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, OCTOBER 25, 2019 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 Chief Executive Officer, 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 workdays 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@sjRTD.com. *For language assistance, interpreter services, please contact (209) 943-1111. 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. 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 FIVE 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. CHIEF EXECUTIVE OFFICER UPDATE

   B. STATE/FEDERAL LEGISLATIVE UPDATE

C. FINANCIAL REPORTS
September financial reports provided to the Board.

9. INFORMATION ITEMS
Reports provided for information only. Staff will be available to answer any questions.

10. CONSENT CALENDAR

A. RESOLUTION: APPROVING THE MINUTES OF THE SEPTEMBER 20, 2019 REGULAR BOARD OF DIRECTORS MEETING
Board approval of minutes.

B. RESOLUTION: APPROVING AMENDMENT NO. THREE TO AMENDED AND RESTATED EMPLOYMENT CONTRACT OF CHIEF EXECUTIVE OFFICER
Board approval of amendment to contract.

11. ACTION ITEMS

A. RESOLUTION: APPROVING A SECOND AMENDMENT TO THE CONTRACT OF PALMER KAZANJIAN WOHL HODSON, LLP FOR ON-CALL LEGAL SERVICES FOR $200,000.00 IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED $500,000.00
Board approval of contract amendment.

B. RESOLUTION: AWARDING A CONTRACT TO GOODYEAR TIRE & RUBBER COMPANY FOR MILEAGE RENTAL AND SERVICE OF RADIAL TIRES AND WHEELS FOR A THREE-YEAR BASE TERM PLUS TWO ONE-YEAR OPTIONS, A TOTAL CONTRACT AMOUNT NOT TO EXCEED $1,781,196.00
Board award of contract.

12. QUESTIONS AND COMMENTS FROM DIRECTORS AND STAFF

13. CLOSED SESSION

A. LABOR NEGOTIATIONS
Conference with Labor Negotiator
Agency Negotiator: Donna DeMartino, CEO
Employee Organization: Amalgamated Transit Union, Local 276 and Local 256

B. CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION
[Paragraph (1) of subdivision (d) of Government Code, Section 54956.9]:
San Joaquin Regional Transit District vs. DSS-2731 Myrtle LLC, et al., San Joaquin Superior Court Case No. 39-2010-00252684-CU-El-STK

14. ADJOURNMENT

NOTE: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD ON FRIDAY, NOVEMBER 22, 2019 AT 10:00 A.M.

DATE POSTED: OCTOBER 18, 2019

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:

- RTD coffee tumbler
- Certificate and acceptance photograph

RTD recognizes EOMs by posting their photographs in the employee newsletter, "As the Wheels Turn," and at each RTD facility in frames designed for EOM recognition.

The EOM program provides that RTD selects 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: CHIEF EXECUTIVE OFFICER UPDATE

LEAD STAFF: DONNA DeMARTINO
CHIEF EXECUTIVE OFFICER

POLICE ACTIVITIES (SEPTEMBER)
Officer Marquez worked 14 days and other officers worked 11 days. Their production statistics for September are listed below:

Type of Report Filed	Quantity	Type of Report	Quantity	Type of Report Filed	Quantity
Felony Arrests	1	Intoxication Arrest	4	Field Interviews	48
Warrants Arrests	3	Moving Citations		PC 640 Citations	
Other Arrests		SMC Citations		Misdemeanor Arrests	2
Parking Citations	1	Traffic Citations		Abandoned Autos	
Other Citations		Vehicles Towed		Narcotics Confiscated	
Calls for Service	83	Weapons Seized	1	Weapons Confiscated	1

MEETINGS
RTD participated in conferences and meetings of the following committees and organizations:

- **American Public Transportation Association (APTA) Annual Meeting:** Board Chair Gary Giovanetti, Board Member Les Fong, Board Member Balwinder Singh, CEO Donna DeMartino, Deputy CEO Gloria Salazar, Administration Employee of the Year Marketing Graphics Supervisor Maximilian Cao
- **American Bus Benchmarking Group Annual Meeting:** CEO Donna DeMartino, Chief Operating Officer (COO) Toan Tran, Service Development Manager Damaris Galvan
- **Business Team San Joaquin:** Director of Planning Nate Knodt
- **California Transit Association (CTA):** CEO Donna DeMartino
- **Greater Stockton Chamber of Commerce Fresh Wellness Committee:** Risk Administrator Nancy Antonio
- **Mineta Transportation Institute:** CEO Donna DeMartino
- **National Transit Institute Board Meeting:** CEO Donna DeMartino
- **RTD and Santa Cruz Metro Joint Agency Meeting:** CEO Donna DeMartino
- **San Joaquin County Smoking & Tobacco Outreach/Prevention Program (STOPP):** Risk Administrator Nancy Antonio
- **San Joaquin Council of Governments (SJCOG) Board of Directors:** Grants Manager George Lorente, COO Toan Tran
- **San Joaquin Delta College Superintendent Welcome Reception:** Chief of Marketing and Communications Jean Foletta-Morales
- **San Joaquin Regional Rail Commission (SJRRC) Board Meeting:** Director of Planning Nate Knodt
- **SJCOG Interagency Transit Committee (ITC):** Grants Manager George Lorente, COO Toan Tran
- **SJCOG Technical Advisory Committee (TAC):** Grants Manager George Lorente, COO Toan Tran
- **Social Services Transportation Advisory Committee (SSTAC):** Grants Manager George Lorente, COO Toan Tran
- **Southern California Regional Transit Training Consortium:** CEO Donna DeMartino
- **The Bus Coalition:** CEO Donna DeMartino
- **ZEB & Autonomous Vehicle Committee Meeting:** Grants Manager George Lorente

