Committee (TAC): Nate Knodt, Director of Planning; George Lorente, Grants Manager; Max Vargas, Public Affairs Manager
- J San Joaquin Regional Rail Commission (SJRRC): Donna DeMartino, CEO; Nate Knodt, Director of Planning; Max Vargas, Public Affairs Manager
- J Amtrak San Joaquin Joint Powers Authority (AMTRAK SJ-JPA): Nate Knodt, Director of Planning
- J Business Team San Joaquin: Nate Knodt, Director of Planning; Max Vargas, Public Affairs Manager
- J Greater Stockton Chamber of Commerce Business Education Alliance: Max Vargas, Public Affairs Manager
- J Greater Stockton Chamber of Commerce Fresh Wellness Committee: Nancy Antonio, Safety and Risk Specialist
- J San Joaquin Business Council: Max Vargas, Public Affairs Manager
- J San Joaquin Partnership: Max Vargas, Public Affairs Manager
- J Downtown Stockton Alliance (DS): Nate Knodt, Director of Planning
- J University Neighborhood Renaissance Committee: Nate Knodt, Director of Planning

EVENTS

National Night Out

- J On August 2, RTD hosted a free community event for National Night Out to promote crime prevention and safety. Food, children's activities, and informational booths were available. Participating organizations included, among others, the Stockton Police Department and the Women's Center. The Central State Credit Union sponsored the event. Approximately 100 people attended.

REPORT: STATE/FEDERAL LEGISLATIVE REPORT UPDATE

UPDATE BY: JORDAN & ASSOCIATES

STATE REPORT

The State Legislature recessed for the month of July and returned on August 1.

Legislators had a one-month summer recess in July and returned on August 1 to complete the 2015-16 legislative session. Transportation funding is expected to be pushed by key lawmakers. The California Transit Association (CTA) has been advocating for an investment in public transit of at least \$600 million.

Effect on RTD: RTD would benefit from increased transit funding at the state level. The Agency should ensure that their state delegation has signed onto pro-transit letters sent to the leadership that emphasizes the importance of investing in public transit.

FEDERAL REPORT

Fiscal 2017 Appropriations

Due to the budget agreement reached last December, there was hope that all 12 annual spending bills could be approved individually prior to October 1. That hope has now dissipated, since the spending bills have become bogged down in debates over attempts to include controversial policy provisions in the measures. Talks have begun on whether to attempt to pass an "omnibus" spending measure combining all 12 bills into one package after the November elections, or to consider a long-term Continuing resolution in September that would fund the government at current levels for as long as six months.

Conservative Republicans in the House are in a dispute against Republican appropriators and defense hawks in a battle over the Fiscal 2017 appropriations process. House conservatives stopped the Fiscal 2017 budget resolution because it allows higher spending than they preferred and now believe the House should wait to make spending decisions until next year by funding a stopgap funding measure beginning October 1 that would run through February or March. This would also eliminate the need for a lame-duck session following the November elections. This plan is gaining support across the Republican conference but it is unclear where Republican leaders stand. Conservatives don't want to give Republican leaders the opportunity to cut deals with Democrats and the outgoing Obama administration on major legislation.

Republican appropriators are strongly opposed to passing a six-month stopgap funding bill that would keep existing funding in place and not allow any policy riders in the measure. Defense hawks are equally opposed since a stopgap funding bill would provide less funding for defense programs.

Lawmakers left town on July 15 for seven weeks, which means that discussions about a Continuing Resolution, or stopgap spending bill, will consume Congress when they return in early September. Continuing resolutions are not liked by federal agencies, since it restricts their ability to fund new initiatives, terminate spending for programs, and quickly shift dollars to meet new needs, or apportion funding to federal recipients for an entire year.

Effect on RTD: This update on the appropriations process in Congress is largely informational. It is likely that RTD will receive short-term funding for federal transit formula programs by September 30. The variable is how long a stopgap funding bill will be passed by Congress. The short-term continuing resolutions make it more difficult for RTD to plan and implement capital projects.

Lawmakers Still Pushing for Earmarks

Some senior appropriators and leaders in both parties now say they would like to bring earmarking back with strict conditions. They complain that the policy has hurt the ability of Congress to make spending decisions and eroded its constitutional authority.

Former House Speaker John Boehner advocated an earmark ban in late 2010, when Republicans took control of the House, encouraged by the tea party wave of hostility toward Washington. Boehner also made a promise that eliminating earmarks would not prevent Congress from getting its work done, and that it would restore the public's faith in Congress and decrease spending. But the approval rating of Congress is the same as it was almost six years ago. Only one of the 60 regular appropriations introduced between Fiscal 2012 and Fiscal 2016 has become law. In addition, the ban has not curbed spending and has been considered a publicity stunt.

House Appropriations Chairman Harold Rogers (R-KY) has been quoted publicly as saying the prohibition has made it more difficult for individual spending bills to pass and reduced the House's authority. Rogers supports the return of earmarks directed to local or state governments that could only be inserted at the subcommittee level. Still, House Speaker Paul Ryan does not support bringing back earmarks and was part of implementing the original earmark ban.

The earmark ban could be eliminated fairly easily, considering it was never implemented in the official rules of the House. The House Republican Conference adopted it as its own rule, just before gaining control of the House in January 2011. It has been in place ever since. The Senate followed the House in instituting its own ban in 2011 when the Democratic Appropriations Chairman Daniel Inouye of Hawaii said his committee would not add earmarks to spending bills. When Republicans gained control in the 2014 elections, they continued the prohibition.

Earmarks were not politically divisive during years leading up to their moratorium, since both Republicans and Democrats used them. As Congress reviews reforms to the budget process, bringing back earmarks could be included in that discussion.

Effect on RTD: RTD should be aware of discussions in Congress that could affect how federal funds are allocated. While the earmarking ban is not something that is expected to occur in the immediate future, it is something that RTD should monitor as part of a comprehensive effort to secure federal transit funds.

CBO Long-Term Budget Outlook Report Released

The CBO released its long-term budget outlook on July 11, project that federal debt will rise to 141 percent of gross domestic product in 2046, exceeding the historical peak of 106 percent that occurred after World War II.

The nonpartisan agency attributed the increase in debt to growing spending on Social Security, Medicare and interest on government debt as the main cause. The report states that the prospect of such large debt poses substantial risks for the nation and presents policymakers with significant challenges.

Federal debt stood at 39 percent of the economy in Fiscal 2008 and has risen to 75 percent. CBO projects federal debt will reach 86 percent in 2026 and continue to rise. The projection of debt growth has increased since last year, when CBO estimated debt would hit 107 percent of Gross Domestic Product (GDP) in 2040.

CBO attributes the rising debt, compared to last year's projection, and primarily to slower estimated economic growth. The nonpartisan agency said in the report that mandatory spending other than Social Security and the major health care programs, such as spending for federal employees' pensions and

income security programs, is projected to decline as a share of GDP. Discretionary spending also is declining as a share of the economy, largely as a result of the spending caps enacted by Congress in 2011.

A link to the CBO report is below:

<https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/reports/51580-LTBO.pdf>.

Effect on RTD: The release of the CBO Long-Term Budget Outlook Report will be used as Congress turns to tax reform and reforming the budget process, and will impact federal policy decisions. The report has no immediate effect on RTD but is information of which the Agency should be aware in meeting with the congressional delegation and federal agencies.

Department of Transportation (DOT) hosting webinar about MPO Coordination and Planning Area Reform Proposed Rule

DOT issued a proposed rule intended to improve coordination of multi-modal transportation planning by metropolitan planning organizations (MPOs). The rule would revise the definition of a "metropolitan planning area (MPA)" to include an entire urbanized area; where multiple MPOs exist in a single MPA (142 out of the 409 MPOs nationwide), those MPOs and their states' governors would be required to consolidate, adjust their boundaries or prepare unified planning products.

Public Comments on the rule are due August 26:

<http://1.usa.gov/296gYd6>

DOT hosted a webinar about the MPO Coordination and Planning Area Reform proposed rule on July 15:

<http://bit.ly/29aYOH8>

Effect on RTD: The proposed rule could affect linking transit connections for San Joaquin County with the Bay Area, which would affect RTD. RTD should contact the San Joaquin Council of Governments to assess how this change to federal planning regulations could impact transportation planning in Stockton and the surrounding area.

Department of Transportation (DOT) Metropolitan Planning Organization (MPO) Coordination and Planning Area Reform Proposed Rule Would Consolidate MPOs Nationwide

The FHWA and FTA issued a proposed rule on June 27 that has the potential to dramatically reshape the transportation planning landscape by strongly encouraging MPO consolidation and requiring state DOT's to have a stronger system for working with the MPOs that remain.

There are currently 409 MPOs. As many as 142 MPOs share an urban area with another MPO. The proposed rulemaking targets these MPOs for consolidation. Some of the largest urban areas in the country are divided into multiple MPOs.

The proposed rule was issued with little notice, but DOT Secretary Anthony Foxx has made MPO consolidation a high priority, given his experience as Mayor of Charlotte. There are three North Carolina MPOs and one South Carolina MPO that cover the greater Charlotte region, all of which have boundaries that abut each other.

Currently it is difficult to merge MPOs, since it requires approval by 75 percent of local governments in the area as well as governor of the State. The proposed rule would require a re-designation of MPOs

based on the standard of one MPO per urban area, essentially providing an opportunity to redraw boundaries.

The proposed rule changes achieve three policy objectives:

1. One MPO per Urban Area. The rule clarifies that one MPO per metropolitan planning area is the intent of statute and administrative code. Governors and local governments would be required to re-designate new MPOs with boundaries that meet the one-MPO-per-urban area standard. After each Census, MPOs would go through a similar process. The governor and local governments are still able to jointly declare that a single urban area should have multiple MPOs if the region has extenuating circumstances.
2. Single Set of Planning Documents. In cases where an urban area will have more than one MPO, a single set of planning products is required. Joint documents would include a 20-year long range work program. One set of planning documents would help streamline planning between the MPOs and partners like the state DOT, public transportation operators, and toll/turnpike authorities.
3. Adoption of State DOT/MPO Planning Agreements. All state DOTs will be required to negotiate and agree to planning agreements with all MPOs in their state. The planning agreement must include a process for resolving disputes between the MPO and the state DOT. The planning agreement could include tasks such as travel demand models, data collection, and coordinated plan adoption schedules. The planning agreements are intended to strengthen the MPO's position relative to state DOTs, particularly with the development of performance-based plans mandated by MAP-21.

The proposed rule is vigorously opposed by the MPO community. Proponents of the change are expected to include state DOTs, large municipalities, transit operators, and other MPO planning partners. These agencies are expected to favor the change since it reduces the amount of coordination effort required, and places central cities in a stronger position to influence regional planning.

Public Comments on the rule are due August 26, and a final rule could be published by October. MPOs would be required to meet the new standard within two years, which could result in the number of MPOs in operator reduced by 100 or more.

<http://1.usa.gov/296gYd6>

DOT hosted a webinar about the MPO Coordination and Planning Area Reform proposed rule on July 15.

The power point slides from the webinar can be viewed in the link below:

<http://www.fhwa.dot.gov/tpm/rule/160713presentation.pdf>

Effect on RTD: RTD should contact the San Joaquin Council of Governments to determine the planning agency's views regarding the proposed rule.

Federal Transit Administration (FTA) launches Online Hub for Transit-oriented Development (TOD) projects

FTA announced an online hub for national information and ideas to help develop TOD projects. Called TODresources.org, the hub is meant to complement the TOD Technical Assistance Initiative that FTA is administering through Smart Growth America. On-site technical assistance is available for the efforts of communities across the country to build compact, mixed-use, equitable development around transit stations and encourage economic development related to plan transportation projects.

<http://bit.ly/29op5Ou>

Effect on RTD: The FTA online hub could encourage TOD in the City of Stockton in conjunction with RTD, around specific transit stations. Encouraging TOD will increase transit usage in the community.

