

SAN JOAQUIN REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING – NOTICE AND AGENDA
10:00 A.M. ON FRIDAY, MAY 20, 2022

The Board of Directors of the San Joaquin Regional Transit District (RTD) will hold a regular meeting at 10:00 A.M. on Friday, May 20, 2022 in the Boardroom of RTD's Downtown Transit Center, 421 East Weber Avenue, Stockton, California.

ACCESSIBLE PUBLIC MEETINGS: RTD is committed to ensuring that all meetings are accessible regardless of an individual's ability or access method. RTD will make all reasonable accommodations for persons with disabilities to participate in this meeting. Upon request to the Chief Executive Office, 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 phone at (209) 467-6613, 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. SAFETY ANNOUNCEMENT
4. PLEDGE OF ALLEGIANCE TO THE FLAG
5. ROLL CALL
6. 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.

7. REPORTS

A. CHIEF EXECUTIVE OFFICER UPDATE

1. CEO Report
2. Marketing Update

B. FEDERAL LEGISLATIVE UPDATE

C. FINANCIAL UPDATE

April financial reports provided to the Board.

8. INFORMATION ITEM

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

A. EQUAL EMPLOYMENT OPPORTUNITY REPORT 2022

9. CONSENT CALENDAR

A. RESOLUTION: APPROVING THE MINUTES OF THE APRIL 15, 2022
REGULAR BOARD OF DIRECTORS MEETING

Board approval of minutes.

B. RESOLUTION: APPROVING AND ADOPTING REVISED JOB
CLASSIFICATION AND SALARY STRUCTURE EFFECTIVE MAY 20, 2022

Board approval of Job Classification and Salary Structure.

C. RESOLUTION: RATIFYING A SIXTH CONTRACT AMENDMENT WITH SAGE
ENERGY CONSULTING TO PROVIDE ADDITIONAL SERVICES FOR

IMPLEMENTATION OF SOLAR ENERGY SOLUTIONS IN THE AMOUNT OF
\$70,070 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$242,865

Board approval of contract amendment.

10. ACTION ITEM

A. RESOLUTION: AUTHORIZING THE CHIEF EXECUTIVE OFFICER TO
ENTER INTO AND EXECUTE A MEMORANDUM OF UNDERSTANDING
BETWEEN SAN JOAQUIN REGIONAL TRANSIT DISTRICT AND STOCKTON
UNIFIED SCHOOL DISTRICT FOR A TWO-YEAR BUS PASS SUBSIDY
PROGRAM FOR 7TH - 12TH GRADE STUDENTS FOR THE PERIOD OF
JUNE 1, 2022 - MAY 31, 2024

Board approval of MOU.

11. QUESTIONS AND COMMENTS FROM DIRECTORS AND STAFF

12. CLOSED SESSION

- A. 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-EI-STK
- B. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to paragraph (2) or (3) of
subdivision (d) of Section 54956.9:1 case

13. DISCUSSION ITEMS

- A. FY 2023 Strategic Plan
- B. FY 2023 Operating Budget
- C. FY 2023 Capital Budget

14. ADJOURNMENT

**NOTE: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL
BE HELD ON FRIDAY, JUNE 17, 2022 AT 10:00 A.M.**

DATE POSTED: MAY 16, 2022



LEAD STAFF: ALEX CLIFFORD, CEO

REPORT: CHIEF EXECUTIVE OFFICER UPDATE

POLICE ACTIVITIES

Officer Zavala worked 13 days and other officers worked 3 days. Their production statistics for April are listed below:

Type of Report Filed	Quantity	Type of Report Filed	Quantity	Type of Report Filed	Quantity
Felony Arrests	3	Intoxication Arrests		Field Interviews	22
Warrant Arrests	1	Moving Citations		PC 640 Citations	
Other Arrests		SMC Citations	1	Misdemeanor Arrests	2
Parking Citations		Traffic Citations		Abandoned Autos	
Other Citations	2	Vehicles Towed		Narcotics Confiscated	
Calls for Service	19	Weapons Seized	1	Weapons Confiscated	

MEETINGS

RTD participated in meetings of the following committees and organizations:

- **Access San Joaquin Technical Advisory Committee Meeting:** Grants Manager Eric Williams
- **American Public Transportation Association Small Operations Committee Meeting:** CEO Alex Clifford
- **California Association for Coordinated Transportation (CALACT) Board Meeting:** CEO Alex Clifford
- **CALACT Legislative Committee Meeting:** CEO Alex Clifford
- **CALACT Spring Conference and Expo:** CEO Alex Clifford
- **California Transit Association (CTA) Executive Committee Meeting:** CEO Alex Clifford
- **CTA Executive Committee Meeting:** CEO Alex Clifford
- **CTA Public Employee's Pension Reform Act and 13(c) Task Force Meeting:** CEO Alex Clifford
- **CTA Spring Legislative Conference:** CEO Alex Clifford
- **CTA State Legislative Committee Meeting:** CEO Alex Clifford
- **Downtown Stockton Alliance Board Meeting:** Project Controls Manager Merab Talamantes
- **Funding Advocacy Meeting with Congressman Josh Harder:** CEO Alex Clifford, Grants Manager Eric Williams, Vice-Chair Gary Giovanetti, Director Balwinder Singh
- **Funding Advocacy Meeting with FTA Administrator Nuria Fernandez:** CEO Alex Clifford, Grants Manager Eric Williams, Vice Chair Gary Giovanetti

- **Funding Advocacy Meeting with Homer Carlisle, Congressional Staffer Senate Banking Committee:** CEO Alex Clifford, Grants Manager Eric Williams, Chair Michael Restuccia, Director Balwinder Singh
- **Integrated Mobility Innovation Quarterly All-Grantee Meeting:** Grants Manager Eric Williams
- **Meet and Greet with Altamont Corridor Express Executive Director Stacey Mortensen:** CEO Alex Clifford
- **San Joaquin Council of Governments (SJCOG) Board Meeting:** Vice-Chair Gary Giovanetti, CEO Alex Clifford, Planning Consultant Ken Baxter
- **SJCOG One Voice:** CEO Alex Clifford, Director Balwinder Singh, Director Les Fong
- **SJCOG Technical Advisory Committee Meeting:** Grants Manager Eric Williams
- **Sustainable Transportation Equity Project Stockton Mobility Collective Meeting:** Grants Manager Eric Williams
- **Transformative Climate Communities Monthly Workforce Meeting:** Grants Manager Eric Williams

EVENTS

Stockton Earth Day – April 24

RTD participated in Stockton's 33rd Annual Earth Day Festival. This volunteer-driven celebration focused on environmental advocacy and green solutions for San Joaquin County. Similar to years past, RTD featured an electric bus for viewing and tours as well as an outreach table with general RTD and Access San Joaquin information, promotional materials, and giveaways.

Cinco de Mayo Festival and Parade – May 1

RTD participated in the Cinco de Mayo Festival and Parade at Weber Point. Hosted by El Concilio, this free event attracted more than 11,000 people from San Joaquin County. RTD's outreach efforts included travel training, discount programs, career information, and ways to stay informed about the latest RTD news and updates. A Van Go! vehicle was also on display for tours.

Flavor Fest Community Resource Fair – May 14

RTD will participate in the Flavor Fest Community Resource Fair as part of Stockton's newest festival that celebrates the city's culture, community, and cuisine at Weber Point. The event is estimated to attract more than 15,000 people. RTD's outreach efforts will include general RTD information, travel training, career information, and online ways to engage with RTD. A Van Go! vehicle was on display for tours.

State of the City – May 19

RTD will partake in the Stockton State of the City 2022 event. Sponsored by the Greater Stockton Chamber of Commerce and The Port of Stockton, this high-profile event will showcase the City of Stockton's economic and educational development and

plans for upcoming projects. RTD's booth will display its capital projects, general services, and employment opportunities.



LEAD STAFF: ALEX CLIFFORD, CEO

REPORT: FEDERAL LEGISLATIVE UPDATE
REPORT PREPARED BY JORDAN & ASSOCIATES

THE BIDEN ADMINISTRATION/EXECUTIVE BRANCH

April 29, 2022. The Biden Administration issued a “stewardship” memo to all federal agencies regarding their implementation of the Infrastructure Investment and Job Act (IIJA). The memo gives instruction to departments and agencies to ensure equity expertise to lead agency implementation of Executive Order 13985 on ‘Advancing Racial Equity and Support for Underserved Communities’ is imbedded in IIJA implementation. <https://bit.ly/3wkJTCf>

Effect on RTD: The “stewardship memo” could have an effect on grants and programs that RTD receives from the FTA and the DOT.

April 20, 2022. The Justice Department said it would appeal a federal judge’s April 18 ruling invalidating a mask mandate for public transportation after the Centers for Disease Control and Prevention (CDC) said its assessment concluded that an “order requiring masking in the indoor transportation corridor remains necessary for the public health.” <https://bit.ly/3wopKey>

Effect on RTD: RTD is not required to have a mask mandate for passengers.

SELECTED CONGRESSIONAL HEARINGS/BUSINESS

April 28, 2022. Transportation Secretary Pete Buttigieg testified before the Senate Transportation Appropriations Subcommittee regarding the President’s FY 2023 budget proposal for his department. There was little discussion at the hearing of the budget request itself. Instead, the hearing served more as an opportunity for Senators on the Transportation-HUD Subcommittee to receive updates from Buttigieg on the implementation of the IIJA. <https://bit.ly/39dhOoO>

Effect on RTD: This provides RTD with information regarding the status of the President’s budget on Capitol Hill.