EVENTS

Meet the Blind Month Outreach Events

On October 11, RTD partnered with the San Joaquin County Chapter of the National Federation of the Blind (NFB) on an outreach event at the Downtown Transit Center (DTC), Hammer Transfer Station (HTS), and the Union Transfer Station (UTS). Members of the blind community, RTD Transit Ambassadors, and RTD security were on site to assist with the outreach. RTD and NFB distributed "The Courtesy Rules of Blindness" flyers to passengers and bus operators along with information regarding White Cane Day on October 15, a walk promoting white cane awareness.

Art&RTD Event Showcases Transit-Themed Art Gallery

On October 11, RTD kicked off Stockton Arts Week by hosting Art&RTD in partnership with ArtSplash. RTD extended its hours in welcoming the public to view a selection of transit-themed artwork inside the lobby of the DTC. In addition, the event featured local performances inside the DTC Boardroom. This event was free and open to the public.

FUTURE EVENTS

RTD's 21ST Annual Stuff the Bus:

From Friday, November 22 to Sunday, November 24, RTD will host its 21st annual Stuff the Bus Food and Coat Drive in partnership with the Emergency Food Bank. This year, RTD will host their drive at the Food 4 Less on Hammer Lane Friday and Saturday, and move to Rancho San Miguel on Sunday. On Saturday and Sunday, November 23-24, Escalon eTrans and Manteca Transit will hold a simultaneous food drive with their vehicles, staff, and volunteers to collect food for Escalon C.A.R.E. and Second Harvest Food Bank in Manteca. The food collected in this year's campaign will go toward feeding thousands of San Joaquin County residents.

To promote this year's event, RTD will partner with The Bull Radio, La Suavacita, and La Tricolor to provide a live on-site broadcast, promotional appearances, and public service announcements; The Record will promote the drive through event advertising and news coverage. This year, Stuff the Bus will kick off with a donation pick-up service from multiple Community Medical Center locations and Apex Aspire Academy. Last year, RTD was able to collect over 24,000 pounds of food, including 690 turkeys. With the help of our community partners and RTD volunteers, we look forward to exceeding these numbers in 2019.

REPORT: STATE/FEDERAL LEGISLATIVE UPDATE

UPDATED BY: JORDAN & ASSOCIATES

State Legislation (2019-2020)

The first part of the 2019-2020 Legislative session was completed on September 16, 2019. The Legislature will reconvene on January 6, 2020. The following three transit-related bills were recently signed by the Governor:

- **SB 742 (Allen) Intercity Passenger Rail Services: Motor Carrier Transportation of Passengers – Signed 10/8/19**
  The previous law authorized the California Department of Transportation (Caltrans) to fund AMTRAK motor coach service that directly connects to the three state-supported intercity passenger rail lines, also known as the AMTRAK "Thruway" Bus. However, only passengers who had, or will ride the passenger rail service could use the motor coach. This new law removes the requirement that motor coach services be limited to only rail passengers, thus allowing AMTRAK to provide a "standalone" motor coach service to rail stations for non-rail passengers when seats are available.

  Effect on RTD: The law ensures that these "standalone" motor coach services do not directly compete with or undermine existing transit service and encourages integration between transit and private bus service providers, thereby protecting RTD's current service network. For example, RTD may enter into revenue sharing and ticket selling agreements to provide for connections at rail stations.

- **AB 1351 (Lackey) Transit Operators: Paratransit and Dial-A-Ride Services: Assessment: Signed 10/8/19**
  The bill would require the California State Transportation Agency (CalSTA), in consultation with public transit agencies, to assess the procedures they use to provide dial-a-ride and paratransit services to individuals with disabilities who are visiting their service territories and are certified to use another in-state public transit agency's similar dial-a-ride and paratransit services. The bill would then require CalSTA, after conducting and publishing the assessment, to adopt guidelines for the development of a statewide reciprocity program for these individuals.

  Effect on RTD: CalSTA's deadline for this report is July 1, 2021. Although the impact to RTD's process for certifying paratransit service users is unknown at this time, RTD will work with CalSTA, the California Transit Association, and other transit service providers to ensure reasonable implementation of any statewide reciprocity program.

- **AB 784 (Mullin) California Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project – Signed 10/9/19**
  The law exempts the acquisition of hybrid and zero-emission transit buses from the state portion of the sales tax (currently 6%) until January 1, 2024.

  Effect on RTD: There will be significant savings to RTD in the acquisition of zero-emission buses as RTD moves to an all-electric fleet.
  Note: RTD spent $256,169 in state sales tax on five zero-emission buses in 2018.

The following transit-related bill was vetoed by the Governor:

- **AB 314 (Bonta) Public Employment: Labor Relations: Release time:**
  This bill would create uniform release time rights for public employees and negate local negotiations already achieved.