FTA Seeks Nominations for Transit Advisory Committee for Safety (TRACS)

The FTA is seeking nominations for up to 20 representatives from the public transportation safety community for the TRACS. Appointments are for two-year terms and nominations are due August 31.

In 2009, the DOT Secretary chartered TRACS to provide a forum for the development of information for public transit safety. Nominees must be knowledgeable of issues related to rail transit and bus transit safety, and will be evaluated on leadership and organization skills, geographic representation, diversity characteristics, and the overall balance of industry representation. The FTA invites qualified individuals interested in serving on the committee to apply to the FTA for appointment. FTA's Administrator will recommend nominees for appointment by the DOT Secretary.

<http://bit.ly/29GbneA>

Effect on RTD: The notice for nominations for TRACS may be of interest to a qualified individual at RTD to pursue.

FTA Extends National Dialogue on Transit Worker Assaults

The FTA recently announced that they would be extending the National Dialogue on Transit Worker Assaults to August 31. The FAST Act requires the FTA to publish a proposed rule to establish rail and bus safety standards and practices for protecting rail and bus operators from the risk of assault. As a result, the FTA started a National Online Dialog on June 13 to provide the transit industry an opportunity to share their experience with assaults on transit workers. The FTA is looking for recommendations on how to prevent and mitigate assaults.

A link to the announcement is below:

<https://usdot.uservice.com/forums/374175-national-online-dialogue-on-transit-worker-assault>

Effect on RTD: The deadline extension provides more time for RTD to submit recommendations on preventing assaults to transit workers.

Political Party Transportation Proposal Platforms Released for Conventions

The Republican Party released their policy proposal platforms for their political convention in Cleveland. The transportation proposals are composed of largely failed policy ideas that are likely to go nowhere in Congress. Transit would be eliminated from the Highway Trust Fund, as well as bike-share programs, sidewalks and scenic byways. Amtrak would be privatized by allowing private companies to provide passenger service along Amtrak's Northeast Corridor. The House has defeated measures to prevent Amtrak from using money to operate much less profitable routes.

Democrats released their 2016 policy platform prior to meeting in Philadelphia. There was a great deal of talk about the importance of funding infrastructure, but little substance about how to bring those ideas to fruition. One concrete proposal was establishing a national infrastructure bank that would provide loans and other projects. President Obama has proposed this idea in his budgets only to be rejected by Congress.

A link to the Republican Platform is below:

https://prod-static-ngop-pbl.s3.amazonaws.com/media/documents/DRAFT_12_FINAL%5B1%5D-ben_1468872234.pdf

A link to the Democratic Party Platform is below:

<https://demconvention.com/wp-content/uploads/2016/07/2016-DEMOCRATIC-PARTY-PLATFORM-DRAFT-7.1.16.pdf>

Effect on RTD: The Republican political party platform would obviously have a negative effect on public transit across the country, but it is unlikely that eliminating federal support for the transit program as a "diversion" of the federal highway program will occur. The Democratic political party platform is supportive of transit funding, which would benefit RTD, but there is no detail about how to increase funding for any type of transportation infrastructure.

Federal Highway Administration (FHWA) Solicits Nominations for Alternative Fuel Corridors

The Fixing America's Surface Transportation (FAST) Act requires DOT to designate national electric vehicle (EV) charging, hydrogen, propane, and natural gas fueling corridors. As a result, FHWA issued a notice on July 22 inviting state and local officials to nominate highway corridors within one year of the date of enactment, or December 4, 2016.

The corridor designations must identify near-and-long-term need for, and location of, EV charging infrastructure, hydrogen fueling infrastructure, propane-fueling infrastructure, and natural gas fueling infrastructure at key locations along major national highways to improve mobility of passenger and commercial vehicles that utilize these technologies.

FHWA must update the corridors every five years, and issue a report identifying EV charging infrastructure, hydrogen fueling infrastructure, propane-fueling infrastructure, and natural gas fueling infrastructure and standardization needs for electricity providers, industrial gas providers, natural gas providers, infrastructure providers, vehicle manufacturers, electricity purchases, and natural gas purchases. The report must also establish goals of achieving strategic deployment of this infrastructure by the end of Fiscal Year 2020.

An eligible corridor is defined as a segment of the National Highway System (NHS), but may also include feeder routes/roads that connect to that NHS segment. Corridors within a single State and multistate corridors are eligible, with the goal of connecting communities, cities, and regions to develop a national network of alternative fuel facilities. There is no funding designated for alternative fuel corridors in the FAST Act, but the goal is to promote the "build out" of a national network of alternative fuel corridors across the country. The deadline for the solicitation is August 22.

A link to the solicitation is below:

<https://www.gpo.gov/fdsys/pkg/FR-2016-07-22/pdf/2016-17132.pdf>

Effect on RTD: The eventual build out of a national network of alternative fuel corridors in California would be helpful for RTD as the Agency expands its electric bus fleet.

FTA Announces Low-No Emissions Grants Authorized under FAST Act

The FTA announced \$55 million in grants among 20 transit agencies in 13 states on July 26 under the new Low-No Emissions Grants authorized in the FAST Act last December. The program, which is part of

the Bus and Bus Facilities Grants Program, is focused on replacing aging diesel-power buses with new low- or no-emission models including those powered by fuel cells or electricity. The investments will help reduce air pollution and train employees in maintaining new technology buses.

The grants allow transit agencies to acquire buses as well as supporting facilities and infrastructure such as maintenance facilities and recharging equipment, which includes "en-route" fast charge units that extend vehicle battery life. The four largest grants were \$3.9 million each to buy electric buses and charging hardware.

More than 100 applications were submitted, according to the FTA. There were no projects awarded in Michigan.

A list of the awarded projects is below:

<https://www.transit.dot.gov/funding/grants/fiscal-year-2016-low-or-no-emission-low-no-bus-program-projects>

Effect on RTD: RTD applied for a Low-No Emission Grant from the FTA but was not awarded. There will be another opportunity next year to apply for the Low-No Emission Grant that was authorized under the FAST Act. RTD should continue to seek funding for electric buses under this federal program.

TIGER Grants Announced

The DOT announced on July 29 that 40 projects will benefit from the eighth round of TIGER grants totaling \$485 million. Out of total funds awarded, \$193 million went toward road projects, \$97 million for bike and pedestrian improvements, \$93 million for transit, \$54 million for maritime projects, and \$47 million for passenger and freight rail combined.

The grants were awarded to projects in 32 states and 2 territories and will support \$1.74 billion in state, local, and private investments. The DOT received almost 600 applications. In seven years, \$5.1 billion in TIGER grants have gone to 421 projects in all the states and some territories.

This will be the last round of TIGER grants selected by the Obama Administration. Almost two-thirds of the new TIGER grantees were repeat applicants that had been turned down in prior years.

Many of the TIGER proposals crossed modal boundary lines, as well as a lot of "complete streets" initiatives, and multi-modal improvements. An example of a multi-modal project awarded is North Avenue in Baltimore, which included dedicated bus lanes, roadway repaving, transit signal priority installation, enhanced bus stops, sidewalk improvements, bike share stations, bike lanes, shared bus/bike lanes, safety and access improvements, a subway station improvement, and an intersection.

Projects awarded also involved what initially seemed like a traditional highway project but was much more than that. The Interstate 25 improvements near Fort Collins, Colorado involved tolled express lanes with ITS technology; replacement of two bridges; safety, structural, and multi-modal improvements, including bike-pedestrian access under the interstate; bus-only slip ramps, and a regional trail connection. The largest TIGER grant was \$25 million to rebuild a Green Line "L" train station in Chicago, followed by three \$20 million grant for New Haven, Connecticut, Salt Lake City, Utah, and Flint, Michigan. None of this year's TIGER grants was smaller than \$5 million.

The federal share of this year's TIGER projects varied considerably, from a high of 80 percent to a low of just six percent. The lowest TIGER shares of total project cost were awarded to the biggest projects. TIGER is providing \$8.7 million of a project in San Bernadino, California, which is estimated to have a total cost of \$137 million, and the Los Angeles and Denver projects also have low TIGER shares.

Approximately two-thirds of this year's TIGER grants (\$316 million out of \$485 million total) went to projects where the TIGER share of the total cost will be 50 percent or less.

Two territories received significant TIGER grants. Both Guam and the U.S. Virgin Islands received TIGER grants for port improvements totaling \$20.7 million, just over four percent of the total TIGER grants this year. The average TIGER grant this year was \$12.1 million, while the median project size was \$10.6 million.

A list of the TIGER grants is below:

<https://www.transportation.gov/sites/dot.gov/files/docs/TIGER%20Fact%20Sheets%20-%207-28.pdf>

Effect on RTD: RTD did not apply for a TIGER grant. The FY 2017 transportation spending bill includes funding once again for the TIGER program. While Congress has not yet completed the budget, there will likely be another opportunity next year to apply. RTD should be determining whether they will take advantage of this discretionary grant program in the coming year.

FTA Issues Transit Asset Management Final Rule

The FTA announced a final rule on July 26 requiring FTA grantees to develop management plans for their public transportation assets, including vehicles, facilities, equipment, and other infrastructure.

The final rule lays out a systematic approach to maintain and improve capital assets, based on careful planning and improved decision-making, such as reviewing inventories and setting performance targets and budgets to achieve state of good repair goals. The rule, required under MAP-21 legislation, is intended to close the gap on aging and poorly maintained transit assets.

In 2013, FTA estimated that the transit industry had deferred maintenance and replacement needs totaling \$86 billion, representing more than 12 percent of transit assets nationwide. FTA estimates that more than half of that backlog is made up by rail systems. Nearly half of all buses are either in poor or marginal condition, meaning that are due, or soon due, for replacement. Under the TAM rule, each FTA grantee will be required to inventory and assess the conditions of their assets, develop priorities for investments based on the inventory and establish performance targets to keep assets in a state of good repair.

The new rule takes effect in October 2016. Agencies must complete asset management plans within two years and establish preliminary state of good repair performance targets by January 2017. The rule also establishes new reporting requirements to the National Transit Database.

Following the release of the TAM final rule, the FTA will host a series of webinars to provide technical assistance to the transit industry on how to implement strategies to maintain and improve capital assets. The webinar series, which runs through August 18, ranges from an overview of the final rule to introducing guidance on FTA performance measures

A link to the webinar registration is below:

<https://content.govdelivery.com/accounts/USDOTFTA/bulletins/157c8ef>

A link to the final rule is below:

<https://www.gpo.gov/fdsys/pkg/FR-2016-07-26/pdf/2016-16883.pdf>

Effect on RTD: The TAM rule will require RTD to develop management plans for their public transportation vehicles, facilities, equipment and other infrastructure. This will require additional work and responsibility for the Agency in order to receive federal funds.