April 27, 2022. The Highways and Transit Subcommittee held a hearing regarding transportation workforce needs, focusing on the flexibility the public and private sector both need to develop solutions and the leadership role in many states. Last year, the President’s National Infrastructure Advisory Council (NIAC) released a report concluding

that the United States is ill equipped to ensure a skilled workforce for its critical infrastructure. The consequences, the report found, are on par with those caused by natural disasters or physical or cyber-attacks. The message from the report was that we need to get serious about developing and preparing our workforce.

<https://bit.ly/3N8mivv>

Effect on RTD: This provides information to RTD about the current status of the transportation workforce in the United States.

APPROPRIATIONS/BUDGET

April 28, 2022. Leaders of the House and Senate Appropriations Committee met to begin discussions of an overall total for the 12 regular appropriations bills for FY 2023. A decision on a “topline” number is necessary before the total can be subdivided between the 12 bills and the House and Senate allowed to debate them. The meeting between Senate Appropriations Chairman Patrick Leahy (D-VT) and ranking minority member Richard Shelby (R-AL), House Appropriations Chair Rosa DeLauro (D-CT) and her Republican counterpart Kay Granger (R-TX) was inconclusive and more meetings will be held in May. Hampering the talks is the fact that the Congressional Budget Office has not yet finished its estimate of the real cost of the late-arriving budget request. President Biden is requesting a \$111 billion increase in total discretionary appropriations (including emergencies) for FY 2023 above the CBO score of the FY 2022 omnibus appropriations.

Effect on RTD: The President’s FY 2023 budget provides significant increases for the Low-No Emissions Bus Program, which will support RTD in transitioning to a zero emission fleet. RTD should advocate for increases in the Low-No Emissions Bus Program through the FY 2023 THUD Appropriations.

NOMINATIONS

April 29, 2022. President Biden announced that he intends to nominate five members for the Amtrak Board of Directors. The nominees are the following: Anthony Coscia, the current board chairman and former chairman of the Port Authority of New York and New Jersey; David Capozzi, retired Executive Director of the U.S. Access Board; Christopher Koos, Mayor of Normal, Indiana; Samuel Lathem, President of the Delaware State AFL-CIO; Robin Weissman, Executive Director of the Pennsylvania Housing Finance Agency. Once the Senate receives the formal nomination paperwork, it will be known which board members each new nominee will replace. The nominations, when formally made, will be referred to the Senate Commerce, Science and Transportation Committee. <https://bit.ly/3l4QZ8I>

Effect on RTD: This announcement does not affect RTD.

April 22, 2022. Senator Rick Scott (R-FL) lifted 'holds' he had placed on pending nominees for positions at the U.S. Department of Transportation, which will allow the Senate to confirm several more nominees in the coming weeks. Last November, Senator Scott had requested that Secretary Pete Buttigieg testify so that Senators could ask questions about the supply chain problem. Senate Commerce, Science and Transportation Committee Chair Maria Cantwell refused, so Senator Scott announced at a November 17 hearing that it was his intention to hold all DOT and Department of Commerce nominees. This prevented the Senate from scheduling a vote on a nomination.

Effect on RTD: The U.S. Senate has already confirmed FTA Administrator Nuria Fernandez so this action will not have a significant effect on RTD.

FEDERAL REGISTER NOTICES OF FUNDING OPPORTUNITY (NOFOS) – GRANT AWARDS

April 28, 2022. The FTA announced changes in programs authorized by the IIJA for FY 2022-2026. The notice provides preliminary implementation instructions and guidance for the new and revised programs in FY 2022, announces the funding apportionment for programs authorized and funded with FY 2022 contract authority and appropriations, and describes future plans for several competitive programs.

<https://bit.ly/3w7b8BE>

Effect on RTD: The FTA notice provides information to RTD regarding implementation and guidance for revised programs through the IIJA.

April 22, 2022. The Federal Highway Administration released the guidance document that allows states to begin using the \$1.2 billion in funding under the Carbon Reduction Program (CRP) that the states were given after enactment of the IIJA. States received the funding for FY 2022 in an apportionment on December 14, but were advised that since CRP was a new program, they could not start using the money. The initial \$1.2 billion installment is the opening round of a five-year, \$6.4 billion commitment from the IIJA. The program is one of the four new formula programs created under the IIJA that gives states money to utilize a variety of ways to reduce carbon emissions. These options include installing charging infrastructure, electric vehicles, or building Bus Rapid Transit corridors. <https://bit.ly/3yDwKqC>

Effect on RTD: California receives \$106 million for FY 2022. Sixty five percent of a State's CRP apportionment must be obligated in urbanized areas with a population greater than 200,000. Thirty five percent of the State's CRP apportionment can be obligated in any area of the State. RTD should contact Caltrans to find out how RTD can apply for funds for electric charging infrastructure and buses.

April 21, 2022. The Office of Management and Budget (OMB) issued initial guidance on implementation of the Build America, Buy America Act (BABA), which was enacted as Title IX of the IIJA. BABA requires that no later than May 14, 2022, each federal agency shall ensure that none of the funds made available for a Federal financial assistance program for infrastructure, may be obligated for a project unless all of the iron, steel, and manufactured products and construction materials used in the project are produced in the United States. Waivers are allowed in certain instances.

<https://bit.ly/3M9kzWK>

<https://bit.ly/39V99ro>

Effect on RTD: A thorough review of the new BABA requirements will be needed to determine the effect on RTD.



LEAD STAFF: RAVI SHARMA, FINANCE MANAGER

REPORT: FINANCIAL UPDATE

I. SUMMARY

- A brief analysis of San Joaquin RTD's financial status is prepared monthly to inform the Board of Directors regarding RTD's actual revenues and expenses in relation to the adopted operating budget for the fiscal year.
- Cash inflows, outflows, and projection are also included.

II. DISCUSSION/BACKGROUND

Attached are the Operating Revenue and Expense summary report for fiscal year to date ending April 30, 2022. The fiscal year has elapsed 83%.

Revenues

Passenger fare revenues are higher than the budget level due to continued higher bus pass sales of adult and student 31 day passes, fare vending machine pass sales, and Van Go! cash fares. RTD's FY2022 passenger fare revenue budget amounts were formulated based on FY2021 actual fare revenues. In FY2021, ridership was impacted by COVID-19, free rides, and virtual learning. As more people are getting vaccinated, passenger fare revenues will continue to increase compared to the budget level. However, ridership will likely not reach pre-COVID levels for some time.

Expenses

The total expenses compared to the budget level is lower mainly due to lower labor and fringe expenses as a result of vacant positions, lower medical premium expenses, lower fuel usage, lower revenue vehicle parts, and utilities usage so far through the fiscal year. FY2022 budget was formulated based on pre-COVID levels.

Cash Basis and Projection

The cash basis has a positive result in April mainly due to receiving LTF funds.

The 12-months cash flow projection includes capital and operating cash inflows and outflows. Currently the line of credit is at a zero balance and we are not paying for any non-use fees.

III. STRATEGIC PLAN PRIORITIES ALIGNMENT

This report aligns with the Board's Strategic Priorities 3 and 4.

Strategic Priorities:

1. Employees
2. Customers
3. Financial Health
4. Operations Excellence
5. Community Relations
6. Innovation

IV. FINANCIAL CONSIDERATIONS/IMPACT

Favorable budget variances in Operating Revenue and Expenses contribute to favorable budget variance in Operating Balance, to date as of April 30, 2022.

V. CHANGES FROM COMMITTEE

N/A

VI. ALTERNATIVES CONSIDERED

There are no alternatives to consider as this is a Monthly Financial Report.

VII. ATTACHMENTS

Attachment A: Fiscal year to date monthly financial report for the period ending April 30, 2022

Attachment B: Cash flow projections

Prepared by: Ravi Sharma, Finance Manager

VIII. APPROVALS

Financial Impact Approved:
Robert Kyle, CFO

Alex Clifford, CEO



Two handwritten signatures in blue ink are shown above horizontal lines. The top signature is for Robert Kyle, CFO, and the bottom signature is for Alex Clifford, CEO.