Effect on RTD: With the veto of this bill, RTD will not be required to renegotiate its current employee contract.

Federal (FY 2020)

Congress Clears Stopgap Spending Bill

The President signed the continuing resolution (CR) into law on Friday, September 27, 2019. The legislation does not repeal the July 1, 2020 rescission of $7.6 billion in highway contract authority, but it does suspend automatic cuts in mass transit formula funding that would have been made as early as October 1. It also loosens the statutory deadlines for the FTA to legally obligate FY 2018 and FY 2019 appropriations for specific Capital Investment Grant projects.

Effect on RTD: The CR provides federal transit funding at FY 2019 levels through November 21, 2019. The rescission of $7.6 billion in highway contract authority could adversely affect RTD since some portion of federal highway funds are used for the Congestion Management Air Quality Program (CMAQ).

EPA Threatens to Transfer California Highway Funding to Mass Transit Projects

Environmental Protection Agency (EPA) Administrator Andrew Wheeler wrote California Air Resources Board (CARB) chairman Mary Nichols on September 24, 2019, and threatened highway sanctions under section 179 of the Clean Air Act Amendments of 1990 unless California complies with the *National Ambient Air Quality Standards*. California has a backlog of over 130 state improvement plans (SIP) that have not been implemented. EPA threatens to force many regions in California to suspend new highway projects and instead either transfer that money to mass transit projects or specific highway safety projects approved by the US DOT.

In a response letter dated October 9, 2019, CARB pointed many errors and inconsistencies in the EPA letter. In addition, per EPA regulations: any sanctions from EPA may be imposed only after extensive notice-and-comment processes and formal disapproval. Even then, the Clean Air Act and controlling EPA regulations generally direct that sanctions be imposed only after 18 months and if the state does not cure the issue. As a result of this lengthy process, California's backlog, if any, would be cleared.

Effect on RTD: No impact to RTD.

REPORT: FINANCIAL UPDATE

LEAD STAFF: VIRGINIA ALCAYDE
DIRECTOR OF FINANCE

DISCUSSION:
Finance staff will provide an update on the following:

- September Revenue and Expense Summary
- Graphs
- Cash Flow Projection

San Joaquin RTD
FY2020 Revenue & Expense Summary
Year to Date Comparison to Annual Budget
For the Period Ending September 30, 2019
(25% 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	$ 3,765,294	$ 890,420	$ 2,874,875	23.65%	$ 890,420
NON-TRANSPORTATION REVENUES	1,065,862	95,767	970,095	8.98%	95,767
FEDERAL GRANTS (5307)	5,324,079	1,345,234	3,978,845	25.27%	-
OTHER FEDERAL GRANTS	359,783	89,946	269,837	25.00%	-
PROPERTY TAXES	1,121,238	280,309	840,928	25.00%	-
TDA - STA	4,380,164	1,014,187	3,365,977	23.15%	-
TDA - LTF	18,313,458	4,578,365	13,735,093	25.00%	-
OTHER LOCAL GRANTS OPERATING	881,562	-	881,562	0.00%	-
LCTOP	1,055,070	263,768	791,303	25.00%	1,055,070
MEASURE K	6,113,512	1,558,217	4,555,294	25.49%	1,425,000
TOTAL REVENUES	$ 42,380,020	$ 10,116,212	32,263,809	23.87%	$ 3,466,257
EXPENSES					
WAGES AND FRINGE BENEFITS	22,501,597	5,264,730	17,236,867	23.40%	4,843,950
SERVICES	2,870,875	691,010	2,179,865	24.07%	623,615
MATERIALS & SUPPLIES	2,493,071	639,613	1,853,458	25.66%	404,539
UTILITIES	973,983	306,800	667,183	31.50%	225,323
INSURANCE	919,122	227,858	691,264	24.79%	-
TAXES	283,251	65,686	217,564	23.19%	65,686
PURCHASED TRANSPORTATION	10,299,194	2,452,871	7,846,324	23.82%	-
MISCELLANEOUS EXPENSES	2,038,928	232,970	1,805,957	11.43%	230,032
TOTAL EXPENSES	$ 42,380,020	$ 9,881,538	$ 32,498,482	23.32%	$ 6,393,146
Net Revenue (Deficit)	-	234,673			(2,926,889)