REPORT: FINANCIAL REPORT

LEAD STAFF: VIRGINIA ALCAYDE
FINANCE MANAGER

DISCUSSION:

Finance will provide an update:

-) Revenue and Expense Summary
-) Graph (Total YTD Expenses vs. Annual Budget
-) Graph (YTD Expenses Composition)

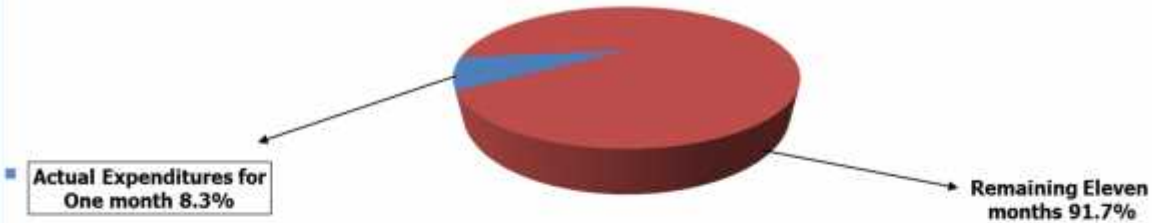
**San Joaquin RTD
 Revenue & Expense Summary
 Year to Date Comparison to Annual Budget
 For the Period Ending July 31, 2016
 (8.33% of Fiscal Year)**

	Annual Budget	Year to Date Amount (Accrual Basis)	Annual Budget Balance	% of YTD Amount vs. Annual Budget	Year to Date Amount (Cash Basis)
REVENUES					
PASSENGER FARES & SPECIAL FARES	4,430,793	335,678	4,095,115	7.58%	335,678
NON-TRANSPORTATION REVENUES	149,719	12,354	137,365	8.25%	12,354
FEDERAL GRANTS (5307)	4,088,601	340,717	3,747,884	8.33%	-
OTHER FEDERAL GRANTS	965,923	80,494	885,429	8.33%	-
PROPERTY TAXES	866,185	72,182	794,003	8.33%	-
TDA - STA	3,000,000	250,000	2,750,000	8.33%	-
TDA - LTF	14,706,057	1,225,505	13,480,552	8.33%	-
OTHER LOCAL GRANTS OPERATING	1,254,613	-	1,254,613	0.00%	-
LCTOP (State funding) low carbon	221,773	18,481	203,292	8.33%	221,773
MEASURE K	4,946,318	411,842	4,534,476	8.33%	-
TOTAL REVENUES	34,629,982	2,747,252	31,882,730	7.93%	569,805
EXPENSES					
WAGES AND FRINGE BENEFITS	18,869,703	1,386,773	17,482,930	7.35%	808,771
SERVICES	2,801,608	147,966	2,653,642	5.28%	120,596
MATERIALS & SUPPLIES	2,834,416	177,511	2,656,905	6.26%	167,657
UTILITIES	729,330	67,745	661,585	9.29%	19,487
INSURANCE	806,879	56,337	750,542	6.98%	-
TAXES	190,051	9,630	180,422	5.07%	9,630
PURCHASED TRANSPORTATION	7,073,500	573,730	6,499,770	8.11%	-
MISCELLANEOUS EXPENSES	1,324,495	76,050	1,248,444	5.74%	70,519
TOTAL EXPENSES	34,629,982	2,495,742	32,134,240	7.21%	1,196,660
Net Revenue (Deficit)	0	251,510.43			(626,855)

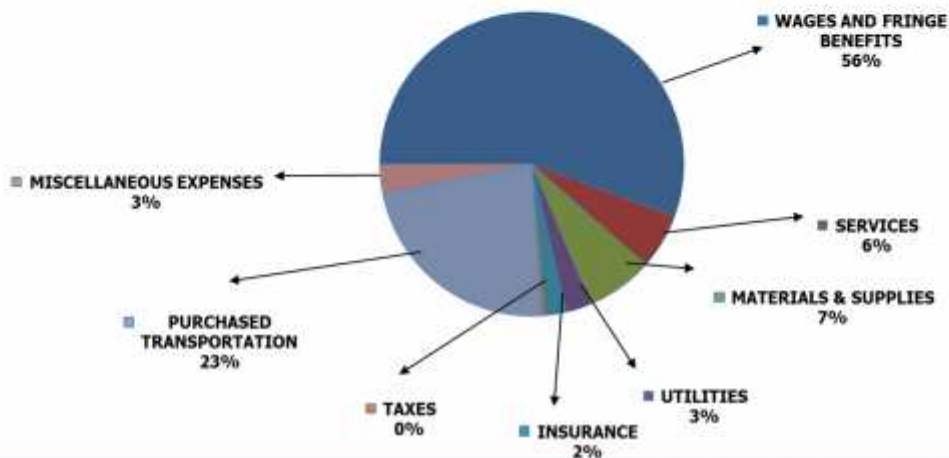
Funds Used to bridge the cash shortfall:

LCTOP funds	203,292
Prior Year TDA funds	423,563
	<u>626,855</u>

Total YTD Expenses as of July 31, 2016 (8.3% of Fiscal Year)



FY2017 Expenses as of July 31, 2016 (\$2,495,742)



STAFF RECOMMENDATION: CONTRACTS AWARDED APRIL – JUNE 2016

LEAD STAFF: SHARON MILLER
DIRECTOR OF PROCUREMENT

FINANCIAL IMPACT: UP TO \$35,940,429.02
OPERATING AND CAPITAL AS INCURRED (MULTI-YEAR)

BACKGROUND

Per Section 2.3 – Organizational Structure, of the San Joaquin Regional Transit District (RTD) Procurement Manual, RTD shall present to the Board of Directors a report summarizing contracts awarded within the Chief Executive Officer’s authority on a periodic basis, no less than quarterly.

DISCUSSION

Attached for the Board’s information, is a list of RTD’s awarded contracts for the period April 1, 2016 through June 30, 2016.

Contracts Awarded April – June 2016

Award Date	Contract Number	Title	Company	Location	Award Amount	Contract Begins	Contract Ends	Funding	DBE
2/1/2016	2016-005-S	Technical Assistance for Transit Service Coordination and Consolidation**	John Christian Andoh	Austin, Texas	\$140,000.00	2/1/2016	6/30/2017	100% Operating	
4/5/2016	2016-P118092-S	Kronos Annual Maintenance	Kronos Incorporated	Chelmsford, Massachusetts	\$10,774.50	5/29/2016	5/28/2017	100% Operating	
4/11/2016	2016-P118131-S	Cummins Maintenance Software	Cummins Pacific	San Leandro, California	\$1,637.18	4/5/2016	4/5/2017	100% Operating	
4/14/2016	2016-001-LA-S	Strategic Study of Pension Design Alternatives Consulting Services	Buck Consultants, LLC	Phoenix, Arizona	\$80,000.00	5/2/2016	7/31/2016	100% Operating	
* 4/15/2016	2016-010-S	Banking Services and Revolving Line of Credit	The Bank of Stockton	Stockton, California		4/15/2016	4/14/2021	Fees	
4/27/2016	2013-031-007-T.O.01	Downtown Transit Center Wall Design Services	Siegfried Engineering, Inc.	Stockton, California	\$16,000.00	5/2/2016	5/1/2017	80% Federal/ 20% Local	
5/1/2016	2016-011-S	Transit Federal Government Consulting Services	William B. Menczer	Washington, DC	\$50,000.00	5/1/2016	4/30/2017	100% Operating	
5/4/2016	2016-P118238-S	PEPRA Consulting Services	Sungard Public Sector	Chico, California	\$2,000.00	5/4/2016	8/31/2016	100% Operating	
5/9/2016	2016-013-S	Marketing Consulting Services	Johnson Design Solutions	Linden, California	\$45,500.00	7/1/2016	6/30/2017	100% Operating	
5/12/2016	2016-P118295-S	Laserfische Licenses	Peele Technologies	Campbell, California	\$5,040.00	5/12/2016	5/11/2017	100% Operating	
5/17/2016	2016-014-MSE	Purchase of Slix LiftU Wheelchair Ramps	Gillig Parts	Hayward, California	\$52,249.56	6/1/2016	8/1/2016	100% State	
5/17/2016	2016-012-C	Intrusion Alarm at CTC	B.I.C Security	Ceres, California	\$10,804.00	6/1/2016	8/1/2016	80% Federal/ 20% State	
* 5/20/2016	2016-008-S	Maintenance Uniform and Supply Services	Mission Linen Supply	Sacramento, California	\$197,055.63	5/13/2016	5/12/2019	100% Operating	
* 6/17/2016	2016-020-S	Contracted Transportation Services - Fixed Route and Maintenance	MV Transportation, Inc.	Dallas, Texas	\$28,235,443.00	7/1/2016	6/30/2018 + 3 OPS	Federal/ State/ Local	
* 6/17/2016	2016-019-S	Contracted Transportation Services - Dial-A-Ride	American Logistics Company	Santa Ana, California	\$6,928,241.15	7/1/2016	6/30/2017 + 4 OPS	Operating	
* 6/17/2016	2016-015-S	Transit Vehicle Advertising Sales and Services	Stott Outdoor Advertising	Chico, California	\$0.00	7/1/2016	6/30/2021	Revenue Contract	
* 6/17/2016	2016-009-S	Travel Training Services	Paratransit, Inc.	Sacramento, California	\$164,424.00	3/1/2016	2/28/2018	100% Federal	
6/30/2016	2016-P118587-S	Intrusion Alarm Monitoring at CTC	Protection Link	Stockton, California	\$1,260.00	7/1/2016	6/30/2017	Operating	
* Board Awarded					TOTAL CONTRACT AWARDS	\$35,940,429.02			
** Unintentionally left off last report									

NOTE: The Contract dollars represents a "not to exceed" amount. Final amount to be paid will be based on actual work requested and executed.

6. SPECIAL PRESENTATIONS

A. EMPLOYEES OF THE MONTH

There were no Employees of the Month

7. PUBLIC COMMENT

Becky Thornton expressed concerns with the Metro Hopper service. Chair Restuccia recommended Becky speak with Director of Operations Norman Tuitavuki.

Dixie Lewis discussed a fall she took in June while riding bus number eighty-three. Chair Restuccia directed Dixie to speak with Director of Operations Norman Tuitavuki.

Deborah Gurley expressed concern that there are two buses, number 55, going in the same direction and both stops are located right next to each other on the tarmac. She wants to know why both stops are right next to each other and why the announcements for bus number 40 states the bus goes to the unemployment office when there is no unemployment office in Stockton. Chair Restuccia thanked her for her observations and recommended Deborah speak with Director of Operations Norman Tuitavuki.

8. REPORTS

A. MV REPORT

No report was provided by MV.

B. GENERAL MANAGER/CEO REPORT

) RTD is currently in the middle of a multi-month transition, changing our customer service technology and the way we report on this data. This new customer service system provides checks and balances, tracking analytics on how many calls received, the duration of each call, and the purpose of each call. In the past, customer service would receive the customer calls, and then the information would be sent to our Operations Department for a resolution. This new system will be streamlined through our Customer Service Department from the beginning of the process to the end of the process. Next month we hope to have a new report for you to view.

) On June 30, 2016, RTD held its annual Safety and Years of Service Awards Ceremony at the RTC. There was food and fun for all the employees to enjoy. This is an annual event that ties in with the National Safety Council; we use the same criteria and the same recognition as the National Safety Council. Nancy Antonio in Human Resources is RTD's contact and leader in the Safety and Wellness Program.

) July 14, 2016, RTD held an event at the Children's Museum, "Artie's Night at the Museum." In 2014, RTD updated the RTD display at the Children's Museum. We now have a bus stop, bus stop sign, a beautiful tree, and peering over the tree we now have our very own Artie D. If you have not been to the museum please go; I am always impressed with the museum and the changes they have made. They continue to improve the museum and the displays continue to get better. We love working with the Children's Museum especially because two of our Board Members participate on the Children's Museum Board, Vice-Chair Les Fong, and Director Gary Giovanetti. Chair Fong stated that he and Director

Giovanetti are no longer on the Children's Museum Board. Chair Restuccia added that although they are no longer on the Board they have laid the foundation for the Children's Museum.

C. STATE/FEDERAL LEGISLATIVE REPORT UPDATE

The General Manager/CEO provided a written report to the Directors in the Board package.

9. INFORMATION ITEMS

No information items.