Attachment A
Cover Page

**San Joaquin RTD
FY2022 Revenue & Expense Summary
Year to Date Comparison to Annual Budget
For the Period Ending April 30, 2022
(83% of Fiscal Year)**

	Annual Budget	Year to Date Amount (Accrual Basis)	Annual Budget Balance	% of YTD Amount vs. Annual Budget	Cash Flow (amounts in 000's)	
					OPERATING FY22 APR	CAPITAL FY22 APR
REVENUES						
PASSENGER FARES & SPECIAL FARES	\$ 1,048,085	\$ 1,321,966	\$ (273,882)	126%	154	-
NON-TRANSPORTATION REVENUES	346,070	331,398	14,672	96%	55	-
FEDERAL GRANTS (5307)	1,248,966	3,790,234	(2,541,268)	303%	-	-
FEDERAL GRANTS (5310)	249,529	-	249,529	0%	-	-
PROPERTY TAXES	700,797	583,998	116,800	83%	550	-
TDA - STA	175,000	-	175,000	0%	-	-
TDA - LTF	20,909,178	17,084,025	3,825,153	82%	2,600	-
LCTOP	650,737	542,281	108,456	83%	-	-
Transformative Climate Communities Grant (TCC)	78,252	82,894	(4,642)	106%	-	-
MEASURE K	5,708,775	4,352,157	1,356,619	76%	-	-
FEDERAL American Rescue Plan (5307)	9,009,851	9,009,851	-	100%	-	-
FEDERAL CRRSAA (5310)	57,396	-	57,396	0%	-	-
FEDERAL American Rescue Plan (5310)	57,396	-	57,396	0%	-	-
FEDERAL CARES Act (5311)	1,288,034	1,317,708	(29,674)	102%	-	-
CAPITAL PROJECTS CASH INFLOW	-	-	-	0%	-	17
TOTAL REVENUES	\$ 41,528,066	\$ 38,416,512	\$ 3,111,554	93%	3,359	17
CASH INFLOW OPERATING & CAPITAL					3,359	17
TOTAL CASH INFLOW					3,376	
EXPENSES						
WAGES AND FRINGE BENEFITS	28,434,141	18,911,288	9,522,853	67%	1,705	-
SERVICES	4,175,977	2,907,737	1,268,240	70%	312	-
MATERIALS & SUPPLIES	3,292,549	1,887,821	1,404,728	57%	455	-
UTILITIES	1,214,804	805,512	409,292	66%	64	-
INSURANCE	1,215,373	844,180	371,194	69%	11	-
TAXES	291,750	171,217	120,533	59%	13	-
PURCHASED TRANSPORTATION	1,556,995	1,613,895	(56,900)	104%	308	-
MISCELLANEOUS EXPENSES	1,346,477	764,719	581,758	57%	24	-
CAPITAL PROJECTS CASH OUTFLOW	-	-	-	0%	-	202
TOTAL EXPENSES	\$ 41,528,066	\$ 27,906,369	\$ 13,621,697	67%	2,893	202
CASH OUTFLOW OPERATING & CAPITAL					2,893	202
TOTAL CASH OUTFLOW					3,094	
Net Revenue (Deficit)	0	10,510,143			281	
Less Stimulus Grants		(10,327,559)			0	
Adjusted Net Revenue (Deficit)		182,584			281	

Funds used to bridge the cash shortfall:

Advance local funds



Attachment B
Cover Page

San Joaquin RTD												
Twelve Months Cash Flow Projection (amounts in 000's)												
	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23
Beginning Cash Balance	\$45,614	\$45,895	\$45,128	\$44,196	\$45,263	\$44,756	\$43,824	\$41,782	\$41,274	\$40,342	\$38,410	\$36,477
Add: Projected Cash Inflow	3,376	2,548	2,123	4,123	2,548	2,123	1,123	2,548	2,123	1,123	1,123	1,123
Less: Projected Cash Outflow	-3,094	-3,315	-3,055	-3,055	-3,055	-3,055	-3,165	-3,055	-3,055	-3,055	-3,055	-3,055
Draw From Line of Credit	0	0	0	0	0	0	0	0	0	0	0	0
Projected Month-end Cash Balance	\$45,895	\$45,128	\$44,196	\$45,263	\$44,756	\$43,824	\$41,782	\$41,274	\$40,342	\$38,410	\$36,477	\$34,545
LINE OF CREDIT (LOC) BALANCE:												
Beginning Balance	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Advance	0	0	0	0	0	0	0	0	0	0	0	0
Payoff	0	0	0	0	0	0	0	0	0	0	0	0
Unpaid Balance	0	0	0	0	0	0	0	0	0	0	0	0
Available LOC	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000	\$10,000
OPERATING CASH INFLOWS:												
Fare Revenue	154	94	94	94	94	94	94	94	94	94	94	94
Advertising, Rental, Interest & Other Income	55	29	29	29	29	29	29	29	29	29	29	29
Federal 5307				3,000								
Property tax Revenue	550											
TDA-LTF	2,600	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000	1,000
Measure K Operating		1,425			1,425			1,425				
Projected Operating Cash Inflow	3,359	2,548	1,123	4,123	2,548	1,123	1,123	2,548	1,123	1,123	1,123	1,123
OPERATING CASH OUTFLOWS:												
Payroll and Payroll Related Expenses	1,705	1,805	1,805	1,805	1,805	1,805	1,805	1,805	1,805	1,805	1,805	1,805
Accounts Payable Check-runs	880	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100	1,100
Purchased Transportation Invoices	308	300	150	150	150	150	150	150	150	150	150	150
Measure K loan Interest to SJCOG		110					110					
Projected Operating Cash Outflow	2,893	3,315	3,055	3,055	3,055	3,055	3,165	3,055	3,055	3,055	3,055	3,055
Net Operating Cash Flow	466	-768	-1,932	1,068	-507	-1,932	-2,042	-507	-1,932	-1,932	-1,932	-1,932
PROJECTED DRAW FROM LINE OF CREDIT	0	0	0	0	0	0	0	0	0	0	0	0
CAPITAL CASH INFLOWS:												
TDA-STA Capital			1,000			1,000			1,000			
STEP Grant	16											
5312/SJCOG/StanslousCOG IMI Mobility project	1											
Projected Capital Cash Inflow	17	0	1,000	0	0	1,000	0	0	1,000	0	0	0
CAPITAL CASH OUTFLOWS:												
Masabi Fare Payment Upgrade (mobile)	202											
Projected Capital Cash Outflow	202	0	0	0	0	0	0	0	0	0	0	0
Net Capital Cash Flow	-185	0	1,000	0	0	1,000	0	0	1,000	0	0	0
Funds Kept at:												
Bank of Stockton	1,783											
County Treasury	44,112											
Total	45,895											



LEAD STAFF: MALIKA L. MCGEE, HUMAN RESOURCES MANAGER

REPORT: EQUAL EMPLOYMENT OPPORTUNITY REPORT 2022

I. SUMMARY:

- The Federal Transit Agency (FTA) requires recipient transit agencies to submit an extensive Equal Employment Opportunity (EEO) report every four years.
- San Joaquin Regional Transit District (RTD) submitted its FTA EEO report on March 1, 2022. The information presented herein is a summary of the submitted report and the Chief Executive Officer's EEO Statement for 2022.
- RTD conducts a thorough analysis and evaluation of hiring and employee promotion data to ensure compliance with internal goals which aim to create and maintain a diverse workforce.
- RTD's EEO Officer is primarily responsible for implementing RTD's EEO plan. Carrying out the EEO/Affirmative Action Plan is an integral function of all officials, managers, and supervisors.
- RTD's management team is responsible for ensuring that RTD's EEO policies and programs (as outlined in its EEO Program) are carried out. RTD is committed to ensuring that its workforce represents the diverse community in which we live and work, and promotes diversity in all its employment activities.

II. DISCUSSION/BACKGROUND

Under the direction of the CEO, the EEO Officer is responsible for the day-to-day administration of the EEO Program in accordance with policy of the Board of Directors and in the best interest of RTD. The EEO Officer is Malika L. McGee, Human Resources Manager. The EEO Officer has the full support of the CEO to carry out RTD's EEO Program.

RTD's EEO Program includes the following:

- Oversight by Human Resources and the EEO Officer of all hiring, promotions, and disciplinary actions taken by RTD.
- Training new employees and supervisors on the EEO policy and posting the EEO policy at all RTD locations.
- Posting the annual CEO EEO Policy Statement.
- Ensuring all federal and state required EEO postings are maintained in RTD common areas.
- Promptly and thoroughly investigate all complaints of harassment, discrimination, and retaliation, and ensuring actions are taken to remedy and prevent further harassment, discrimination, and retaliation if/when it has occurred.

- Human Resources collects and analyzes data on hiring, promotions, discipline, and training each year to ensure the EEO program is followed and to implement additional goals if necessary. Human Resources analyzes and reports data based on race and gender for the following eight job categories:

Officials & Administrators	Professionals	Technicians
Protective Service Workers	Paraprofessionals	Administrative Support
Skilled Craft Workers	Service/Maintenance	

The table below represents a comparison of the full-time RTD workforce to the San Joaquin County population, which demonstrates how RTD compares to the population of San Joaquin County generally, based on last available data.

2021 RTD Workforce vs. 2018 San Joaquin County Population

Job Classification	Male	Female	White	Black or African American	Native Hawaiian or Other Pacific Islander	Asian	American Indian or Alaska Native	Hispanic or Latino	Two or More Races
RTD Workforce	58.4%	41.6%	24.8%	18.4%	0.03%	23.2%	0.01%	26.3%	0.03%
S.J. County	49.7%	50.3%	38.4%	6.9%	0.5%	14.8%	0.3%	36.0%	2.9%
<i>RTD Workforce vs. S. J. Population</i>	<i>+8.7%</i>	<i>-8.7%</i>	<i>-13.6%</i>	<i>+11.5%</i>	<i>-0.47%</i>	<i>+8.4%</i>	<i>-0.29%</i>	<i>-9.7%</i>	<i>-2.87%</i>

RTD uses NEOGOV, an online applicant and tracking system to support its recruitment efforts. RTD continues its partnership with the California Employment Development Department, San Joaquin County WorkNet, and the San Joaquin County Office of Education in soliciting applicants as employment opportunities become available.