Funds used to bridge the cash shortfall:
LOC and Advance funds 2,926,889

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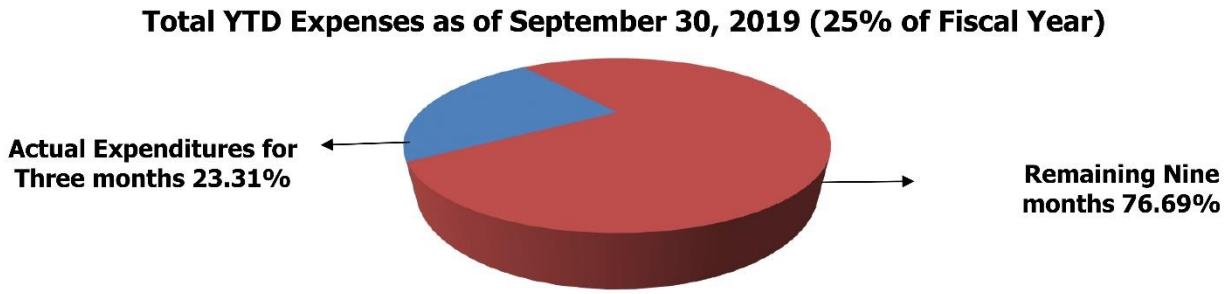
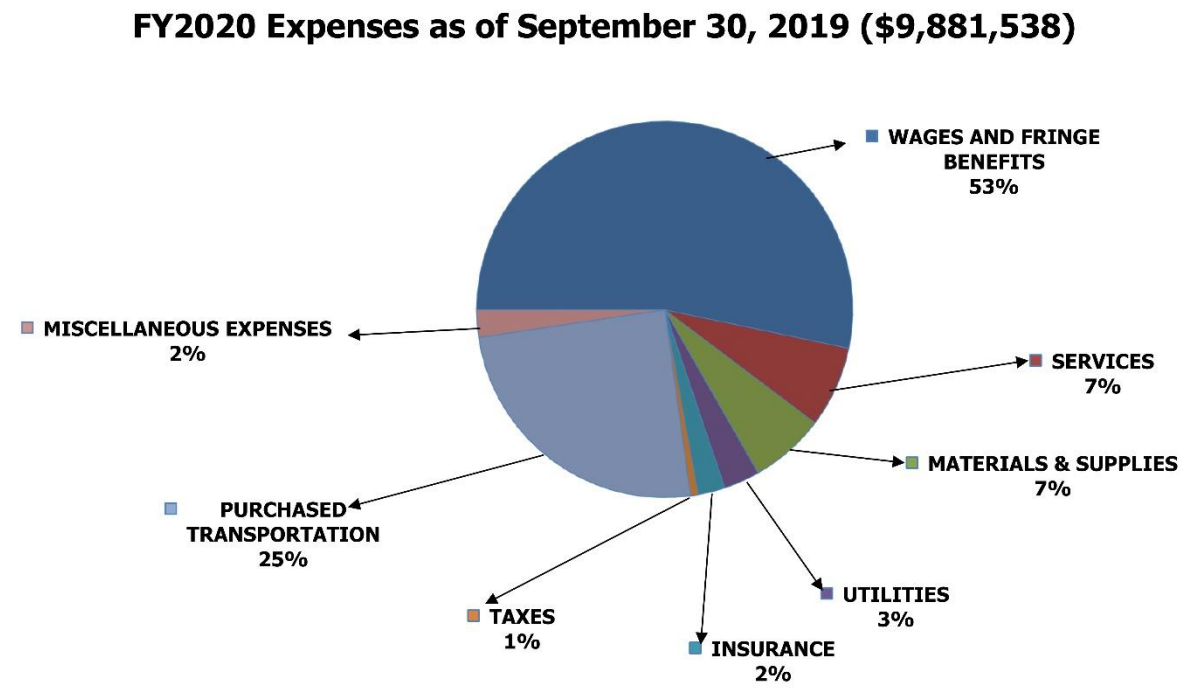

Total YTD Expenses as of September 30, 2019 (25% of Fiscal Year)
Actual Expenditures for Three months 23.31%
Remaining Nine months 76.69%


FY2020 Expenses as of September 30, 2019 ($9,881,538)
WAGES AND FRINGE BENEFITS 53%
SERVICES 7%
MATERIALS & SUPPLIES 7%
UTILITIES 3%
INSURANCE 2%
TAXES 1%
PURCHASED TRANSPORTATION 25%
MISCELLANEOUS EXPENSES 2%