10. CONSENT CALENDAR

B. RESOLUTION NO. 5658

RESOLUTION APPROVING MINUTES OF THE JUNE 6, 2016 SPECIAL BOARD MEETING

ACTION: MOTION: DIRECTOR SINGH SECOND: VICE CHAIR FONG

Roll Call:

AYES: Bauer, Fong, Giovanetti, Singh, Restuccia NAYES: ABSTAIN: ABSENT:

C. RESOLUTION NO. 5659

RESOLUTION APPROVING MINUTES OF THE JUNE 17, 2016 REGULAR BOARD MEETING

ACTION: MOTION: DIRECTOR SINGH SECOND: VICE CHAIR FONG

Roll Call:

AYES: Bauer, Fong, Giovanetti, Singh, Restuccia NAYES: ABSTAIN: ABSENT:

D. RESOLUTION NO. 5660

RESOLUTION APPROVING THE CHANGE IN THE TITLE OF THE GENERAL MANAGER/CEO TO CEO

ACTION: MOTION: DIRECTOR SINGH SECOND: VICE CHAIR FONG

Roll Call:

AYES: Bauer, Fong, Giovanetti, Singh, Restuccia NAYES: ABSTAIN: ABSENT:

11. ACTION ITEMS

ACTION: MOTION: DIRECTOR GIOVANETTI SECOND: DIRECTOR SINGH

Roll Call:

AYES: Bauer, Fong, Giovanetti, Singh, Restuccia NAYES: ABSTAIN: ABSENT:

A. RESOLUTION NO. 5661

RESOLUTION APPROVING A FIRST AMENDMENT TO THE CONTRACT OF FREEMAN FIRM FOR ON CALL LEGAL SERVICES IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$250,000.00

Chair Restuccia asked if Director of Procurement Sharon Miller could explain, "in the amount not to exceed \$100,000.00 for a total contract amount not to exceed \$250,000.00." Sharon explained that the original contract amount was \$150,000.00 and RTD would like to amend the contract for an additional \$100,000.00 for a total contract amount of \$250,000.00. Vice-Chair Fong asked how much we anticipate paying to Sardee for their legal fees. Director of Procurement Sharon Miller responded that Sardee is asking RTD to pay all legal fees however, no decision has been rendered. General Manager/CEO Donna DeMartino replied that Tom Keeling is in attendance and will be

speaking to the Board under pending litigation in closed session today. She also reminded the Board that RTD does have on-call legal services contracts with a multitude of legal firms and most of them specialize in different areas so we may or may not need to utilize them.

ACTION: MOTION: VICE-CHAIR FONG SECOND: DIRECTOR BAUER
Roll Call:
AYES: Bauer, Fong, Giovanetti, Singh, Restuccia NAYES: ABSTAIN: ABSENT:

- B. RESOLUTION NO. 5662
RESOLUTION AWARDING A CONTRACT TO PROTERRA, INC. FOR TEN 40-FOOT BATTERY-ELECTRIC BUSES AND ONE FAST CHARGER FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$8,842,230.00

Chair Restuccia asked if RTD was to prepare a break even on these buses versus the diesel buses, how long would it take to pay back the \$8.8 million. Grants Manager George Lorente will provide the Board with this information at a later date.

ACTION: MOTION: VICE-CHAIR FONG SECOND: DIRECTOR BAUER
Roll Call:
AYES: Bauer, Fong, Giovanetti, Singh, Restuccia NAYES: ABSTAIN: ABSENT:

- C. RESOLUTION NO. 5663
RESOLUTION AUTHORIZING THE FILING OF AN AMENDMENT TO THE FY 2016 STATE TRANSIT ASSISTANCE (STA) CLAIM

ACTION: MOTION: DIRECTOR GIOVANETTI SECOND: VICE-CHAIR FONG
Roll Call:
AYES: Bauer, Fong, Giovanetti, Singh, Restuccia NAYES: ABSTAIN: ABSENT:

12. QUESTIONS AND COMMENTS FROM DIRECTORS
No questions or comments from the Directors

13. CLOSED SESSION

Chair Restuccia announced that there would be Closed Session to consider and discuss the following, as listed on the Agenda:

- A. Labor Negotiations
- B. Public Employment
- C. Conference with Legal Counsel – Existing Litigation

The Board returned from Closed Session and the Chair announced that the Board had discussed with Legal Counsel the Existing Litigation regarding "San Joaquin Regional Transit District vs. DSS-2731 Myrtle LLC, et al., San Joaquin Superior Court Case No. 39-2010-00252684-CU-EI-STK." However, no action had been taken in Closed Session.

14. ADJOURNMENT
Chair Restuccia adjourned the meeting at 10:28 a.m.

RESOLUTION NO. _____
DATED: AUGUST 19, 2016

RESOLUTION APPROVING THE MINUTES
OF THE REGULAR BOARD MEETING OF JULY 15, 2016

RESOLVED AND ORDERED by the Board of Directors of the San Joaquin Regional Transit District that the minutes of the Regular Meeting of July 15, 2016, be approved.

STAFF RECOMMENDATION: APPROVING A TWO-YEAR MEMORANDUM OF UNDERSTANDING (MOU) WITH PARATRANSIT, INC. FOR AMERICANS WITH DISABILITIES ACT (ADA) CERTIFICATION SERVICES FOR A TOTAL MOU AMOUNT NOT TO EXCEED \$250,000.00

LEAD STAFF: SHARON MILLER, DIRECTOR OF PROCUREMENT

FINANCIAL IMPACT: OPERATING

BACKGROUND

San Joaquin Regional Transit District (RTD) offers paratransit services to persons who, due to their disability, are unable to perform the skills necessary to use RTD's fixed route service. Persons interested in this service must obtain certification under the Americans with Disabilities Act (ADA) through an application process. RTD was the direct contact for the application process until 2013 when, after the departure of the Mobility Manager, it outsourced the ADA certification services to test its benefits. Due to the success of the outsourced ADA certification services, staff determined that continuing to outsource these services is in the best interest of RTD.

DISCUSSION

In June 2016, RTD entered into negotiations with Paratransit, Inc. for the subject services. Paratransit, Inc. filed as a public agency with the State of California Secretary of State on February 3, 2016, thus eliminating the need for a solicitation for the ADA certification services.

Upon implementation of the program by Paratransit, Inc., all applicants for ADA eligibility will undergo an in-person assessment process. This will include all new applicants as well as recertifying applicants. Assessments will be conducted at RTD two days per week. Paratransit, Inc. will schedule all appointments for in-person assessments. RTD will manage any appeal process with the assistance of Paratransit, Inc.

RESOLUTION NO. _____
DATED: AUGUST 19, 2016

RESOLUTION APPROVING A TWO-YEAR MEMORANDUM OF UNDERSTANDING (MOU) WITH PARATRANSIT, INC. FOR AMERICANS WITH DISABILITIES ACT (ADA) CERTIFICATION SERVICES FOR A TOTAL MOU AMOUNT NOT TO EXCEED \$250,000.00

WHEREAS, San Joaquin Regional Transit District (RTD) offers paratransit services to persons who, due to their disability, are unable to perform the skills necessary to use RTD's fixed route service; and

WHEREAS, due to the success of the outsourced ADA certification services, staff determined that continuing to outsource these services is in the best interest of RTD; and

WHEREAS, Paratransit, Inc. filed as a public agency with the State of California Secretary of State on February 3, 2016, thus eliminating the need for a solicitation for the ADA certification services; and

WHEREAS, upon implementation of the program by Paratransit, Inc. all applicants for ADA eligibility will undergo an in-person assessment process, including new and recertifying applicants.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Joaquin RTD as follows:

- 1) That a memorandum of understanding be, and hereby is, approved with Paratransit, Inc. for ADA Certification Services for a total MOU amount not to exceed \$250,000.00.
- 2) That the Chair of the Board and the Chief Executive Officer be, and they hereby are, authorized and directed to finalize and execute the MOU with Paratransit, Inc. for ADA Certification Services in a total MOU amount not to exceed \$250,000.00, in accordance with the accepted proposal.
- 3) That the Chair of the Board and the Chief Executive Officer, acting individually, are hereby authorized and directed to execute such other agreements and amendments to this agreement, and to take such other actions as may be necessary or appropriate to carry out in the intent and purpose of this resolution.

STAFF RECOMMENDATION: AWARDING A CONTRACT TO SIEGFRIED ENGINEERING, INC. FOR PRELIMINARY AND FINAL ENGINEERING FOR THE BUS RAPID TRANSIT (BRT) IV MARTIN LUTHER KING, JR. CORRIDOR IMPROVEMENTS FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$448,701.08

LEAD STAFF: SHARON MILLER, DIRECTOR OF PROCUREMENT

FINANCIAL IMPACT: LOCAL (100% MEASURE K)

BACKGROUND

The purpose of the Metro Express: Dr. Martin Luther King, Jr. Corridor Bus Rapid Transit (BRT) project is to expand existing BRT services east and west between the Interstate 5 and Highway 99 areas in the southern portion of Stockton. Once implemented, this project will improve service to meet current and future mobility needs, improve quality of life, improve air quality, decrease traffic congestion, and assist in the development of a strong, integrated, and diverse economy.

DISCUSSION

On May 24, 2016, staff sent out the Request for Proposals (RFP) for Preliminary and Final Engineering for the Bus Rapid Transit (BRT) IV Martin Luther King, Jr. Corridor Improvements to potential qualified proposers with potential eBid vendors being notified in advance. The RFP was publicly advertised and posted on RTD's eBid website. The website notified all vendors in the eBid database that fell under the criteria of the subject solicitation. A total of 41 firms downloaded the RFP from the eBid website.

On July 6, 2016, RTD received two responsive proposals. Follow-up with other firms revealed that they had other commitments or felt they did not have sufficient qualifications or experience to provide the services specific to transit needs.

The Selection Committee evaluated the proposals in the following areas:

- ✓ Project Understanding (10 Points)
- ✓ Project Staffing and Experience (20 Points)
- ✓ Recent and Relevant Project (50 points)
- ✓ Project Work Plan (20 Points)

In accordance with the Brooks Act only technical evaluations were conducted and prices remained sealed until it was determined who was the highest score.

Siegfried Engineering, Inc. received the highest score and was deemed to be the most responsive responsible proposer to provide the preliminary and final engineering services. A cost/price analysis was performed determining Siegfried Engineering, Inc.'s price as fair and reasonable and within the budget of the BRT IV project.

RESOLUTION NO. _____
DATED: August 19, 2016

RESOLUTION AWARDING A CONTRACT TO SIEGFRIED ENGINEERING, INC. FOR PRELIMINARY AND FINAL ENGINEERING FOR THE BUS RAPID TRANSIT (BRT) IV MARTIN LUTHER KING, JR. CORRIDOR IMPROVEMENTS FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$448,701.08

WHEREAS, the purpose of the Metro Express: Dr. Martin Luther King, Jr. Corridor Bus Rapid Transit (BRT) project is to expand existing BRT services east and west between the Interstate 5 and Highway 99 areas in the southern portion of Stockton; and

WHEREAS, on May 24, 2016, staff sent out the Request for Proposals (RFP) for Preliminary and Final Engineering for the Bus Rapid Transit (BRT) IV Martin Luther King, Jr. Corridor Improvements to potential qualified proposers with potential eBid vendors being notified in advance; and

WHEREAS, on July 6, 2016, RTD received two responsive proposals; and

WHEREAS, Siegfried Engineering, Inc. received the highest score and was deemed to be the most responsive responsible proposer to provide the preliminary and final engineering services.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Joaquin RTD as follows:

- 1) That a contract be, and hereby is, awarded to Siegfried Engineering, Inc. for Preliminary and Final Engineering for the Bus Rapid Transit IV Martin Luther King, Jr. Corridor Improvements for a total contract amount not to exceed \$448,701.08.
- 2) That the Chair of the Board and the Chief Executive Officer be, and they hereby are, authorized and directed to finalize and execute the contract with Siegfried Engineering, Inc. for Preliminary and Final Engineering for the Bus Rapid Transit IV Martin Luther King, Jr. Corridor Improvements, in a total contract amount not to exceed \$448,701.08 in accordance with the Request for Proposal for Preliminary and Final Engineering for the Bus Rapid Transit IV Martin Luther King, Jr. Corridor Improvements, dated May 24, 2016 being Solicitation No. 2016-R109298-S.
- 3) That the Chair of the Board and the Chief Executive Officer, acting individually, are hereby authorized and directed to execute such other agreements and amendments to this agreement, and to take such other actions as may be necessary or appropriate to carry out in the intent and purpose of this resolution.