III. STRATEGIC PLAN PRIORITIES ALIGNMENT

This recommendation aligns with the Board's Strategic Priorities 1 and 4.
Strategic Priorities:

1. Employees
2. Customers
3. Financial Health
4. Operations Excellence
5. Community Relations
6. Innovation

IV. FINANCIAL CONSIDERATIONS/IMPACT

N/A

V. CHANGES FROM COMMITTEE

N/A

VI. ALTERNATIVES CONSIDERED

N/A

VII. ATTACHMENTS

Attachment A: 2022 Equal Employment Opportunity Policy Statement

Prepared by: Malika L. McGee, Human Resources Manager

VIII. APPROVALS

Malika L. McGee,
Human Resources Manager

A blue ink signature, appearing to read "Malika L. McGee", written over a horizontal line.

Financial Impact Approved:
Robert Kyle, CFO

A blue ink signature, appearing to read "R. Kyle", written over a horizontal line.

Alex Clifford, CEO

A blue ink signature, appearing to read "Alex Clifford", written over a horizontal line.



Attachment A
Cover Page



2022 Equal Employment Opportunity Policy Statement

The San Joaquin Regional Transit District (RTD) has a strong commitment to the community we serve and our employees. RTD is committed to providing a work place free of discrimination, harassment, and retaliation for filing a complaint, or engaging in any other protected conduct. It is also RTD's policy and practice to provide equal employment opportunity (EEO) in all employment matters, such as recruitment and recruitment advertising, hiring, promotions, terminations, transfers, layoffs, compensation, selection for training, benefits and other terms and conditions of employment without regard to race, color, marital status, religion, national origin, ancestry, age, sex, gender identity, sexual orientation, disability, medical condition, genetic information, family and medical care leave, pregnancy, veteran status, or any other class protected by existing laws or regulations. In enacting and following this policy, RTD is committed to following the requirements of Title VII of the Civil Rights Act of 1964, as amended, and all other existing federal and state laws.

In like manner, RTD expects its contractors and sub-contractors to commit to EEO policies and practices. Contractors and sub-contractors are notified of RTD's EEO commitment with each procurement solicitation, and are expected to abide by RTD's policy in the conduct of its business for RTD. Major contractors are required to submit their EEO policies to RTD for review and concurrence.

RTD undertakes an EEO Program in a continuous effort to hire, train, upgrade, promote, and retain members of minority groups, females, and physically challenged persons, consistent with the policy of the RTD Board of Directors. RTD ensures hiring practices that includes a diverse workforce that reflects the community in which it serves. RTD is committed to providing reasonable accommodation to applicants and employees necessary due to their disability, or to enable them to practice or observe their religion, absent an undue hardship.

The EEO Program is updated annually and provided to the RTD Board of Directors for its review and approval. The program sets forth the goals and timetables to which RTD is committed, and is available to any person making a request.

These policies shall be applied to all aspects of recruiting, hiring, training, compensation, promotion, retention, transfer, and working conditions of all employees at RTD, both represented and non-represented, to the extent applicable under the Labor Agreement between the San Joaquin Regional Transit District and Amalgamated Transit Union, Local No. 256.

The responsibility for the implementation of the EEO Program is to be assigned to the EEO Officer, Ms. Malika McGee. The EEO Officer reports directly to the Chief Executive Officer and makes periodic reports on RTD's progress. She can be reached at mmcgee@sjrtd.com or 209-467-6614.

All applicants and employees have the right to file complaints alleging discrimination or harassment with the EEO Officer. RTD will not tolerate any act of retaliation on any employee or applicant for filing a complaint pursuant to this policy, for participating in an employment discrimination or harassment investigation, or for otherwise engaging in a protected activity.

All executives, management and supervisory personnel at RTD share in the responsibilities under the EEO Policy and Program within their respective areas and are responsible for communicating and implementing the EEO Program throughout RTD's various departments and offices.

I and all management and supervisory personnel at RTD are personally committed to a workplace that acts upon its daily responsibility to treat all applicants and employees with dignity and respect, as well as equitably under the guidelines of our EEO Policy and Program.



Gloria G. Salazar
Chief Executive Officer

January 27, 2022
Date



LEAD STAFF: **ALEX CLIFFORD, CEO**

I. RECOMMENDED ACTION:

Approve the minutes of the April 15, 2022 Regular Board of Directors meeting.

II. SUMMARY

- Staff is providing the meeting minutes of the April 15, 2022 Regular Board of Directors meeting.
- Meeting minutes are recorded after each meeting and will be provided for approval at the following regularly scheduled meeting.

III. DISCUSSION/BACKGROUND

Meeting minutes are prepared by staff and serve as an official public record of actions taken by the Board of Directors. Once approved, minutes are filed and will remain in RTD's archives as documentation of the boards adherence to RTD's Rules of Procedure. Minutes will be made available to any member of the public upon request.

IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This recommendation aligns with the Board's Strategic Priority 4.

Strategic Priorities:

1. Employees
2. Customers
3. Financial Health
4. Operations Excellence
5. Community Relations
6. Innovation

V. FINANCIAL CONSIDERATIONS/IMPACT

None.

VI. CHANGES FROM COMMITTEE

N/A

VII. ALTERNATIVES CONSIDERED

None.

VIII. ATTACHMENTS

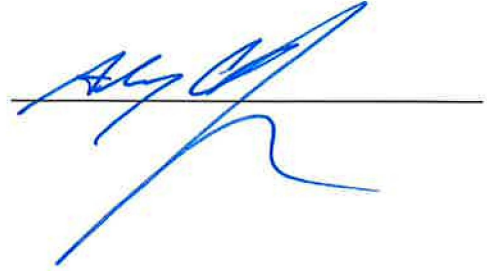
Attachment A: Draft minutes of the RTD Board of Directors Regular Meeting of April 15, 2022

Attachment B: Resolution

Prepared by: Erica Smith, Executive and Board Support Specialist

IX. APPROVALS

Alex Clifford, CEO





Attachment A
Cover Page

MINUTES OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS
OF THE SAN JOAQUIN REGIONAL TRANSIT DISTRICT
FRIDAY, APRIL 15, 2022

The Board of Directors of the San Joaquin Regional Transit District (RTD) held a Regular Meeting at 10:00 a.m. on Friday, April 15, 2022 in the Boardroom of RTD's Downtown Transit Center, 421 East Weber Avenue, Stockton, California.

1. CALL MEETING TO ORDER Chair Michael Restuccia called the meeting to order at 10:00 a.m.
2. MOMENT OF SILENCE/REFLECTION Chair Restuccia called for a moment of silence and reflection.
3. SAFETY ANNOUNCEMENT Safety & Security Manager Thomas Mlady made a Safety Announcement.
4. PLEDGE OF ALLEGIANCE TO THE FLAG Chair Restuccia led the pledge.
5. ROLL CALL
Present: Michael Restuccia, Chair
Gary Giovanetti, Vice-Chair
Joni Bauer, Director
Les Fong, Director
Absent: Balwinder Singh, Director

Staff Participating

Alex Clifford, CEO

Al Hoslett, RTD Legal Counsel

Merab Talamantes, Project Controls Manager

Erica Smith, Executive and Board Support Specialist

Ciro Aguirre, Chief Operating Officer

Mike Thompson, Chief Administration and Innovation Officer

Virginia Alcayde, Director of Financial Planning

Ravi Sharma, Finance Manager

Syed Bukhari, Finance Senior Specialist

Maximilian Cao, Supervisor of Marketing and Customer Engagement

Angela Chang, Marketing Senior Specialist

Max Calder, Mobility Manager

Manny Caluya, Procurement Contracts Senior Specialist

Dámaris Galvan, Service Development Manager

Kong Her, Service Development Senior Specialist

Eric Williams, Grants Manager

Thomas Mlady, Safety Manager

Malika McGee, Human Resources Manager

Omar Thomas, Transportation Supervisor
John Coose, Facilities Superintendent

Members of the Public Participating

Nate Knodt, RTD Retiree
Steve Castellanos, San Joaquin Delta College Board of Trustees
Kim Anderson, SJCOG Deputy Director of Planning

6. PUBLIC COMMENTS

Nate Knodt made a public comment regarding public transportation needs for Solari Ranch.

7. SPECIAL PRESENTATIONS

A. E-BIKE SHARE PROGRAM UPDATE

Mobility Manager Max Calder provided a project update.

8. REPORTS

A. CHIEF EXECUTIVE OFFICER UPDATE

1. CEO Report

CEO Alex Clifford provided a written report and oral update regarding the following topics:

- TSA face mask requirement extension possibly through May 3, 2022
- Strategic Plan Meeting
- Robert Kyle will join RTD on April 25, 2022 as the CFO
- Bus Route 152 update
- Solar Energy Project

2. Marketing Update

Supervisor of Marketing and Customer Engagement Maximilian Cao provided an update on recent events.

B. FEDERAL/STATE LEGISLATIVE UPDATE

CEO Alex Clifford provided a written report and oral update.

C. FINANCIAL REPORT

Finance Manager Ravi Sharma presented the March Revenue and Expense Summary and Cash Flow Projection.