San Joaquin RTD
Twelve Months Cash Flow Projection

	Sep-19	Oct-19	Nov-19	Dec-19	Jan-20	Feb-20	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20
Beginning Cash Balance	**2,242,815**	**4,020,572**	**2,445,013**	**3,236,684**	**1,342,182**	**0**	**179,258**	**0**	**0**	**2,592**	**844,263**	**0**
Projected Cash Inflow	**6,028,774**	**1,963,794**	**4,258,671**	**2,394,530**	**1,848,671**	**3,773,671**	**2,748,671**	**2,448,671**	**4,773,671**	**4,158,671**	**2,348,671**	**2,348,671**
Cash Available	**8,271,589**	**5,984,366**	**6,703,684**	**5,631,214**	**3,190,853**	**3,773,671**	**2,927,929**	**2,448,671**	**4,773,671**	**4,161,263**	**3,192,934**	**2,348,671**
Projected Cash Outflow	**4,251,017**	**3,539,353**	**3,467,000**	**4,289,032**	**3,467,000**	**3,594,413**	**3,505,000**	**3,319,645**	**4,771,079**	**3,317,000**	**3,317,000**	**3,317,569**
Net Cash Available	**4,020,572**	**2,445,013**	**3,236,684**	**1,342,182**	**(276,147)**	**179,258**	**(577,071)**	**(870,974)**	**2,592**	**844,263**	**(124,066)**	**(968,898)**
Draw From Line of Credit	**0**	**0**	**0**	**0**	**276,147**	**0**	**577,071**	**870,974**	**0**	**0**	**124,066**	**968,898**
Balance	**4,020,572**	**2,445,013**	**3,236,684**	**1,342,182**	**0**	**179,258**	**0**	**0**	**2,592**	**844,263**	**0**	**0**
LOC Opening Balance	1,100,000	0	0	0	0	276,147	0	577,071	1,448,045	0	0	124,066
LOC advance	0	0	0	0	276,147	0	577,071	870,974	0	0	124,066	968,898
LOC Payoff	1,100,000	0	0	0	0	276,147	0	0	1,448,045	0	0	0
LOC Closing Balance	0	0	0	0	276,147	0	577,071	1,448,045	0	0	124,066	1,092,964
LOC Available	**10,000,000**	**10,000,000**	**10,000,000**	**10,000,000**	**9,723,853**	**10,000,000**	**9,422,929**	**8,551,955**	**10,000,000**	**10,000,000**	**9,875,934**	**8,907,036**
CASH INFLOW												
Fare Revenue	317,551	317,551	317,551	317,551	317,551	317,551	317,551	317,551	317,551	317,551	317,551	317,551
Advertising, Rental, Interest & Other Income	31,120	31,120	31,120	31,120	31,120	31,120	31,120	31,120	31,120	31,120	31,120	31,120
Federal 5307	5,504,416											
Property tax Revenue				545,859						510,000		
TDA-STA Operating			1,485,000				1,000,000		1,000,000			
TDA-STA Capital							400,000			1,300,000		
TDA-LTF		1,500,000	1,000,000	1,500,000	1,500,000	2,000,000	1,000,000	2,100,000	2,000,000	2,000,000	2,000,000	2,000,000
Measure K Operating			1,425,000			1,425,000			1,425,000			
Federal 5312	175,687											
State TIRCP		115,123										
Projected Cash Inflow	**6,028,774**	**1,963,794**	**4,258,671**	**2,394,530**	**1,848,671**	**3,773,671**	**2,748,671**	**2,448,671**	**4,773,671**	**4,158,671**	**2,348,671**	**2,348,671**
PROJECTED DRAW FROM LINE OF CREDIT	**0**	**0**	**0**	**0**	**276,147**	**0**	**577,071**	**870,974**	**0**	**0**	**124,066**	**968,898**
CASH OUTFLOW												
Payroll and Payroll Related Expenses	1,439,046	1,272,000	1,272,000	1,272,000	1,272,000	1,272,000	1,272,000	1,272,000	1,272,000	1,272,000	1,272,000	1,272,000
Accounts Payable Check-runs	1,068,349	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000	1,200,000
Purchased Transportation Invoices	641,101	845,000	845,000	845,000	845,000	845,000	845,000	845,000	845,000	845,000	845,000	845,000
Capital Payments:												
Proterra Charger				160,464								
BRT IV & V			150,000	811,568	150,000							
Line of Credit interest	2,521	2,353				1,266		2,645	6,034			569
Line of Credit Payoff	1,100,000					276,147			1,448,045			
Measure K Interest to SJCOG		220,000					188,000					
Projected Cash Outflow	**4,251,017**	**3,539,353**	**3,467,000**	**4,289,032**	**3,467,000**	**3,594,413**	**3,505,000**	**3,319,645**	**4,771,079**	**3,317,000**	**3,317,000**	**3,317,569**

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE SAN JOAQUIN REGIONAL TRANSIT DISTRICT
FRIDAY, SEPTEMBER 20, 2019

The Board of Directors of the San Joaquin Regional Transit District (RTD) held a Regular Meeting at 10:00 a.m. on Friday, September 20, 2019, in the Boardroom of RTD's Downtown Transit Center, 421 East Weber Avenue, Stockton, California.

1. CALL MEETING TO ORDER — Chair Giovanetti called the meeting to order at 10:03 a.m.

2. MOMENT OF SILENCE/REFLECTION — Chair Giovanetti called for a moment of silence and reflection.

3. PLEDGE OF ALLEGIANCE TO THE FLAG — Chair Giovanetti led the pledge.

4. SAFETY ANNOUNCEMENT — Safety Administrator John Coose

5. ROLL CALL — Present:
Gary Giovanetti, Chair
Michael Restuccia, Vice-Chair
Les Fong
Balwinder Singh
Joni Bauer

Staff Present
Donna DeMartino, CEO
Gloria Salazar, Deputy CEO
Al Hoslett, RTD Legal Counsel
Merab Talamantes, Assistant to the CEO
Maximilian Cao, Marketing Graphics Supervisor
John Coose, Safety Administrator
Brenda Oliva, Accountant I
Alan Anguiano, Executive and Board Support Analyst
Nancy Antonio, Risk Administrator
Virginia Alcayde, Director of Finance
Marco Manzano, Facilities Supervisor
Toan Tran, COO
Cameron Isaacson, Operations Superintendent – Transportation
Manny Cayula, Procurement Contracts Senior Specialist
Brad Menil, Operations Superintendent – Maintenance
Emily Oestreicher, Marketing Outreach Supervisor
Pinky Acosta, Senior Accountant
Qin Huang, Finance Senior Specialist
Damaris Galvan, Service Development Manager
Ravi Sharma, Finance Manager
Stephennie Acosta, Senior Accountant
Syed Bukhari, Finance Senior Specialist

Members of the Public Who Indicated They Were Present
Deborah Gurley

6. SPECIAL PRESENTATIONS
   A. Finance Manager Ravi Sharma gave special recognition to Finance Senior Specialists Syed Bukhari and Qin Huang as the Administration Team Award winners for the month of August.