STAFF RECOMMENDATION: AWARDING A SINGLE SOURCE CONTRACT TO SIEGFRIED ENGINEERING, INC. FOR PRELIMINARY AND FINAL ENGINEERING FOR THE BUS RAPID TRANSIT (BRT) V CROSSTOWN MINER CORRIDOR IMPROVEMENTS FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$328,416.61

LEAD STAFF: SHARON MILLER, DIRECTOR OF PROCUREMENT

FINANCIAL IMPACT: LOCAL (100% MEASURE K)

BACKGROUND

The purpose of the Metro Express: Crosstown Miner corridor bus rapid transit (BRT) project is to expand existing BRT services east and west between the Interstate 5 and Highway 99 areas in the midtown portion of Stockton. Once implemented, this project will improve service to meet current and future mobility needs, improve quality of life, improve air quality, decrease traffic congestion, and assist in the development of a strong, integrated, and diverse economy.

DISCUSSION

On June 6, 2016, staff sent out the Request for Proposals (RFP) for Preliminary and Final Engineering for the Bus Rapid Transit (BRT) V Crosstown Miner Corridor Improvements to potential qualified proposers with potential eBid vendors being notified in advance. The RFP was publicly advertised and posted on RTD's eBid website. The website notified all vendors in the eBid database that fell under the criteria of the subject solicitation. A total of 35 firms downloaded the RFP from the eBid website.

On July 6, 2016, RTD received one responsive proposal indicating it to be a single source. Follow-up with other firms revealed that they had other commitments or felt they did not have sufficient qualifications or experience to provide the services specific to transit needs.

The Selection Committee evaluated the proposals in the following areas:

- ✓ Project Understanding (10 Points)
- ✓ Project Staffing and Experience (20 Points)
- ✓ Recent and Relevant Project (50 points)
- ✓ Project Work Plan (20 Points)

The single proposal was evaluated in accordance with the Brooks Act where only the technical evaluation was conducted and price remained sealed until it was determined if the proposer was qualified.

Siegfried Engineering, Inc. received a high score and was deemed to be a responsive responsible proposer to provide the preliminary and final engineering services. A cost/price analysis was performed determining Siegfried Engineering, Inc.'s price as fair and reasonable and within the budget of the BRT V project.

RESOLUTION NO. _____

DATED: August 19, 2016

RESOLUTION AWARDING A SINGLE SOURCE CONTRACT TO SIEGFRIED ENGINEERING, INC. FOR PRELIMINARY AND FINAL ENGINEERING FOR THE BUS RAPID TRANSIT (BRT) V CROSTOWN MINER CORRIDOR IMPROVEMENTS FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$328,416.61

WHEREAS, the purpose of the Metro Express: Crosstown Miner corridor bus rapid transit (BRT) project is to expand existing BRT services east and west between the Interstate 5 and Highway 99 areas in the midtown portion of Stockton; and

WHEREAS, on June 6, 2016, staff sent out the Request for Proposals (RFP) for Preliminary and Final Engineering for the Bus Rapid Transit (BRT) V Crosstown Miner Corridor Improvements to potential qualified proposers with potential eBid vendors being notified in advance; and

WHEREAS, on July 6, 2016, RTD received one responsive proposal indicating it to be a single source; and

WHEREAS, Siegfried Engineering, Inc. received a high score and was deemed to be a responsive responsible proposer to provide the preliminary and final engineering services.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Joaquin RTD as follows:

- 1) That a single source contract be, and hereby is, awarded to Siegfried Engineering, Inc. for Preliminary and Final Engineering for the Bus Rapid Transit V Crosstown Miner Corridor Improvements for a total contract amount not to exceed \$328,416.61.
- 2) That the Chair of the Board and the Chief Executive Officer be, and they hereby are, authorized and directed to finalize and execute the single source contract with Siegfried Engineering, Inc. for Preliminary and Final Engineering for the Bus Rapid Transit V Crosstown Miner Corridor Improvements, in a total contract amount not to exceed \$328,416.61 in accordance with the Request for Proposal for Preliminary and Final Engineering for the Bus Rapid Transit V Crosstown Miner Corridor Improvements, dated June 6, 2016 being Solicitation No. 2016-R109299-S.
- 3) That the Chair of the Board and the Chief Executive Officer, acting individually, are hereby authorized and directed to execute such other agreements and amendments to this agreement, and to take such other actions as may be necessary or appropriate to carry out in the intent and purpose of this resolution.

STAFF RECOMMENDATION: AWARDING A FIVE-YEAR CONTRACT TO PENNINO MANAGEMENT GROUP FOR ON-CALL PROJECT MANAGER SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$550,000.00

LEAD STAFF: SHARON MILLER, DIRECTOR OF PROCUREMENT

FINANCIAL IMPACT: VARIOUS FUNDING SOURCES

BACKGROUND

San Joaquin Regional Transit District (RTD) recognizes that on upcoming projects the size and complexity of the Bus Rapid Transit IV Martin Luther King, Jr. Corridor and Bus Rapid Transit V Crosstown Miner Corridor, agencies often use a professional outside firm to perform project manager services, representing the agency in overseeing the activities of the contractor performing the services or construction on site. RTD will require these services from preliminary engineering through completion of the subject projects, as well as other projects, for purposes of controlling time, cost, and quality.

Based on these factors, staff appropriately selected to use the Request for Proposal (RFP) procurement method in acquiring on-call project manager services.

DISCUSSION

On June 16, 2016, staff sent out the Request for Proposals (RFP) for on-call project manager services to potential qualified proposers with potential eBid vendors being notified in advance. The RFP was publicly advertised and posted on RTD's eBid website. The website notified all vendors in the eBid database that fell under the criteria of the subject solicitation. A total of 40 firms downloaded the RFP from the eBid website.

On July 13, 2016, RTD received two responsive proposals. Follow-up with other firms revealed that they had other commitments and felt that they did not have adequate staff to devote to the contract.

The Selection Committee evaluated the proposals in the following areas:

- ✓ Project Understanding (20 Points)
- ✓ Project Staffing and Experience (20 Points)
- ✓ Project Work Plan (20 Points)
- ✓ Price (40 Points)

Pennino Management Group from Lodi, California received the highest score and was deemed to be the most responsive responsible proposer to provide on-call project manager services. A cost/price analysis was performed determining Pennino Management Group's price as fair and reasonable.

Staff recommends awarding a five-year contract to Pennino Management Group for On-Call Project Manager Services in an amount not to exceed \$550,000.00.

RESOLUTION NO. _____
DATED: August 19, 2016

RESOLUTION AWARDING A FIVE-YEAR CONTRACT TO PENNINO MANAGEMENT GROUP FOR ON-CALL PROJECT MANAGER SERVICES FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$550,000.00

WHEREAS, San Joaquin Regional Transit District (RTD) recognizes that on upcoming projects the size and complexity of the Bus Rapid Transit IV Martin Luther King, Jr. Corridor and Bus Rapid Transit V Crosstown Miner Corridor, agencies often use a professional outside firm to perform project manager Services; and

WHEREAS, RTD will require these services from preliminary engineering through completion of the subject projects, as well as other projects, for purposes of controlling time, cost, and quality; and

WHEREAS, on June 16, 2016, staff sent out the Request for Proposals (RFP) for on-call project manager services to potential qualified proposers; and

WHEREAS, on July 13, 2016, RTD received two responsive proposals; and

WHEREAS, Pennino Management Group received the highest score and was deemed to be the most responsive responsible proposer to provide on-call project manager services.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Joaquin RTD as follows:

- 1) That a contract be, and hereby is, awarded to Pennino Management Group for On-Call Project Manager Services for a total contract amount not to exceed \$550,000.00.
- 2) That the Chair of the Board and the Chief Executive Officer be, and they hereby are, authorized and directed to finalize and execute the contract with Pennino Management Group for On-Call Project Manager Services in a total contract amount not to exceed \$550,000.00, in accordance with the Request for Proposal for On-Call Project Manager Services, dated June 16, 2016 being Solicitation No. 2016-OCPPMS-S.
- 3) That the Chair of the Board and the Chief Executive Officer, acting individually, are hereby authorized and directed to execute such other agreements and amendments to this agreement, and to take such other actions as may be necessary or appropriate to carry out in the intent and purpose of this resolution.

STAFF RECOMMENDATION: APPROVING SAN JOAQUIN REGIONAL TRANSIT DISTRICT'S (RTD) DISADVANTAGED BUSINESS ENTERPRISE (DBE) OVERALL GOAL OF 2.7% FOR FEDERAL FISCAL YEARS (FFY) 2017, 2018, AND 2019

LEAD STAFF: SHARON MILLER, DIRECTOR OF PROCUREMENT

FINANCIAL IMPACT: NONE

BACKGROUND

Effective March 5, 2010, the Department of Transportation (DOT) Disadvantaged Business Enterprise (DBE) program rules were amended to change how often recipients are required to make goal submissions documenting the methodology and process used to establish the annual overall goal to be implemented each Federal Fiscal Year (FFY), beginning October 1. Under the new rules, DBE goal submissions should be made at three-year intervals. All recipients will no longer submit for approval their annual DBE goal methodology and process.

RTD will submit the 2.7% triennial goal for FFY 2017, FFY 2018, and FFY 2019. The next submission date will be October 1, 2019.

DISCUSSION

RTD estimates the overall goal for DBE participation in DOT assisted contracts for FFY 2017, FFY 2018, and FFY 2019 to be 2.7%. The budgeting and statistical breakdown used to derive this goal is described below. This goal does not require or include Federal Transit Administration (FTA) funds to be used for the purchase of transit vehicles.

Approved federal funding to date for FFY 2017, FFY 2018, and FFY 2019 will be provided by those listed below:

FY2017 Federally Funded Projects			
Projects	Federal	Match	Total
<u>5307</u>			
Grand Total	\$5,216,726.00	\$2,138,779.25	\$ 7,355,505.25
<u>5339</u>			
Grand Total	\$ 468,854.14	\$ 157,965.08	\$ 626,819.22
<u>Crosstown Miner BRT</u>			
Grand Total	\$1,600,000.00	\$2,252,804.67	\$3,852,804.67
<u>MLK Blvd BRT</u>			
Grand Total	\$2,100,000.00	\$2,498,643.35	\$4,598,643.35

FY2018 Federally Funded Projects			
Projects	Federal	Match	Total
<u>5307</u>			
Grand Total	\$5,216,726.00	\$2,138,779.25	\$7,355,505.25

FY2019 Federally Funded Projects			
Projects	Federal	Match	Total
<u>5307</u>			
Grand Total	\$5,216,726.00	\$2,138,779.25	\$7,355,505.25

The amount of the adjusted Annual Anticipated DBE Participation Level (AADPL) and methodology are presented herein, in accordance with Title 49 of the Code of Federal Regulations, Part 26, and the State of California, DOT DBE Program Plan.

RTD is establishing an adjusted DBE goal of 2.7% for FFY 2017, FFY 2018, and FFY 2019 beginning on October 1, 2016.

1. RTD determined applicability for the annual DBE goal and that RTD will award amounts over \$250,000.00 in Federal funds in FFY 2017, FFY 2018, and FFY 2019.
2. RTD determined the list of projects that are federally funded and their dollar amounts. North American Industry Classification System (NAICS) Codes and/or licenses were determined for each project.
3. RTD developed a weighted percentage base figure for the relative availability of DBEs by using the Caltrans Certified DBE database (www.dot.ca.gov) to determine the total number of ready DBE firms in Sacramento, San Joaquin, and Stanislaus Counties divided by the total number of all firms from the United States Census in each of the said counties (www.census.gov/econ/sub/) for the types of contracts RTD anticipates to award.
4. RTD used weighting to develop a base figure of 2.7%:

<u>Federal Fiscal Year</u>	<u>Annual Goal</u>	<u>Actual DBE Participation</u>
2014	6.5%	0%
2015	6.5%	6.5%
2016	6.5%	3.62%

Weighted Percentage + Median 2014 – 2016 / 2 = DBE Goal for FFY 2017 – 2019.