9. INFORMATION ITEMS

The following reports were provided for information only:

A. QUARTERLY UPDATE OF SOLICITATIONS

B. QUARTERLY UPDATE OF CONTRACTS AWARDED

10. CONSENT CALENDAR

A. RESOLUTION NO. 6041: APPROVING THE MINUTES OF THE MARCH 18, 2022 REGULAR BOARD OF DIRECTORS MEETING

ACTION: MOTION: Les Fong SECOND: Joni Bauer

Roll Call:

AYES: Restuccia, Giovanetti, Bauer, Fong

ABSENT: Singh

NAYES: ABSTAIN:

B. RESOLUTION NO. 6042: APPROVING THE MINUTES OF THE MARCH 28, 2022 SPECIAL BOARD OF DIRECTORS MEETING

ACTION: MOTION: Les Fong SECOND: Joni Bauer

Roll Call:

AYES: Restuccia, Giovanetti, Bauer, Fong

ABSENT: Singh

NAYES: ABSTAIN:

11. ACTION ITEMS

A. RESOLUTION NO. 6043: AUTHORIZING THE CEO TO FILE AND EXECUTE THE FY 2021 - 2022 LOW CARBON TRANSIT OPERATIONS PROGRAM APPLICATION FOR THE BUS RAPID TRANSIT EXPANSION - MIDTOWN CORRIDOR PROJECT

ACTION: MOTION: Les Fong SECOND: Joni Bauer

Roll Call:

AYES: Restuccia, Giovanetti, Bauer, Fong

ABSENT: Singh

NAYES: ABSTAIN:

12. QUESTIONS AND COMMENTS FROM DIRECTORS AND STAFF

Director Bauer stated that she appreciated the new format for Board Packets.

13. ADJOURNMENT

Chair Restuccia adjourned the meeting at 11:09 a.m.



Attachment B
Cover Page

RESOLUTION NO. ____
DATED: MAY 20, 2022

RESOLUTION APPROVING THE MINUTES OF THE APRIL 15, 2022
REGULAR BOARD OF DIRECTORS MEETING

RESOLVED AND ORDERED by the RTD Board of Directors that the minutes of the Regular Meeting of April 15, 2022 be approved.



LEAD STAFF: **ALEX CLIFFORD, CEO**

I. RECOMMENDED ACTION:

Approve and adopt revised Job Classification and Salary Structure effective May 20, 2022.

II. SUMMARY:

- Due to upcoming retirements, RTD management finds it necessary to create an additional job classification for Assistant Maintenance Superintendent.
- The current salary structure creates a significant gap between the job duties and salaries between classifications M1 Maintenance Supervisor and M2 Maintenance Superintendent.
- The new Assistant Maintenance Superintendent classification will help facilitate succession planning by increasing the opportunity for internal promotion.
- Per RTD's enabling statutes, its Board of Directors must approve and adopt any revisions made to RTD's job classification and salary structure.
- Staff recommends that the RTD Board of Directors approve and adopt the revised salary structure, adding classification M 1.5 Assistant Superintendent effective May 20, 2022.

III. DISCUSSION/BACKGROUND

RTD's Human Resources department recently received a courtesy notification advising that the current Maintenance Superintendent will retire in approximately eighteen months.

A significant gap between Supervisor and Superintendent functions was identified during the evaluation of the maintenance department's job classification structure and job duties. To fill this void, staff must begin recruitment and succession planning for an Assistant Maintenance Superintendent who will fill the future Maintenance Superintendent vacancy.

As per RTD's enabling statutes, its Board of Directors must approve and adopt any revisions to RTD's job classification and salary structure.

Upon successfully filling the vacancy for the Maintenance Superintendent position, management will reevaluate the need for the Assistant Maintenance Superintendent position and, therefore, job classification.

IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This recommendation aligns with the Board's Strategic Priority 4.

1. Employees
2. Customers
3. Financial Health
4. Operations Excellence
5. Community Relations
6. Innovation

V. FINANCIAL CONSIDERATIONS/IMPACT

Salary wages and benefit costs for the Assistant Maintenance Superintendent position have been secured and tentatively included in the fiscal year 2023 Departmental Maintenance budget awaiting Board consideration and action.

VI. CHANGES FROM COMMITTEE

N/A

VII. ALTERNATIVES CONSIDERED

Do nothing. This alternative would make competitive succession planning and recruiting for a Maintenance Superintendent difficult. Furthermore, it would not allow RTD to fully take advantage of the time between now and when the position becomes vacant, hindering a possibly seamless transition.

VIII. ATTACHMENTS

Attachment A: Job Classification and Salary Structure
Management, Professional, Technical/Administrative Jobs
Effective May 20, 2022

Attachment B: Resolution

IX. APPROVALS

Malika McGee
Human Resources Manager

Robert Kyle, CFO

Alex Clifford, CEO



The image shows three handwritten signatures in blue ink, each written on a horizontal line. The first signature is 'Malika McGee', the second is 'Robert Kyle', and the third is 'Alex Clifford'.



Attachment A
Cover Page

Proposed Job Classification and Salary Structure
Management, Professional, Technical/Administrative Jobs
Effective May 20, 2022

Class	Position	Minimum	Maximum
	MANAGEMENT		
M5	Chief Executive Officer	Per contract	Per contract
	EXECUTIVE OFFICER		
M4	Deputy CEO Chief Financial Officer Chief Operating Officer Chief Administration and Innovation Officer	135,000	195,000
M3	Director	120,000	170,000
	Maintenance Superintendent	103,692	145,848
M2	Manager/Superintendent	81,061	135,000
M1.5	Assistant Maintenance Superintendent	95,000	99,000
	Maintenance Supervisor	73,692	99,485
M1	Facilities Supervisor Transportation Supervisor	70,183	95,320
	PROFESSIONAL		
P4	IT Administrator Administrator	85,308 75,000	115,166 100,000
	ADVANCED JOURNEY LEVEL		
	IT Senior Specialist	77,377	104,459
P3	Senior Specialist/Supervisor Senior Specialist	69,583 63,503	99,859 90,781
	JOURNEY LEVEL		
	IT Specialist	70,183	94,747
P2	Specialist Senior Accountant	54,901	80,738
	ENTRY LEVEL		
P1	Accountant Analyst	47,437	69,784
	TECHNICAL/ADMINISTRATIVE		
	ADVANCED JOURNEY LEVEL		
T/A 4	Senior Accounting Assistant Senior Administrative Assistant	43,136	62,219
	JOURNEY LEVEL		
T/A 3	Accounting Assistant Administrative Assistant	39,215	56,515



Attachment B
Cover Page

RESOLUTION NO. ____
DATED: MAY 20, 2022

RESOLUTION APPROVING AND ADOPTING REVISED JOB CLASSIFICATION AND
SALARY STRUCTURE EFFECTIVE MAY 20, 2022

WHEREAS, due to upcoming retirements, RTD management finds it necessary to create an additional job classification for Assistant Maintenance Superintendent; and

WHEREAS, the current salary structure creates a significant gap between the job duties and salaries between classifications M1 Maintenance Supervisor and M2 Maintenance Superintendent; and

WHEREAS, the RTD Board of Directors must approve the job classification and salary structure used by RTD staff; and

WHEREAS, the new Assistant Maintenance Superintendent classification will help facilitate succession planning by increasing the opportunity for internal promotion; and

WHEREAS, per RTD's enabling statutes, its Board of Directors must approve and adopt any revisions made to RTD's job classification and salary structure.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of the San Joaquin Regional Transit District that the revised Job Classification and Salary Structure be, and hereby is, approved effective May 20, 2022.



**LEAD STAFF: JOHN COOSE, FACILITIES SUPERINTENDENT
 CIRO AGUIRRE, CHIEF OPERATING OFFICER**

I. RECOMMENDED ACTION:

Ratifying the sixth contract amendment with Sage Energy Consulting to provide additional services for implementation of solar energy solutions in the amount of \$70,070 for a total contract amount not to exceed \$242,865.

II. SUMMARY:

- On April 26, 2022, RTD's CEO negotiated and executed the sixth amendment to the contract with Sage Energy Consulting to continue providing consulting services for RTD's Solar Photovoltaic (PV) System Project.
- Unexpected necessary changes to the original Solar PV System Design required Sage Energy Consulting to allocate additional time and resources to this project resulting in the need to increase the contract not to exceed amount.
- To prevent interruptions and delays to the project's design and construction schedule, RTD's CEO negotiated and executed the required amendment with Sage Energy Consulting in the amount of \$70,070.
- Staff recommends that the RTD Board of Directors ratify the sixth amendment for the increased amount of \$70,070.

III. DISCUSSION/BACKGROUND

In 2018, RTD identified a need for solar to help offset its facility energy consumption and to help the community by eliminating air pollution in the Central Valley.

Later that year, the Board of Directors Authorized the CEO to execute the fiscal year 2019 Transportation Planning Grant Agreement with the California Department of Transportation for a Solar Energy System Roadmap. The Solar Energy System Roadmap was completed on February 1, 2021.

RTD's legal counsel advised of the need for a supplemental Conflict of Interest Policy in addition to the existing Conflict of Interest statement within RTD's current procedures to proceed with a solicitation for a solar design-build project. RTD's Board of Directors approved the Organizational Conflict of Interest Policy for Design-Build Projects on February 19, 2021.

On October 2021, RTD's Board of Directors awarded a design-build contract to Rosendin Electric, Inc. for Solar PV Systems for a total contract amount not to exceed \$3,375,000. The notice to proceed was issued on January 13, 2022.

On April 4, 2022, RTD became aware that the contract amount for Sage Energy Consulting was nearly exhausted due to additional staff hours spent addressing unexpected concerns during the design phase and changes made to the scope of work. RTD met with its solar project manager (Pennino Management Group) and with the solar design consultant (Sage Energy Consulting) to identify the remaining tasks that would require additional services from Sage Energy Consulting to complete the project.

On April 12, 2022 it was determined that there were four (4) pending tasks that require Sage Energy Consulting's involvement. The following Scope of Work outlining the four (4) pending tasks remaining for this project was provided by Sage Energy Consulting.