B. Retiree was unable to attend to receive recognition.

C. Deputy CEO Gloria Salazar presented the Government Finance Officers Association (GFOA) Excellence in Financial Reporting Award to the Board. Salazar also reported that the Federal Transit Administration (FTA) completed RTD's Triennial Review with zero deficiencies, resulting in a perfect score.

D. Risk Administrator Nancy Antonio provided a special presentation to the Board of Directors.

7. PUBLIC COMMENT
No public comments were received.

8. REPORTS

A. CHIEF EXECUTIVE OFFICER UPDATE
CEO Donna DeMartino invited Marketing Outreach Supervisor Emily Oestreicher to provide an update on past and current RTD events. Oestreicher reported that RTD participated in a meeting with the Sunrise Rotary Club, SUSD's Family Engagement event, and PARK(ing) Day, and will be participating in Meet the Blind Month outreach events.

B. STATE/FEDERAL LEGISLATIVE UPDATE
CEO Donna DeMartino provided a summary of current legislative affairs to the Board.

C. FINANCIAL REPORT
Director of Finance Virginia Alcayde presented the August financial update to the Board.

9. INFORMATION ITEMS
Written report of quarterly update of contracts awarded for April – June 2019 was provided to the Board.

10. CONSENT CALENDAR

A. RESOLUTION NO. 5878 APPROVING THE MINUTES OF THE AUGUST 16, 2019 REGULAR BOARD OF DIRECTORS MEETING

ACTION: MOTION: DIRECTOR RESTUCCIA SECOND: DIRECTOR FONG
Roll Call:
AYES: Fong, Restuccia, Giovanetti, Singh, Bauer NAYES: ABSTAIN: ABSENT:

B. RESOLUTION NO. 5879 APPROVING THE MINUTES OF THE AUGUST 30, 2019 SPECIAL BOARD OF DIRECTORS MEETING

ACTION: MOTION: DIRECTOR RESTUCCIA SECOND: DIRECTOR FONG
Roll Call:
AYES: Fong, Restuccia, Giovanetti, Singh, Bauer NAYES: ABSTAIN: ABSENT:

C. RESOLUTION NO. 5880 APPROVING REVISED RTD SALARY STRUCTURE

ACTION: MOTION: DIRECTOR RESTUCCIA SECOND: DIRECTOR FONG
Roll Call:
AYES: Fong, Restuccia, Giovanetti, Singh, Bauer NAYES: ABSTAIN: ABSENT:

11. ACTION ITEMS

A. RESOLUTION NO. 5881 AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO EXECUTE THE PERIODIC SALE OF LOW CARBON FUEL STANDARD (LCFS) CREDITS TO THE MOST COMPETITIVE BIDDER

ACTION: MOTION: DIRECTOR RESTUCCIA SECOND: DIRECTOR SINGH
Roll Call:
AYES: Fong, Restuccia, Giovanetti, Singh, Bauer NAYES: ABSTAIN: ABSENT:

B. RESOLUTION NO. 5882 APPROVING A NEW MEMORANDUM OF UNDERSTANDING (MOU) WITH PARATRANSIT, INC. FOR AMERICANS WITH DISABILITIES ACT (ADA) CERTIFICATION AND TRAVEL TRAINING SERVICES FOR A TOTAL AMOUNT NOT TO EXCEED $475,000.00

ACTION: MOTION: DIRECTOR FONG SECOND: DIRECTOR RESTUCCIA
Roll Call:
AYES: Fong, Restuccia, Giovanetti, Singh, Bauer NAYES: ABSTAIN: ABSENT:

Director Fong motioned to approve MOU with changes as discussed, including updating language to be more specific as to who provides travel training and RTD senior citizen age requirement.

12. QUESTIONS AND COMMENTS FROM DIRECTORS AND STAFF
Director Singh congratulated staff for a job well done on the FTA Triennial Review and the Risk Department's presentation.

Director Bauer echoed Director Singh's comments and also thanked RTD for its support on behalf of the Community Center for the Blind and Visually Impaired.

Chair Giovanetti provided highlights from the APTA Transit Board Member and Board Administrator Seminar.

13. CLOSED SESSION
Chair Giovanetti announced that there would be no closed session.

14. ADJOURNMENT
Chair Giovanetti adjourned the meeting at 11:30 a.m.

RESOLUTION NO: ____
DATED: OCTOBER 25, 2019

RESOLUTION APPROVING THE MINUTES OF THE SEPTEMBER 20, 2019
REGULAR BOARD OF DIRECTORS MEETING

RESOLVED AND ORDERED by the Board of Directors of San Joaquin Regional Transit District that the minutes of the Regular Meeting of September 20, 2019 be approved.

RECOMMENDATION: ADOPT RESOLUTION APPROVING AMENDMENT NO. THREE TO AMENDED AND RESTATED EMPLOYMENT CONTRACT OF CHIEF EXECUTIVE OFFICER

LEAD STAFF: PERSONNEL COMMITTEE
GARY GIOVANETTI
MICHAEL RESTUCCIA

BACKGROUND
The Amend and Restated Employment Contract For Chief Executive Officer (CEO), dated July 1, 2016 (herein referred to as the Contract), provides for an annual performance evaluation of the CEO, and for making adjustments in the CEO's wages and benefits effective July 1, 2019.