2 + 3.4 / 2 = 2.7% Overall DBE Goal for federal fiscal years 2017, 2018, and 2019

RESOLUTION NO. _____

DATED: August 19, 2016

RESOLUTION APPROVING SAN JOAQUIN REGIONAL TRANSIT DISTRICT'S (RTD'S) DISADVANTAGED BUSINESS ENTERPRISE (DBE) OVERALL GOAL OF 2.7% FOR FEDERAL FISCAL YEARS (FFY) 2017, 2018, AND 2019

WHEREAS, San Joaquin Regional Transit District (RTD) determined applicability for the annual DBE goal and that RTD will award amounts over \$250,000.00 in Federal Transit Administration (FTA) funds in FFY 2017, FFY 2018, and FFY 2019; and

WHEREAS, RTD estimates the overall goal for DBE participation in DOT assisted contracts for FFY 2017, FFY 2018, and FFY 2019 to be 2.7%; and

WHEREAS, RTD established the amount of the adjusted Annual Anticipated DBE Participation Level (AADPL) and methodology, in accordance with Title 49 of the Code of Federal Regulations, Part 26, and the State of California DOT DBE Program Plan.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the San Joaquin Regional Transit District Board of Directors that staff be, and hereby is, authorized and directed to administer the proposed adjusted overall participation goal of 2.7%.

RECOMMENDATION: AWARDING A CONTRACT TO YORK RISK SERVICES GROUP, INC. FOR WORKERS' COMPENSATION CLAIMS THIRD PARTY ADMINISTRATION (TPA) SERVICES FOR A THREE- YEAR BASE TERM, PLUS TWO ONE-YEAR OPTIONS, IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$200,947.00*
*EXCLUDING ALLOCATED LOSS ADJUSTMENT EXPENSES (ALAE) PAID OFF THE FILE

LEAD STAFF: ADRIANA DE BORBA
CONTRACTS SPECIALIST

FINANCIAL IMPACT: \$200,947.00* - OPERATING

BACKGROUND:

On September 1, 2011, RTD entered into a three-year, plus two one-year option contracts for Workers' Compensation Claims TPA Services. As said Contract term approaches expiration, staff determined that it is in the best interest of RTD that a solicitation for a new contract for Workers' Compensation Claims TPA services be conducted in order to preserve full and open competition as stated in FTA Circular 42201.F.

In accordance with RTD's procurement threshold for professional services requiring formal solicitation and formal contract, staff identified the Request for Proposal (RFP) process as the rationale for procurement strategy. This project is funded with 100% operational funds, with no federal monies included. No Disadvantaged Business Enterprise (DBE) participation goal was established based off the scope of work and funding. However, staff included DBE firms in outreach as part of normal practice.

DISCUSSION:

On June 10, 2016 staff sent out the Request for Proposal (RFP) for Workers' Compensation Claims TPA services to potential qualified proposers. The RFP was publicly advertised in The Record and posted on RTD's eBid website. A total of twenty-one (21) vendors downloaded the RFP, and a pre-proposal conference was held on June 23, 2016.

On July 19, 2016 RTD received two (2) responsive and responsible proposals. Proposals were ushered through the pre-award process and forwarded to the Selection Committee for evaluation. The Selection Committee evaluated the Proposals in the following areas:

- ✓ Project Understanding (20 Points)
- ✓ Project Staffing and Experience (20 Points)
- ✓ Project Work Plan and Approach (20 Points)
- ✓ Pricing (40 points) is non-subjective and scored using a procurement price formula.

The Selection Committee deemed York Risk Services Group, Inc. as the highest ranked firm to provide RTD with Workers Compensation Claims TPA Services.

While a cost/price analysis was performed, determining York's pricing as fair and reasonable, it is RTD's intent is to reevaluate option year pricing, as the time approaches, for the opportunity to negotiate any areas showing a reduction in claims/loss exposure. It should be noted that due to the efforts of RTD staff in promoting a safe work environment, RTD has seen a significant decrease in claims and outstanding loss reserves over the past five years, resulting in a forty percent (40%) annual cost savings. Negotiations for future option years will be in the best interest of RTD, and any dollar amount associated with these negotiations will not exceed the original proposed price for each option year.

RESOLUTION NO. _____
DATED: AUGUST 19, 2016

RESOLUTION AWARDING A CONTRACT TO YORK RISK SERVICES GROUP, INC. FOR WORKERS' COMPENSATION CLAIMS THIRD-PARTY ADMINISTRATION (TPA) SERVICES, FOR A THREE-YEAR BASE TERM, PLUS TWO ONE-YEAR OPTIONS, IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$200,947.00.

WHEREAS, on September 1, 2011, RTD entered into a Contract for Workers' Compensation Claims TPA Services; and,

WHEREAS, RTD remains responsible for conducting their procurement transactions in accordance with FTA Circular 4220.1F "full and open competition" principle and determined that a solicitation for a new Contract is in the best interest of RTD; and,

WHEREAS, in accordance with RTD's procurement threshold for professional services requiring formal solicitation, staff identified the Request for Proposal (RFP) process as the rationale for procurement strategy; and,

WHEREAS, on June 10, 2016, staff released the Request for Proposal (RFP); and,

WHEREAS, on July 19, 2016 RTD received two responsive and responsible Proposals; and,

WHEREAS, the Selection Committee deemed York Risk Services Group, Inc. (York) to be the highest ranked, responsible and responsive Proposer; and,

WHEREAS, RTD procurement staff performed a price analysis and deemed the Proposal from York in the amount of \$200,947.00 fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of RTD as follows:

- 1) That a Contract with York Risk Services Group, Inc. for Workers' Compensation Claims TPA Services, for three years plus two one-year options, in a total Contract amount not to exceed \$200,947.00 excluding allocated loss adjustment expenses (ALAE) paid off the file, be, and hereby is, approved.
- 2) That the Chair of the Board and the Chief Executive Officer be, and they hereby are, authorized and directed to finalize and execute the Contract with York Risk Services Group, Inc. for Workers' Compensation Claims TPA Services, for three years plus two one-year options, in a total Contract amount not to exceed \$200,947.00 excluding allocated loss adjustment expenses (ALAE) paid off the file.
- 3) That the Chair of the Board and the Chief Executive Officer, acting separately be, and they hereby are, authorized and directed to finalize and execute such other agreements and amendments to this agreement, and to take such other actions as may be necessary or appropriate to carry out in the intent and purpose of this resolution.

STAFF RECOMMENDATION: AUTHORIZING THE EXECUTION OF THE AGREEMENT
FOR THE PUBLIC BENEFIT GRANT PROGRAM

LEAD STAFF: GEORGE LORENTE
GRANTS MANAGER

FINANCIAL IMPACT: \$699,930
SJVAPCD Grant

BACKGROUND:

The San Joaquin Regional Transit District (RTD) filed a grant application for the San Joaquin Valley Air Pollution Control District's (SJVAPCD) Public Benefit Grants Program –Enhanced Transportation Strategies Component. RTD's grant application requested assistance for the purchase of two zero-emissions electric buses.

RTD has received a preliminary award for its project, San Joaquin RTD Production EV Transit Bus Deployment Program (Project No. C-39217), with a grant amount of \$699,930. RTD expects to receive the buses awarded by January 2017.

DISCUSSION:

Prior to the execution of the grant agreement for this project, SJVAPCP requires grantees to submit a final resolution from the agency's governing board prior to the execution of the grant agreement.

Staff requests that the board approve the designation of Donna DeMartino, Chief Executive Officer, or designee to enter into a grant agreement with the SJVAPCD, to accept grant funds, and to complete the awarded project – San Joaquin RTD Production EV Transit Bus Deployment Program.

RESOLUTION NO. ____

DATED: August 19, 2016

RESOLUTION AUTHORIZING THE EXECUTION OF THE AGREEMENT FOR THE PUBLIC BENEFIT GRANT PROGRAM

WHEREAS, the San Joaquin Regional Transit District is an eligible project sponsor and may receive funding from San Joaquin Valley Air Pollution Control District's (SJVAPCD) Public Benefit Grants Program –Enhanced Transportation Strategies Component; and

WHEREAS, RTD has received a preliminary award for its project, San Joaquin RTD Production EV Transit Bus Deployment Program (Project No. C-39217), with a grant amount of \$699,930; and

WHEREAS, prior to the execution of the grant agreement for this project, SJVAPCD requires grantees to submit a final resolution from the agency's governing board prior to the execution of the grant agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Joaquin Regional Transit District that the Chief Executive Officer, Donna DeMartino, and/or her designee, is hereby authorized to execute for and on behalf of San Joaquin Regional Transit District to enter into a grant agreement with the SJVAPCD, to accept grant funds, and to complete the awarded project – San Joaquin RTD Production EV Transit Bus Deployment Program.

STAFF RECOMMENDATION: AUTHORIZING THE EXECUTION OF A MASTER AGREEMENT AND PROGRAM SUPPLEMENTS FOR STATE-FUNDED TRANSIT PROJECTS

LEAD STAFF: GEORGE LORENTE
GRANTS MANAGER

FINANCIAL IMPACT: \$6,841,000
FY15 TRANSIT AND INTERCITY RAIL CAPITAL PROGRAM (TIRCP)

BACKGROUND:

The Transit and Intercity Rail Capital Program (TIRCP) is one of several programs established by the California Legislature in 2014 by Senate Bill 862 to help California's transit and intercity commuter, and urban rail systems to reduce emissions of greenhouse gases by reducing vehicle miles traveled throughout California. The TIRCP provides operating and capital assistance for transit agencies to reduce greenhouse gas emissions, increase ridership, and improve safety. Additionally, SB 862 establishes a goal to provide at least 25 percent of available funding to projects that provides meaningful benefits to disadvantaged communities.

DISCUSSION:

The California State Transportation Agency allocated funds from the Greenhouse Gas Reduction Fund according to the requirements of the Transit and Intercity Rail Capital Program. Projects were selected through a competitive process and there were no minimum requirement for the funding source. In addition, CalSTA seeks projects that link key destinations and improved accessibility to economic opportunities. This grant required that programs funded from revenues in the Greenhouse Gas Reduction Fund result in benefits to disadvantaged communities.

RTD received a notification of award on June 30, 2015. In order to complete the allocation process, RTD is required to execute a grant agreement and obtain board approval for this action. RTD is requesting that the California Transportation Commission allocate \$6,841,000 of the Transit and Intercity Rail Capital Program funding for the BRT Expansion – MLK Corridor and Crosstown Miner Corridor project. The project will bring mobility, economic, and environmental benefits to disadvantaged communities within Stockton.

RTD is requesting authorization for the Chief Executive Officer or designee to file and execute the aforementioned grant award agreement with Caltrans.

RESOLUTION NO. ____
DATED: AUGUST 19, 2016

RESOLUTION AUTHORIZING THE EXECUTION OF A MASTER AGREEMENT AND PROGRAM SUPPLEMENTS
FOR STATE-FUNDED TRANSIT PROJECTS

WHEREAS, the San Joaquin Regional Transit District may receive state funding from the California Department of Transportation (Department) now or sometime in the future for transit projects; and

WHEREAS, substantial revisions were made to the programming and funding process for the transportation projects programmed in the Transit and Intercity Rail Capital Program, by Chapter 36 (SB 862) of the Statutes of 2014; and

WHEREAS, the statutes related to state-funded transit projects require a local or regional implementing agency to execute an agreement with the Department before it can be reimbursed for project expenditures; and

WHEREAS, the Department utilizes Master Agreements for State-Funded Transit Projects, along with associated Program Supplements, for the purpose of administering and reimbursing state transit funds to local agencies; and

WHEREAS, the San Joaquin Regional Transit District wishes to delegate authorization to execute these agreements and any amendments thereto to the Chief Executive Officer or designee.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the San Joaquin Regional Transit District:

1. That the fund recipient agrees to comply with all conditions and requirements set forth in this agreement and applicable statutes, regulations and guidelines for all state-funded transit projects.
2. That the Chief Executive Officer or designee be authorized to execute the Master Agreement and all Program Supplements for State-Funded Transit Projects and any Amendments thereto with the California Department of Transportation.