1. Design Review	\$11,900.00
2. Construction Support	\$30,800.00
3. Commissioning Support	\$12,400.00
4. Project Closeout	\$8,600.00
Sixth Amendment total amount	\$70,070.00 (including a 10% contingent fund)

The solar project is at a crucial and critical phase of the project, the design phase. With 90% of the design phase completed, RTD must rely Sage Energy's guidance to finalize the solar design. PMG (Project Manager) has confirmed that Sage Energy Consulting is needed for the remaining four tasks and will be heavily involved on the Commissioning Support and the Project Closeout tasks (#3 and #4).

On April 14, 2022, staff met with RTD's CEO Alex Clifford to discuss the urgent need to increase the contract amount for Sage Energy Consulting. The urgency of the need to increase the contract immediately was deemed necessary to avoid costly delays. The contract was amended, expedited, and completed on April 26, 2022.

At this time staff asks that the RTD Board of Directors ratify the sixth amendment for the increased amount of \$70,070.

IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This recommendation aligns with the Board's Strategic Priority 3.

Strategic Priorities:

1. Employees
2. Customers
3. Financial Health
4. Operations Excellence
5. Community Relations
6. Innovation

V. FINANCIAL CONSIDERATIONS/IMPACT

The following provides a breakdown of the costs and total cost after the sixth amendment.

Amendment information including Task Orders and contract pricing.

Date	Amount	Amendment #	Revision
8/10/2018	\$100,000	Base Contract	n/a
3/25/2019	n/a	One	Define the first task of Article 4.3, Contract Price, and Optional Tasks
7/8/2020	n/a	Two	Contract extension for completion of National Environmental Policy Act (NEPA) as required by the FTA when Federal funds are used.
6/29/2020	n/a	Three	Increase the not to exceed amount and contract extension for completion of contract amid COVID-19 pandemic for second solicitation per legal counsels advice
5/13/2021	\$40,000 Not to exceed \$140,000	Four	Increase the not to exceed amount and contract extension for second solicitation per legal counsels advice
11/8/2021	\$32,795 Not to exceed \$172,795	Five	Increase the not to exceed amount to extend negotiations with the design-builder and reviewing specs
4/26/2022	\$70,070 Not to exceed \$242,865	Six	Increase the not to exceed amount to cover four pending tasks that require Sage Energy Consulting's involvement

The sixth amendment, see attachment A, was funded using available State Transit Assistance (STA) funds for an amount of \$70,070. The total financial impact of Sage Energy Consulting's contract for the solar project is \$242,865.

Funding source (STA Capital Reserves):

FY19 STA	1914021955-1512016	Solar Phase I Engineering	\$0.00	\$33,920.63	\$33,920.63
FY21 STA	1914022155-1512016		\$0.00	\$36,149.37	\$36,149.37
FY19 STA	0000001955-9000000	Capital Reserve	\$33,920.63	\$(33,920.63)	\$0.00
FY21 STA	0000002155-9000000	Capital Reserve	\$909,327.69	\$(36,149.37)	\$873,178.32

VI. CHANGES FROM COMMITTEE

N/A

VII. ALTERNATIVES CONSIDERED

Do nothing. This alternative was not recommended since this would further delay the project and would lead to additional cost to this project.

Remove Sage Energy from the project to reduce costs. Not recommended since there are project requirements that Sage Energy's expertise is critically needed for to ensure proper project completion.

Staff is confident that it is in RTD's best interest to move forward with this project to protect RTD's financial health and to avoid project delays and recommends the RTD Board of Directors authorize ratification of this increased expenditure.

VIII. ATTACHMENTS

Attachment A: Sixth Contract Amendment
Attachment B: Sage Energy Consulting Task Order
Attachment C: Resolution

Prepared by: John Coose, Facilities Superintendent

IX. APPROVALS

John Coose, Facilities Superintendent

Financial Impact Approved:
Robert Kyle, CFO

Alex Clifford, CEO

Three handwritten signatures in blue ink are positioned over three horizontal lines. The top signature is a cursive 'J. Coose'. The middle signature is a stylized 'R. Kyle'. The bottom signature is a stylized 'Alex Clifford'.



Attachment A
Cover Page

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**SIXTH AMENDMENT TO CONTRACT
FOR
IMPLEMENTATION OF SOLAR ENERGY SOLUTIONS
Contract No. 2018-020-S
Contract Date: August 10, 2018**

This Sixth Amendment to Contract No. 2018-020-S is made and entered into as of this 18th day of April, 2022, at Stockton, California, by and between SAN JOAQUIN REGIONAL TRANSIT DISTRICT, hereinafter referred to as "RTD," and SAGE RENEWABLE ENERGY CONSULTING, INC., a California corporation, hereinafter referred to as "Contractor".

WHEREAS, RTD and Contractor entered into a Contract on August 10, 2018, whereby Contractor would provide implementation of solar energy solutions services; and,

WHEREAS, RTD and Contractor entered into a First Amendment to Contract on March 25, 2019, to define the first task of Article 4.3, Contract Price, "Optional Tasks"; and,

WHEREAS, on July 8, 2020, RTD and Contractor entered into a Second Amendment to Contract to extend the term of the Contract for the completion of National Environmental Policy Act (NEPA) by the Federal Transit Administration (FTA); and,

WHEREAS, on June 29, 2020, RTD and Contractor entered into Third Amendment to Contract to extend the term of the Contract for the completion of Contract amid the current Covid-19 pandemic; and,

WHEREAS, on May 13, 2021, RTD and Contractor entered into Fourth Amendment to Contract to extend the term of the Contract and to increase the not-to-exceed amount to \$140,000.00; and,

WHEREAS, on November 8, 2021, RTD and Contractor entered into Fifth Amendment to said Contract to increase the not-to-exceed amount to \$172,795.00; and,

WHEREAS, the parties have now agreed that a Sixth Amendment to said Contract is necessary to add additional scope of services and to increase the not-to-exceed dollar of the Contract.

NOW, THEREFORE, THE PARTIES ENTER INTO THIS SIXTH AMENDMENT TO CONTRACT, as follows:

1. That Contractor will provide the additional services in Contractor's Task Order 18016.7, attached as Exhibit A to Sixth Amendment to the contract and incorporated by this reference.
2. That the "not to exceed" amount of the Contract will be increased by \$70,070, for a total contract amount not to exceed \$242,865.00.
3. That Article 4.3 of the Contract, is hereby amended to read as follows:

"4.3 CONTRACT PRICE:

"The contract price for said project shall not exceed \$242,865.00."

4. That except as herein specifically amended, all other terms and conditions of the Contract for Implementation of Solar Energy Solutions, Contract No. 2018-020-S, dated August 10, 2018, shall remain unchanged and are hereby ratified and approved as amended.

Sage Renewable Energy Consulting, Inc.
Implementation of Solar Energy Solutions
Contract No. 2018-020-S
Sixth Amendment to Contract
Dated: April 18, 2022

1

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Executed at Stockton, California, as of the date and year first above written.

RTD:

4/26/2022

Date Executed: _____

SAN JOAQUIN REGIONAL TRANSIT DISTRICT

DocuSigned by:

Alex Clifford

By: _____

ALEX D. CLIFFORD

Chief Executive Officer

Address, Telephone, and Email:

P.O. Box 201010
Stockton, CA95201
Phone: (209) 943-1111
Email: rtd-procurement@sjrtd.com

CONTRACTOR:

4/25/2022

Date Executed: _____

SAGE RENEWABLE ENERGY CONSULTING, INC.

DocuSigned by:

Tom Williard

By: _____

TOM WILLIARD

Principal

Address, Telephone, and Email:

101 Lucas Valley Road, Suite 302
San Rafael, CA 94903
Phone: (415) 663-9914
Email: tom@sagerenew.com

APPROVED:

DocuSigned by:

Mike Thompson

MIKE THOMPSON

Acting Director of Procurement

APPROVED AS TO FORM:

DocuSigned by:

Al Warren Hoslett

AL WARREN HOSLETT

Attorney for RTD



Attachment B
Cover Page




Solar PV Project Construction Management Support
San Joaquin Regional Transit District

Task Order Solar PV Project Construction Management Support

Task Order # 18016.7

This Task Order is pursuant to Contract Number 2018-020-S between Sage Energy Consulting, Inc. ("SAGE") and San Joaquin Regional Transit District ("CLIENT") dated August 10, 2018.

This Task Order must be mutually executed before work is commenced.

Project Name Solar PV Project Construction Management Support
Client San Joaquin Regional Transit District
Physical Location Stockton, CA
Estimated Start Date ~~September, 2021~~ ^{DS} 
Estimated End Date Q4 2022 for Commercial Operation
Estimated Fees \$63,700 T&M, NTE fees for scope described herein for Task 1 through Task 4;

Project Contacts

SAGE	San Joaquin Regional Transit District
Name: Tom Williard	Name: John Coose
Title: Principal	Title: Facilities Superintendent
Email: tom@sagerenew.com	Email: jcoose@sjrtd.com
Phone: 415-847-9066	Phone: (209) 467-6618
Address: 101 Lucas Valley Road, Suite 302 San Rafael, CA 94903	Address: P.O. Box 201010 Stockton, CA 95201

~~Project Overview~~

^{DS}


~~This Task Order outlines owner's representative services for implementation of a CMAQ Grant funded solar photovoltaic (PV) project for the San Joaquin Regional Transit Authority (SJRTD). The CMAQ grant is for a total of \$3.2 million dollars and will be used to develop solar PV systems at up to three SJRTD sites.~~

~~The Tasks listed below represent the typical construction management support services that SAGE provides its clients.~~



Solar PV Project Construction Management Support
San Joaquin Regional Transit District

Scope of Work

Construction Management Services

Sage's Construction Management support scope of work entails providing Technical Construction Support to our CLIENT's Construction Management team during the Design review, Construction, Commissioning (Cx), and Closeout phases of the project. The detailed Technical Construction Support Task scopes are listed below.