DISCUSSION
In accordance with the Contract for the CEO, the Personnel Committee of the Board of Directors has completed its annual performance evaluation of the CEO, the same having been reviewed with the CEO and forwarded to the Board of Directors.

In accordance with the said Contract, adjustments in the CEO's wages and benefits may be made by the Board of Directors, effective July 1, 2019.

The Personnel Committee has prepared and forwarded to the Board of Directors for its approval at this meeting a copy of an Amendment No. Three To Amended And Restated Employment Contract For Chief Executive Officer, which includes proposed adjustments in the CEO's wages and benefits commencing July 1, 2019.

The Personnel Committee recommends that the RTD Board of Directors approve the AMENDMENT NO. THREE TO AMENDED AND RESTATED EMPLOYMENT CONTRACT FOR CHIEF EXECUTIVE OFFICER, and authorize and direct the Chair of the Board of Directors to execute the same for and on behalf of RTD.

RESOLUTION NO. ____
DATED: OCTOBER 25, 2019

RESOLUTION APPROVING AMENDMENT NO. THREE
TO AMENDED AND RESTATED EMPLOYMENT CONTRACTOR
OF THE CHIEF EXECTIVE OFFICER AND AUTHORIZING ITS EXECUTION

WHEREAS, RTD has heretofore entered into an AMENDED AND RESTATED EMPLOYMENT CONTRACT FOR CHIEF EXECUTIVE OFFICER, dated July 1, 2016 (herein referred to as the Contract); and,

WHEREAS, the Board of Directors has completed its annual performance evaluation of the CEO, for the year ending June 30, 2019; and,

WHEREAS, in accordance with said Contract, the Board of Directors may modify and adjust the annual base salary and other benefits to be provided to CEO, effective July 1, 2019; and,

WHEREAS, in accordance with said Contract, RTD finds that adjustments should be made in the CEO's wages and benefits, effective July 1, 2019.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Joaquin Regional Transit District (RTD), as follows:

1. That the AMENDMENT NO. THREE TO AMENDED AND RESTATED EMPLOYMENT CONTRACT FOR CHIEF EXECUTIVE OFFICER, between RTD and Donna DeMartino, as the CEO, be and the same hereby is approved, and the Chair of the RTD's Board of Directors is hereby authorized and directed to finalize and execute said AMENDMENT NO. THREE TO AMENDED AND RESTATED EMPLOYMENT CONTRACT OF CHIEF EXECUTIVE OFFICER, for and on behalf of this RTD.

STAFF RECOMMENDATION: APPROVE A SECOND AMENDMENT TO THE CONTRACT OF PALMER KAZANJIAN WOHL HODSON, LLP FOR ON-CALL LEGAL SERVICES FOR $200,000.00 IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED $500,000.00

LEAD STAFF: SHARON MILLER
DIRECTOR OF PROCUREMENT

FINANCIAL IMPACT:

BACKGROUND
On January 1, 2018, RTD awarded a contract to Palmer Kazanjian Wohl Hodson, LLP for On-Call Legal Services through December 31, 2020, in a total contract amount not to exceed $150,000.00. This contract, No. 2018-001-S-008, was one of nine awards made to various firms able to assist RTD with specialized On-Call Legal Services in a variety of areas. The law firm of Palmer Kazanjian Wohl Hodson, LLP provides legal services in connection with labor law, wage and hour law, health plans, administrative hearings, policies and manuals, defamation, employment litigation, and other matters.

On June 21, 2019, the RTD Board of Directors awarded Resolution 5862 for a First Amendment to the contract in an amount not to exceed $150,000.00 for a contract amount not to exceed $300,000.00.

DISCUSSION
As of September 12, 2019, there is a balance of $69,000.00 remaining on the contract. Staff believes this amount will be surpassed before the end of the contract. It is estimated that an additional $200,000.00 is needed to support labor relations matters, contract negotiations, and employee trainings.

The anticipated expenses from this contract will be offset as the current internal Legal Counsel position, a fully-benefitted position, is and will remain vacant.

RESOLUTION NO. ____
DATED: OCTOBER 25, 2019

RESOLUTION APPROVING A SECOND AMENDMENT TO THE CONTRACT OF PALMER KAZANJIAN WOHL HODSON, LLP FOR ON-CALL LEGAL SERVICES FOR $200,000.00 IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED $500,000.00

WHEREAS, on January 1, 2018, San Joaquin Regional Transit District (RTD) awarded a contract to Palmer Kazanjian Wohl Hodson, LLP for On-Call Legal Services through December 31, 2020; and

WHEREAS, as of September 12, 2019, there is a balance of $69,000 remaining on the contract; and

WHEREAS, it is estimated that an additional $200,000.00 is needed to support labor relations matters, contract negotiations, and employee trainings; and

WHEREAS, staff recommends that the Board approve a contract increase for Palmer Kazanjian Wohl Hodson, LLP for On-Call Legal Services in a total contract amount not to exceed $500,000.00 through December 31, 2020.

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

1) That the Second Amendment to Contract No. 2018-001-S-008 with Palmer Kazanjian Wohl Hodson, LLP for On-Call Legal Services, increasing the contract not to exceed amount by $200,000.00, in a total contract amount not to exceed $500,000.00 through December 31, 2020 be, and hereby is, approved.