STAFF RECOMMENDATION: APPROVE REVISED RTD RETIREMENT BOARD BYLAWS
BASED ON COMMENTS RECEIVED FROM RTD
RETIREMENT BOARD MEMBERS.

LEAD STAFF: KENT BRADBURY
LEGAL COUNSEL- EMPLOYEE AND LABOR RELATIONS

FINANCIAL IMPACT: MINIMAL

BACKGROUND:

At the RTD Retirement Board meeting on March 17, 2016, the Retirement Board agreed to review the Retirement Board bylaws passed by the RTD Board of Directors and provide any comments or proposed changes to Kent Bradbury for presentation to the RTD Board of Directors. Retirement Board members were reminded again on May 3, 2016 to submit any proposed changes. Comments and proposed changes were submitted by one Retirement Board member, and they are included and/or incorporated in the proposed updated version.

DISCUSSION:

In addition to minor changes ensuring internal continuity of the numbering system, the Bylaws are revised to include the following substantive changes:

- Clarified the process and timeframe for filling vacancies on the Retirement Board (Section 1.13)
- Allows the Retirement Board Secretary to designate an Assistant Secretary (Section 3.13)
- More closely follows wording from the PUC Enabling Statutes (Sections 1.12, 8.10)
- Provides a protocol for requesting information from Retirement Board contractors matching that recently passed by the RTD Board (Section 9.14)
- Includes an additional comment from a Retirement Board member regarding a process for making future changes to the Bylaws, to be discussed with the RTD Board (Section 9)



SAN JOAQUIN REGIONAL TRANSIT DISTRICT RETIREMENT BOARD BYLAWS

Effective August 19, 2016

As adopted and approved by the San Joaquin Regional Transit District Board of Directors, pursuant to California Public Utilities Code Section 50150.

Table of Contents

[ARTICLE 1](#) 45

[RETIREMENT BOARD COMPOSITION AND PURVIEW](#) 45

[GOVERNANCE](#) 45

[ARTICLE 2](#) 46

[MEETINGS](#) 46

[ARTICLE 3](#) 47

[OFFICERS](#) 47

[ARTICLE 4](#) 49

[ORDER OF BOARD BUSINESS](#) 49

[ARTICLE 5](#) 51

[MEMBERS ADDRESSING THE BOARD](#) 51

[ARTICLE 6](#) 52

[OTHERS ADDRESSING THE BOARD](#) 52

[ARTICLE 7](#) 52

[OFFICIAL ACTIONS](#) 52

[ARTICLE 8](#) 53

[COMMITTEES](#) 53

[ARTICLE 9](#) 53

[RULES](#) 53

ADOPTED BY THE:
San Joaquin Regional Transit District Board on February 19, 2016

BYLAWS FOR THE RETIREMENT BOARD

ARTICLE 1

RETIREMENT BOARD COMPOSITION AND PURVIEW

GOVERNANCE

§ 1.10 Definitions

For the purposes of these Bylaws, the "Board" or the "RTD Board" shall refer to the Board of Directors of the San Joaquin Regional Transit District. The "Retirement Board" shall refer to the Board of Directors of the San Joaquin RTD Retirement Plan. "Employee" shall refer to any person employed by RTD.

§ 1.11 Retirement Plan; Application of Bylaws

These Bylaws are created by and under the full authority and approval of the RTD Board and govern the composition and actions of the Retirement Board in maintaining the Retirement Plan established for employees of the San Joaquin Regional Transit District (hereinafter "RTD".)

The plan is referred to herein as the "Retirement Plan."

These Bylaws apply to the Retirement Plan as they may be amended from time to time, except when the terms of the Act and/or the terms of the Plan are inconsistent with the terms of these Bylaws, in which case the terms of the Act and/or the Plan will govern its operations.

§1.12 Governance of the Retirement Plan

The Retirement Plan is governed by one board, hereinafter individually referred to as the "Retirement Board."

Pursuant to the California Public Utilities Code Section 50150, the RTD Board shall create a retirement board of no more than five members, at least two members of which shall be the elected representatives of the employees, to administer the retirement system, and shall define its powers and duties and the tenure of the members. Consistent with applicable law, the Retirement Board will be composed of two members appointed by the RTD Board of Directors and two members that are elected representatives of employees, with a fifth member – referred to as the Umpire - selected jointly by the Union and RTD.

§1.13 Retirement Board Member Term of Office

Each Retirement Board Member is appointed to a four-year term of office. Members' terms of office are to be staggered so that the term of one member appointed by the RTD Board of Directors and the term of one member elected by the employees expire at the end of every other calendar year. Members of the Retirement Board may be reappointed or reelected, in compliance with all applicable regulations and legislation.

For Retirement Board Members seated as of adoption of this section of the Bylaws, the Retirement Board will determine by lot which seat will expire at the end of the following calendar year, and which will expire at the end of the calendar year ending two years later.

In the event of a vacancy of a Retirement Board member because of death, resignation, illness, or other reason, a new member must be appointed in compliance with applicable regulations and legislation as soon as may reasonably occur, but no later than 60 days after such vacancy.

§1.14 Retirement Board Fiduciary Duty and Authority

The duties and responsibilities of each Retirement Board Member must be executed in accordance and in full compliance with the requirements of Sections 50150-50153 of the California Public Utilities Code, the California Constitution, Article 16, §17, and any other provision of law applicable to fiduciary duties of the Retirement Board.

The Retirement Board shall administer and carry out the terms and provisions of the Retirement Plan. The Retirement Board has no authority to amend or change the terms of the Retirement Plan.

ARTICLE 2

RETIREMENT BOARD RULES

MEETINGS

§2.10 Regular Quarterly Retirement Board Meeting Schedule

The Retirement Board shall hold regular meetings at least quarterly. No later than December 31st of each year, the Retirement Board must adopt a resolution setting forth their regular meeting schedule for the following calendar year. The resolution establishing the Retirement Board's regular meeting schedule shall state the date and time for each meeting and the place for each such meeting if it differs from the place set out in the Bylaws. Unless otherwise specified in the meeting notice, the Retirement Board will conduct its meetings at RTD's Downtown Transit Center Boardroom located at 421 East Weber, Stockton CA 95202-3024.

§2.11 Special Meetings

A special meeting may be called at any time by the Chair, the Vice-Chair, or by a majority of the members of the Retirement Board, by delivering personally, via electronic mail ("e-mail"), or by U.S. mail, written notice to each member of the Retirement Board, and by posting a notice on the San Joaquin Regional Transit District's internet web site. Such notice must be delivered and received at least 72 hours before the time of such meeting. The call and notice shall specify the time and place of the special meeting and the business to be transacted. No business other than as specified in the notice shall be considered at such meeting.

§2.12 Quorum

Three Retirement Board members constitute a quorum of the Retirement Board for purposes of convening a meeting and for the transaction of business.

§2.13 Open Meetings; Application of the Ralph M. Brown Act

All meetings and associated notices must comply with the provisions of the Ralph M. Brown Act. (Government Code Sections 54950, et seq.) Accordingly, all Retirement Board meetings are open to the public except when the subject matter may be properly addressed in, and properly noticed for, a closed session.

§2.14 Agenda Preparation, Delivery, and Posting

In addition to those requirements set forth in the Brown Act, each meeting agenda, together with all supporting documents, must be ~~mailed or~~ delivered to the Retirement Board members and Legal Counsel to the Retirement Board at least five days before the meeting. The purpose of this requirement is to give Board members advance notice of all business coming before them. In the case of special meetings which may be called less than seven (7) days in advance of the meeting date, the requesting individual shall **provide** such notice as soon as may be practical under the circumstances, but at least 24 hours prior to the special meeting.

If a Retirement Board Member wishes to **have an item placed** onto the Agenda, and before it will be placed on the Agenda, the requesting Board Member must provide sufficient information to the Retirement Board Secretary to advise the Retirement Board of the subject matter, the desired action being requested, and sufficient information for the Retirement Board to consider and act upon it. Said information must be submitted at least ten (10) working days prior to a regular Retirement Board meeting date and five (5) working days prior to a special Board meeting date.

§2.15 Access to Public Records Distributed at Meeting

Writings which are public records and which are distributed with the agenda prior to the Board meeting or during a meeting shall be made available for public inspection at the meeting if prepared by RTD or a member of the Retirement Board or after the meeting if prepared by some other person.

§2.16 Continuing Body

The Retirement Board is a continuing body and no measure pending before it is abated or discontinued by reason of the expiration of the term of office or removal of a member of the Retirement Board.

§2.17 Adjournment of Meeting

The Retirement Board may adjourn any regular, adjourned regular, special, or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. Notice of adjournment of a duly called special meeting at which less than a quorum is present shall be given in the same manner as notice of the original meeting. If all members are absent from any regular or adjourned regular meeting, the Secretary of the Board may declare the meeting adjourned to a stated time and place and he or she shall cause a written notice of the adjournment to be given in the same manner as provided herein for special meetings. In the case of all adjournments, a copy of the order or notice of adjournment shall be conspicuously posted on the door to the San Joaquin Regional Transit District Downtown Transit Center, located at 421 East Weber, within 24 hours after the time of the adjournment. When an order of adjournment of any meeting fails to state the time at which the adjourned meeting is to be held, it shall be held at the time specified for regular meetings.

ARTICLE 3

OFFICERS

§3.10 Officers

The Retirement Board shall elect a Chair and a Vice Chair in accordance with the Retirement Plan.

The election of officers will be conducted at the last meeting of the calendar year for the following calendar year. New officers will assume their position on January 1.

§3.11 Chair Responsibilities

1. The Chair presides over and preserves order at all regular meetings, special meetings, and hearings of the Retirement Board. The Chair states every question coming before the Retirement Board, and decides all questions of order without debate, subject, however, to an appeal by a member of the Retirement Board. The Chair may move, second, and debate from the chair, subject only to such limitations of debate as are imposed on all members, and has all other rights or privileges of all others members.
2. In all cases, the Chair can direct the Secretary to include discussion or action items on the agenda for future Retirement Board meetings. The Chair, or Chair Pro Tem presiding at the meeting, signs all Board resolutions and all minutes of Retirement Board meetings or hearings, which have been adopted or approved.

§3.12 Vice Chair

The Vice Chair serves as the Chair Pro Tem in the Chair's absence. When serving as the Chair Pro Tem, the Vice Chair has all of the rights, duties and responsibilities of the Chair as set forth in Section 3.11 above.

§3.13 Secretary

The **Chief Executive Officer (CEO)** of San Joaquin RTD, or his or her designee, shall serve as the Secretary to the Retirement Board. **The Secretary may designate an Assistant Secretary.**

In addition, the Secretary has the following powers and duties, any or all of which may be delegated by the Secretary to the Assistant Secretary **if and as designated by the Secretary.**

1. Create meeting notices and agendas;
2. Post agendas;
3. Call the roll at the beginning of each Board meeting and for each roll call vote;
4. Announce the result of each vote;
5. Attend and keep minutes of all meetings and hearings of the Board;
6. Furnish each Retirement Board member a copy of the minutes of each meeting with the agenda for the following meeting;
7. Attest all resolutions of the Retirement Board and the minutes of all meetings or hearings which have been approved by the Board;
8. Keep and have custody of all books, records and papers of the Retirement Board, and certify true copies thereof whenever necessary; and,
9. Perform such other duties as may be required either by the Retirement Plan or by statute, ordinance, resolution or order.

§3.14 Vacancy

If an officer vacates his or her seat on the Retirement Board because of death, resignation, illness, or other reason, officer **selections** must be held at the first Retirement Board meeting after the vacancy has occurred.