Task 1 Design Review and Assistance

Once a project contract is signed, SAGE provides technical support during the design process to ensure that the final design meets RFQ/P, contract, and permitting requirements, and industry best practices. Sage reviews plan sets and provides technical input and conducts site walks with the Contractor's engineering team.

- 1.1 Organize and attend design kickoff meeting, including site walk with energy project Contractor to review existing conditions and discuss implementation logistics.
- 1.2 Review Contractor site discovery scope and results. Discuss any changed condition and coordinate design modifications with CLIENT/Contractor.
- 1.3 Participate in regular design meetings via phone.
- 1.4 Provide technical assistance to CLIENT or CEQA consultant on Notice of Exemption filings.
- 1.5 Evaluate Contractor system design, component selection and interconnection for conformance with contract, utility, and industry standards.
- 1.6 Provide technical review and collate CLIENT comments on up to three sets of Contractor progress designs.
- 1.7 Assist with siting issues such as equipment placement, vegetation, shading, fire, future site plans, American Disabilities Act (ADA) considerations, etc.
- 1.8 Coordinate existing conditions site walk to document existing conditions and discuss implementation logistics.

Site visits: Up to one site visit for design kickoff and existing conditions site walk.

Task 2 Construction Support

SAGE will provide the following Technical support services to the CLIENT while working with the CLIENT's CM team during Construction.

- 2.1 Coordinate and participation in construction kickoff meeting on site.
- 2.2 Participation in weekly project meetings by phone and attend meeting in person bi-monthly.
- 2.3 Track Contractor-maintained master schedule and look-aheads against milestones.
- 2.4 Review and respond to RFIs during construction.
- 2.5 Review pay-app requests and provide input to CLIENT.
- 2.6 Technical review and comments on design changes and change orders.
- 2.7 As needed support and communications with CLIENT, Construction Manager (CM) and any special Inspectors.



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Site Visits: Up to three total site visits with one Sage representative for construction kickoff meeting and construction evaluations.

Task 3 Commissioning (Cx) Support

SAGE will provide the following Technical support services during Commissioning to ensure that systems are built and performing to contract, and that workmanship is at least industry standard and in compliance with regulations and permits.

- 3.1 Review Contractor's Cx protocol to ensure industry standard.
- 3.2 Inspection of systems, including:
 - 3.2.1 System component and design conformance verification
 - 3.2.2 Workmanship evaluation
 - 3.2.3 Performance verification
- 3.3 Provide input to change order closeout and contract amendments.
- 3.4 Ensure Contractor achieves Utility PTO and closeout tasks/submittals.
- 3.5 Provide input to project closeout punch list and verify completion in coordination with IOR and other stakeholders.
- 3.6 Produce summary report of Cx verification with electronic library of closeout documentation including as-built record drawings, permission to operate letters, inspections, punch list closeout, final contracts and amendments, etc.

Site visits: Up to two site visits for inspections and verification.

Task 4 Project Closeout Assistance

SAGE will provide the following Technical Support services during Project Closeout phase to ensure that all documentation, training, and permitting are delivered and closed out.

- 4.1 Provide input to project closeout punch list and verify completion in coordination with CM and project inspectors.
- 4.2 Verify punch list completion in coordination with CM and project inspectors.
- 4.3 Ensure all Project documentation is submitted and certified through AHJs.
- 4.4 Produce Project Summary binder with library of closeout documentation, including as-builts or record drawings, permission to operate letters, inspections reports, punch list closeout, etc.

Site visits: Up to one, for verification of punch list items.

Schedule and Deliverables

Table 1: Task Schedules and Deliverables

Task	Start Date	End Date	Deliverables
1 Design Review	April 2021	June 2022	<ul style="list-style-type: none">– Review/Document Comments on Progress Drawings– Existing Conditions Documentation



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				– Updates to Performance/Financial Models As needed
2	Construction Support	May 2022	August 2022	– Review of Submittals/RFIs/Change Orders and meeting minutes – Input to Punch list
3	Commissioning Support	August 2022	September 2022	– Commissioning Field Inspection & Verification Report – Punch list update
4	Project Closeout Assistance	September 2022	October 2022	– Project Summary Binder and Library of Documentation

Requirements and Assumptions

1. Travel to the proposed project site and/or the CLIENT offices as stated in Tasks. Project travel assumes one SAGE representative per site visit unless otherwise noted. Travel requested in excess of visits listed to be billed on a time & materials (T&M) basis, As Needed budget.
2. Site information will be made available as needed, including information pertaining to electrification of heating. SAGE will review available existing information and provide preliminary review of project constraints.
3. Sage will not perform new or invasive site investigations (e.g. geotechnical studies, site surveys, etc.).
4. SAGE will not provide any civil engineering work (e.g., easements, property line, setback requirements, etc.).
5. CLIENT or Architect of Record (AOR) will provide engineering estimates of future electricity consumption estimate based on future facility design. Sage will refine and verify estimate with Project team.
6. CLIENT/AOR will provide all relevant increment plans, drawings and calculations of the site and incorporate any approved energy infrastructure plans into sets as needed.
7. CLIENT will provide access to all sites under consideration for site walks, including access to electrical services or design plans, if service not existing.
8. CLIENT will be the Lead Agency filing CEQA documentation with the County. CEQA documentation and process management will be provided by CLIENT for the initial notices, Board Resolution, and documentation filing with the County. Project is assumed to be exempt under Statutory Exemption for solar PV systems constructed over existing parking lot. Any follow-on work required of SAGE in response to CEQA protests are outside of this Scope of Work and may be billed on a time and materials basis.



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San Joaquin Regional Transit District

9. Design, construction and commissioning of project by others. SAGE will not act as Project Engineer of Record (EOR), Inspector of Record (IOR), Lab of Record (LOR) or Engineering/Procurement/Construction (EPC) Contractor. SAGE will assist CLIENT and/or CLIENT's Construction Project Manager with design review, provide technical assistance during construction, provide review/oversight of Contractor's commissioning, and provide performance assessment.
10. SAGE shall not be responsible for the performance—structural, electrical, etc.—of any third-party manufactured product(s).
11. CLIENT and/or CLIENT's Solar Contractor will be responsible for interconnection process responsibilities and to ensure interconnect with Utility. SAGE will provide oversight of proposer's interconnection effort.
12. SAGE will not provide "As-Built" drawings. It is assumed that the solar Contractor will provide As-Built record drawings.
13. SAGE will not be providing Operations & Maintenance (O&M) services. Maintenance of the systems to be provided by others.
14. Solar Project assumed to be at most 1.5 MWp rooftop and/or parking lot shade structure mounted, net-energy metered (NEM) solar PV system interconnected to main PG&E service at each site. If Project scope increases in configuration or size by 10% or more, SAGE may request additional Project Budget.
15. Schedule assumed for each Task as stated above and all solar PV/BESS/EVSE systems reach commercial operation by the end of October 2022. If schedule is extended, SAGE may request additional Project Budget.

Fees and Payment Schedule

Fee Structure

The fees shown in the Task Fee Table below are Time and Materials (T&M) not to exceed (NTE) estimates for each Task. SAGE's fees are based on contracted scope, system size and schedule. ~~If any of these items change substantially (by more than 10%), SAGE reserves the right to renegotiate fees.~~ If the project is canceled for any reason, the CLIENT will be responsible for payments to SAGE for the percent of work completed to date for each Task per the Fixed Fee Schedule presented below. Sage will only bill for work that has been completed and will not bill for uncompleted tasks if the Project is terminated or suspended.

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Solar PV Project Construction Management Support
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Table 2: T&M NTE Fee Table

Task	NTE Fee
Construction Management Support	Technical CM
Task 1 Design Review (remaining work)	\$11,900
Task 2 Construction Support	\$30,800
Task 3 Commissioning Support	\$12,400
Task 4 Project Closeout	\$8,600
Subtotal for Design Review to Closeout	\$63,700

As-Needed Services

If requested by CLIENT, SAGE may provide additional as-needed services on a time and materials (T&M) basis with a not to exceed (NTE) limit, billed at the hourly rates listed below. Additional services will be administered under a separate Task Order or Contract Amendment. SAGE will not perform as-needed T&M work without prior consent of the CLIENT.

Table 3: Hourly Fee Table

Title	2021/2022	2023
Principal	\$295	\$310
Associate Principal	\$250	\$265
Senior Project Manager	\$245	\$260
Project Manager	\$215	\$225
Senior Engineer/Data Scientist	\$215	\$225
Construction Manager	\$200	\$210
Engineer/Data Scientist	\$185	\$195
Senior Analyst/Technician	\$185	\$195
Analyst/Technician	\$155	\$160
Program Support Specialist	\$115	\$120
Energy Intern	\$115	\$120
Project Administrator	\$90	\$95

The Hourly Fee Schedule, above, is applicable through 2022. Sage reserves the right to adjust rates for as needed services delivered after December 31, 2022.