2) That the Chair of the Board and the CEO be, and they hereby are, authorized and directed to finalize and execute the Second Amendment to the contract with Palmer Kazanjian Wohl Hodson, LLP for On-Call Legal Services, increasing the contract not to exceed amount by $200,000.00, in a total contract amount not to exceed $500,000.00 through December 31, 2020.

3) That the Chair of the Board and the CEO, acting separately be, and they hereby are, authorized and directed to execute such other agreements and amendment to this agreement, and to take such other actions as may be necessary or appropriate to carry out the intent and purpose of this resolution.

STAFF RECOMMENDATION: AWARD A CONTRACT TO GOODYEAR TIRE & RUBBER COMPANY FOR MILEAGE RENTAL AND SERVICE OF RADIAL TIRES AND WHEELS FOR A THREE-YEAR BASE TERM PLUS TWO ONE-YEAR OPTIONS, A TOTAL CONTRACT AMOUNT NOT TO EXCEED $1,781,196.00

LEAD STAFF: LISA FREITAS
PROCUREMENT MANAGER

FINANCIAL IMPACT: $1,781,196.00
FEDERAL (80%) 5307
STATE (20%) STA

BACKGROUND
The San Joaquin Regional Transit District (RTD) Maintenance Department had previously conducted a study for lease and full service of bus tires and determined that it is more cost-effective and efficient to contract out the services rather than perform them in house. This option presented an overall reduction of risk for RTD. The study demonstrated that the same is true for leasing instead of purchasing bus tires. Leasing is a better approach to providing a quality program for bus tires. The option also reduces the risk of product liability issues. At the end of each contract term, a new study and analysis is performed by the maintenance department to determine if the lease approach is still the best option, which has resulted in the same conclusion. RTD has been contracting these services out since 2002, with the current contract term of June 1, 2013 through October 31, 2019 with Goodyear Tire & Rubber Company.

On March 14, 2019, RTD received information from the Department of Transportation, that leasing contracts no longer require prior Federal Transit Administration (FTA) approval. On May 6, 2019 RTD's legal counsel reviewed the email from the FTA and confirmed that FTA no longer requires approval on lease contracts.

DISCUSSION
On May 28, 2019, an Invitation for Bid (IFB) was uploaded to RTD's e-Bid program, which notified more than 100 registered vendors via an email alert; and the IFB was publicly advertised as required in the Stockton Record. Five firms downloaded the document, and two firms submitted bids. RTD staff decided it was in the best interest to reject all bids, make necessary changes to the Scope of Work and Bid sheet and go back out for solicitation.

On August 29, 2019, IFB No. 2 was uploaded to RTD's e-Bid program, with the same notification and publication process as conducted on May 28, 2019. Ten firms downloaded the document.

RTD received two bids on September 26, 2019 from The Goodyear Tire & Rubber Company and Michelin North America, Inc. Staff checked each bid for all required bid documents, debarment, pricing, current licenses, and other factors. Staff deemed The Goodyear Tire & Rubber Company as responsive. Staff deemed the lowest bidder Michelin North America, Inc. non-responsive due to failure to submit a bid bond along with their bid and price per unit under "Section C – Providing New Wheel" on the bid form.

Staff conducted a review and evaluation of the proposals and recommends award of the contract to The Goodyear Tire & Rubber Company for a total contract amount not to exceed $1,781,196.00. The contract term is for five years with a three-year based term and two one-year options.

No DBE participation goal is established for the project due to a lack of subcontracting opportunities identified.

RESOLUTION NO. ____
DATED: OCTOBER 25, 2019

RESOLUTION AWARDING AWARD A CONTRACT TO GOODYEAR TIRE & RUBBER COMPANY FOR MILEAGE RENTAL AND SERVICE OF RADIAL TIRES AND WHEELS FOR A THREE-YEAR BASE TERM PLUS TWO ONE-YEAR OPTIONS, A TOTAL CONTRACT AMOUNT NOT TO EXCEED $1,781,196.00

WHEREAS, San Joaquin Regional Transit District (RTD) Maintenance Department conducted a study for tire maintenance services and determined that it is more cost-effective and efficient to contract the services rather than perform them in house; and,

WHEREAS, no prior approval from the Federal Transit Administration (FTA) is required for any lease transaction; and,

WHEREAS, on August 29, 2019 staff released the Invitation for Bid (IFB); and,

WHEREAS, RTD received two bids on September 26, 2019; and,

WHEREAS, staff performed a price analysis and determined that the lowest responsive bid is fair and reasonable.

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 Goodyear Tire & Rubber Company for Mileage Rental and Service of Radial Tires and Wheels for a total contract amount not to exceed $1,781,196.00.

2) That the Chair of the Board and the CEO be, and they hereby are, authorized and directed to finalize and execute the contract with Goodyear Tire & Rubber Company for Mileage Rental and Service of Radial Tires and Wheels, in a total contract amount not to exceed $1,781,196.00, in accordance with the Invitation to Bid for Mileage Rental and Service of Radial Tires and Wheels, dated August 29, 2019, being Solicitation No. 2019-R110389-MSE-2.

3) That the Chair of the Board and the CEO, 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.