§3.15 Additional Delegable Duties

The Retirement Board, at its discretion and by resolution, may authorize its Chair, Vice Chair and/or Secretary or other RTD staff to exercise additional administrative authority, such as to execute contracts or other legally-binding documents, manage Board-awarded contracts, make purchases up to Board-authorized limits, and approve service retirements.

The Retirement Board may also authorize the **CEO** of RTD or other delegates to carry out other support functions for the Retirement Plan.

ARTICLE 4

ORDER OF BOARD BUSINESS

§4.10 Agenda

The order of business for regular and special meetings will be as follows:

1. Call to Order
2. Roll Call
3. Consent Items
4. Unfinished Business
5. New Business
6. Public Comment
7. Questions and Comments from the Retirement Board and/or staff
8. Closed Session
9. Adjourn

Notwithstanding the above, closed sessions (and associated announcements) may be included on the agenda at any point after Roll Call and before Adjournment, at the discretion of the Chair.

The order of business during any meeting may be changed upon order of the Chair with consent of the Retirement Board, or upon motion of the Retirement Board.

§4.11 Contents of Agenda

The agenda must specify the time and location of the meeting and must contain a brief general description of each item of business to be transacted or discussed at the meeting. The descriptions must adequately summarize the general matter or subject matter of each agenda item so as to inform interested members of the public about the subject matter under consideration so that they can determine whether to monitor or participate in the meeting.

The Retirement Board shall not act upon or discuss an item that is not listed on the agenda except as provided under Section 4.10 or as otherwise permitted by the Brown Act.

§4.12 Consent Items

The Consent Items shall consist of matters requiring Retirement Board action of a routine nature or on which staff comment is not appropriate or necessary, or which have previously been discussed and appear on the Agenda for final action only.

All items listed under the Consent Items, excepting those individual items which are removed for separate discussion and/or vote at the request of any Retirement Board member, may be acted upon by a single motion and vote.

Retirement Board minutes are included as part of the Consent Items to be approved without reading unless a member requests such reading, in which case the minutes require action by a separate motion and vote.

§4.13 Disability and Early Retirements

The Retirement Board shall hear presentations from RTD staff and act on proposed Early Retirements and Disability Retirements (as defined by the RTD Retirement Plan) only. Regular retirements meeting all qualifications under the RTD Retirement Plan will not be submitted to the Retirement Board for action, but will be reported to the Retirement Board at the next regular meeting.

§4.14 Quarterly Investment Performance Reviews

The Retirement Board must review the performance of Retirement Plans' fund managers and investment manager at each Quarterly Retirement Board Meeting as part of Unfinished or New Business, as appropriate.

The Retirement Boards' financial and investment consultant must be present at each Quarterly Retirement Board Meeting and must report on the investment performance of the plan assets on a quarterly basis. The Retirement Board will review the report on the investment performance of plan assets at each regular meeting based upon criteria set forth in the San Joaquin Regional Transit District Retirement Plan's investment policy and guidelines.

§4.15 Items Not on the Agenda

A matter requiring Retirement Board action must be listed on the posted agenda before the Board may discuss and/or act upon it unless an exception as specified under the Brown Act applies.

The Retirement Board may take action at any Regular Meeting on items of business not appearing on the posted agenda under any of the following conditions in accordance with Brown Act:

1. Upon a determination by an affirmative vote of the Retirement Board that an emergency situation exists;
2. Upon a determination by the affirmative vote of the Retirement Board, in accordance with the Brown Act, that there is a need for immediate action which cannot reasonably wait for the next regularly scheduled meeting, and the need to take action arose subsequent to the agenda being posted;
3. If the item was properly posted for action at a prior meeting of the Retirement Board occurring not more than five (5) calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken.

4. By directing the Chair, Vice Chair or Secretary to place an item of business for discussion and/or action on a subsequent agenda.

§4.16 Minutes

The Secretary shall prepare minutes in the form of an action summary; however, during the consideration on any particular matter, a Retirement Board member may make a request that the minutes contain a more thorough description of the discussion or deliberations of any question coming before the Retirement Board.

ARTICLE 5

MEMBERS ADDRESSING THE BOARD

§5.10 Recognition by the Chair

A Retirement Board member may speak on any item on the agenda upon being recognized by the Chair. Comments on items not on the agenda will be heard at the time noticed on the agenda for "Questions and Comments from the Retirement Board."

§5.11 Speaking Interruption

A Retirement Board Member will not be interrupted when speaking unless it is to call him or her to order, for the purpose of explanation or to permit solicited responses. If a Board member, while speaking, is called to order, he or she must cease speaking until the question of order is determined, when, if permitted, he or she may proceed.

§5.12 Limitation of Presentations, Discussion

The Chair may limit discussion at any particular meeting by a Retirement Board member to such time as the Chair may find to be reasonable under the circumstances, provided that any decision of the Chair to limit discussion may be overruled by the Board.

§5.13 Impertinence

Any Retirement Board member making personal, impertinent, or inappropriate remarks may be barred by the Chair from further appearance before the Retirement Board at that meeting, unless permission to continue is granted by an affirmative vote of the Retirement Board.

§5.14 Debate Closing

The member moving the adoption of a resolution or motion shall have the privilege of closing the debate.

§5.15 Disqualification of Members

Any member who is legally disqualified from participating in Board action on any particular matter must, as soon as such matter is reached on the agenda, disclose his or her disqualification and the reason therefore and must recuse himself or herself during the discussion, debate, and vote on such matter. If such disqualification is not known to the Retirement Board Member at the time such matter is reached on the agenda, he or she must make such disclosure as soon as he or she knows his or her disqualification, or recuse himself or herself during consideration of the matter.

ARTICLE 6

PERSONS ADDRESSING THE BOARD

§6.10 Recognition by the Chair

Persons attending the meeting may address the Retirement Board only when recognized by the Chair. The Chair will ask the speaker to introduce himself or herself. Individuals who do not identify themselves may not be included in the minutes for the meeting at which they speak.

§6.11 Limitation of Presentations, Discussion

The Chair may specify a time limitation on any presentation made before the Retirement Board, which shall not be less than three (3) minutes.

§6.12 Inappropriate or Disruptive Behavior

Any person engaging in personal, impertinent, or inappropriate remarks or behavior while addressing the Retirement Board may be barred by the Chair from further appearance before the Retirement Board at that meeting, unless permission to continue is granted by an affirmative vote of the Board. Any person willfully disrupting the meeting may be excluded from the meeting by the Chair.

In extreme situations where persistent disruptions from multiple members of the public prevent an orderly meeting, the Chair, subject to Retirement Board appeal, or the Retirement Board itself, may order that all members of the public except the media be removed from the public meeting, or meeting may be adjourned or continued.

ARTICLE 7

OFFICIAL ACTIONS

§7.10 Timing of an Action

Motions and resolutions, unless put over to a future meeting by a majority vote of the Retirement Board, may be acted upon on the day of introduction or presentation. No continuance will be granted if the effect of such a continuance is to render useless a subsequent vote on the issue.

§7.11 Form of Action

Motions are considered an act of the Retirement Board and carry the same weight as a resolution. Resolutions are typically used for actions that will be referred to for historical purposes, such as adoption of a policy, award of a contract or grant of an individual's disability or early retirement.

§7.12 Votes, Signature and Attestation

Votes upon an action item, whether by motion or resolution, are cast as "ayes," "noes" or abstain pursuant to roll call and so recorded. Each resolution must be in written or printed form. Procedural motions do not require a roll call vote.

Every resolution shall be attested by the Secretary.

§7.13 Codification

Resolutions are codified as follows: [Year]-[Month]-[Resolution Number]. For example, the fifth resolution a board adopted at its March 2015 meeting is codified: 15-03-0005.

§7.14 Vote Threshold; Majority Minimum

All official acts of the Retirement Board shall require the affirmative vote of a majority of the members of the Retirement Board unless applicable law requires a greater number of affirmative votes.

§7.15 Motion Reconsideration

A motion to reconsider any action taken by the Retirement Board may be made only on the day such action was taken, either during the same session or at an adjourned session thereof. Such motion must be made by a member on the prevailing side and seconded by any member. The motion, which may be made at any time during said meeting, has precedence over all other motions. The motion to reconsider is debatable unless the action to be reconsidered is not debatable.

§7.16 Deadlock Vote

If a motion or resolution is brought before the Retirement Board for a vote and results in a deadlock vote, the Retirement Board will set a meeting (regular or special) and invite the Umpire Member to make a decision on the matter, pursuant to Section 15 of the Retirement Plan document.

ARTICLE 8

COMMITTEES

§8.10 Appointment

The Chair may create and appoint ad hoc committees consisting of two Retirement Board members, one member **who is an elected representative of the employees** and one member **appointed by the RTD Board**.

§8.11 Ad Hoc Advisory Committee Meetings

Ad Hoc Committees are limited term, limited scope advisory committees comprised exclusively of less than a quorum of the Retirement Board. For example, an advisory committee comprised of two members for the purpose of producing a report in six months on trends in public agency benefit policies would be considered an ad hoc committee because it is composed of less than a quorum of the Board and it is charged with accomplishing a specific task in a limited period of time.

Ad hoc committee meetings are specifically exempt from open meeting requirements under these Bylaws and under the Brown Act. However, when creating and appointing an Ad Hoc Committee, the Chair retains authority to direct that meetings of that committee shall be noticed and open to the public.

ARTICLE 9

RULES

§9.10 Amendment

Any provision hereof may be altered, amended or annulled at any time by an affirmative vote of the San Joaquin RTD Board of Directors, provided at least a week's notice of such change is given to each Board member.

§9.11 Suspension

Any section of these Bylaws may be temporarily suspended by an affirmative vote of the San Joaquin RTD Board of Directors.

§9.12 Robert's Rules

All rules of order not herein provided for shall be determined in accordance with "Robert's Rules of Order."

§9.13 Copies – Bylaws

The Secretary shall furnish each Retirement Board member copies of these Bylaws and provide a supply for public purposes.

§9.14 Protocol for Requesting Information from Independent Contractors

The purpose of this protocol is to ensure accuracy, consistency, and transparency of information provided to the members of the Retirement Board. This protocol will ensure that all members of the Retirement Board are aware of any and all information requested and received by any board member.

1) Retirement Board members may request information from the Retirement Plan's independent contractors during the regular or special board meeting. The CEO or designee will provide information requested to all Retirement Board members.

2) A Retirement Board member wishing information outside of the Retirement Board meeting will direct the request to the CEO. The CEO will provide the information requested to all members of the Retirement Board.

Since these Bylaws apply to the procedures for the RTD Retirement Board to conduct its business, it would seem appropriate to establish a mechanism whereby the RTD Retirement Board may, from time to time, propose amendments to these Bylaws for approval by the RTD Board. It would also seem appropriate that, if the RTD Board wants to amend the Retirement Board Bylaws in a manner that has not been proposed by the Retirement Board, notice and rationale for such proposed amendment should be provided by the RTD Board to the Retirement Board for review and comment before the Bylaw amendment is adopted.

RESOLUTION NO. ____
DATED: AUGUST 19, 2016

RESOLUTION TO APPROVE REVISED RTD RETIREMENT BOARD BYLAWS

WHEREAS, San Joaquin Regional Transit District (RTD) was established, pursuant to the San Joaquin Regional Transit District Act, as set forth in the California Public Utilities Code, commencing with Section 50000; and

WHEREAS, Section 50150 of the RTD Act authorizes this Board to establish rules defining the powers and duties of the Retirement Board, and the tenure of its members; and

WHEREAS, it has become evident that Bylaws defining these powers and duties and the tenure of the Retirement Board members are necessary; and

WHEREAS, comments and suggested changes to the Retirement Board Bylaws were solicited from members of the RTD Retirement Board; and

WHEREAS, the comments and proposed changes to the Retirement Board Bylaws have been received and revised Bylaws have been drafted by RTD.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of RTD that the Revised Bylaws of the RTD Retirement Board be, and the same hereby are, approved.