Solar PV Project Construction Management Support
San Joaquin Regional Transit District

Billing/Payment Structure

SAGE invoices on a monthly basis with terms of Net 30.

Reimbursable Expenses

All reimbursable expenses are included in the Fixed Fee schedule, above. Fees assume all deliverable materials for the project will be provided digitally. Printed copies of documents will be billed at cost plus 10%. For As-Needed T&M work, all reasonable and ordinary expenses are reimbursable at cost plus 5%.

Subconsultant Fees

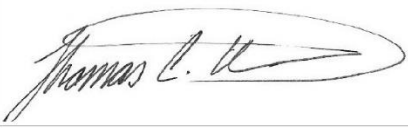
Subconsultant fees will be passed through at cost plus 10%.

Term of Fee Schedule

The Fee Schedule above is for project work completed through December 31, 2022

~~IN WITNESS WHEREOF, authorized representatives of both SAGE and CLIENT have executed this agreement as of the date set forth above.~~

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SAGE	San Joaquin Regional Transit District
	
Name: Tom Williard	Name:
Title: Principal	Title:
Date: April 12, 2022	Date:



Attachment C
Cover Page

RESOLUTION NO. _____
DATED: MAY 20, 2022

RESOLUTION RATIFYING A SIXTH CONTRACT AMENDMENT WITH SAGE ENERGY CONSULTING TO PROVIDE ADDITIONAL SERVICES FOR IMPLEMENTATION OF SOLAR ENERGY SOLUTIONS IN THE AMOUNT OF \$70,070 FOR A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$242,865

WHEREAS, the parties have now agreed that a Sixth Amendment to the contract with Sage Energy Consulting is necessary to add additional scope of services and to increase the not to exceed dollar amount of the contract.

WHEREAS, the contractor will provide the additional services in contractor's Task Order 18016.7.

WHEREAS, the not to exceed amount of the contract will be increased by \$70,070, for a total contract amount not to exceed \$242,865.

WHEREAS, article 4.3 of the contract, is hereby amended to read as follows:
"4.3 CONTRACT PRICE: The contract price for said project shall not exceed \$242,865.00."

WHEREAS, except as herein specifically amended, all other terms and conditions of the Contract for Implementation of Solar Energy Solutions, Contract No. 2018-020-S, dated August 10, 2018, shall remain unchanged and are hereby ratified and approved as amended.

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

- 1) That the Sixth Amendment to the contract with Sage Energy Consulting be and hereby is approved.



LEAD STAFF: **CIRO AGUIRRE, CHIEF OPERATING OFFICER**
 MANNY CALUYA, PROCUREMENT SENIOR SPECIALIST

I. RECOMMENDED ACTION:

Authorize the CEO to execute a Memorandum of Understanding (MOU) with Stockton Unified School District (SUSD) for its students to use RTD's fixed-route services at no cost.

II. SUMMARY:

- In 2019, RTD and SUSD entered into an MOU to launch a two-year pilot program to provide complimentary transit services for all 7th - 12th grade SUSD students.
- SUSD's Director of Transportation reached out to RTD to enter into a similar MOU for two years.
- If approved, the MOU will become effective June 01, 2022 and will continue through May 31, 2024.
- Services rendered to SUSD will be charged at a rate of \$800,000.00 per year.

III. DISCUSSION/BACKGROUND

In 2019, RTD and SUSD entered into an MOU to launch a two-year pilot program to provide complimentary transit services for all 7th - 12th grade SUSD students. Under the MOU, SUSD students had access to all RTD fixed-route services at no cost. The goal was to raise the attendance rates at SUSD schools and positively influence academic performance by providing access to education through public transit. The MOU was terminated during the COVID-19 pandemic and temporary break from in-person schooling by SUSD.

Benard Veasley, SUSD's Director of Transportation reached out to RTD on May 2, 2022, to enter into a similar MOU. The MOU was presented to SUSD Board of Directors in time for SUSD's in-person summer session. Under this MOU, SUSD students will be able to board RTD fixed-route buses by showing their SUSD student identification card to the Operators. The terms of the MOU also allows students to use the bus on weekends, holidays, and other non-school days within the fixed-route service area during times of operation. If approved, the MOU will become effective June 01, 2022 and will continue through May 31, 2024.

IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This report aligns with the RTD Board's Strategic Priorities 3, 4, & 5.

1. Employees
2. Customers
3. Financial Health
4. Operations Excellence
5. Community Relations
6. Innovation

V. FINANCIAL CONSIDERATIONS/IMPACT

This MOU will bring a total revenue of \$800,000 to RTD per year.

VI. CHANGES FROM COMMITTEE (Board Report ONLY)

N/A

VII. ALTERNATIVES CONSIDERED

- Given the importance of the service being requested and the benefits it will bring to the community, SUSD and RTD staff only considered expediting the MOU for authorization to meet SUSD time requirements.

VIII. ATTACHMENTS

Attachment A: Memorandum of Understanding (MOU 22145-U)

Attachment B: Resolution

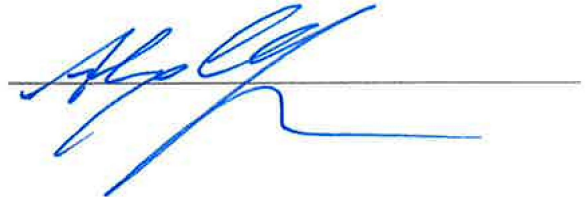
Prepared by: Ciro Aguirre, Chief Operating Officer

IX. APPROVALS

Ciro Aguirre, COO



Financial Impact Approved:
Robert Kyle, CFO



Alex Clifford, CEO



Attachment A
Cover Page

MEMORANDUM OF UNDERSTANDING

MOU 22145-U

This **MEMORANDUM OF UNDERSTANDING** (MOU) is made and entered into at Stockton, California, as of the May 6, 2022, by and between the **SAN JOAQUIN REGIONAL TRANSIT DISTRICT (RTD)** and **STOCKTON UNIFIED SCHOOL DISTRICT (SUSD)**, a school district, (collectively referred to as "the Parties").

WHEREAS, RTD has heretofore entered into an MOU whereby RTD will provide no cost rides to students attending SUSD schools; and

WHEREAS, this MOU describes the agreement and understanding between RTD and SUSD in connection with RTD providing bus local service rides to SUSD for the use by its students; and

WHEREAS, this MOU describes the cooperative efforts between RTD and SUSD whereby RTD will provide access to all RTD's existing fixed route services at no cost to the SUSD students in grades 7 – 12, which includes students in SUSD's Young Adult Program; and

NOW, THEREFORE, RTD and SUSD agree to the following:

1. The term of this MOU shall be for a period of two years, commencing on June 1, 2022, and shall remain in effect until May 31, 2024, three hundred sixty-five (365) days out of each year.
2. SUSD shall issue Student Identification (ID) Cards, for use by its students to permit them to ride on RTD's fixed routes within San Joaquin County.
3. The Student ID Card shall be issued in the name of and shall only be used by qualified Students.
4. In order to be eligible to board the bus, the Student ID Card must only be used (a) by the Student to whom it was issued and (b) by a student at one of SUSD schools.
5. Students must abide by RTD's Student Code of Conduct, a copy of which is given to SUSD with the execution of this MOU. RTD shall have the right to cancel said Student's bus ride if the Student does not abide by RTD's Student Code of Conduct.
5. SUSD shall be responsible for the following:
 - A. SUSD shall pay to RTD as compensation for said bus services the sum of \$800,000.00/year for two years as follows:
 - i. \$400,000 on or before May 31, 2022
 - ii. \$400,000 on or before November 30, 2022

- iii. \$400,000 on or before May 31, 2023, and
 - iv. \$400,000 on or before November 30, 2023.
- B. The District and RTD are negotiating the metrics and tools to be used for data analysis.
- C. SUSD will be responsible for notifying RTD of any and all information necessary for RTD to implement this MOU.
- D. SUSD shall cooperate in promoting RTD's Student Code of Conduct to the students.
- 7. RTD will provide access to all of RTD's existing fixed route services at no cost to the SUSD students in grades 7 – 12.
- 8. This MOU shall terminate upon the happening of the first of the following events:
 - A. The MOU shall terminate and end upon the expiration of the stated term as set forth in Paragraph 1, above.
 - B. This MOU shall terminate automatically upon the failure of SUSD to make the required payment to RTD in accordance with Paragraph 6(A), above.
 - C. Notwithstanding any other provision of this MOU, either Party hereto may terminate this MOU at any time with sixty days prior written notice to the other party.
- 9. The following provisions shall apply to this MOU:
 - A. Notices

Any notice to be given hereunder by one party to the other shall be in writing and shall be given either by personal delivery or by mail, registered or certified, postage prepaid, with return receipt requested. Mailed notices shall be addressed to the party at the address appearing following the signature lines of this MOU. Any party may change its address by written notice in accordance with this paragraph. Notices delivered personally will be deemed communicated as of the date of actual receipt; mailed notices will be deemed communicated as of two days after the date of mailing.
 - B. Entire Agreement of the Parties

This MOU supersedes any and all other agreements, either oral or written, between the parties hereto with respect to the subject matter of this MOU. Each party to this MOU acknowledges that no representations, inducements, promises, or agreements, orally or otherwise, have been made by any party, or anyone acting

on behalf of any party, which is not embodied herein, and that no other agreement, statement, or promise not contained in this MOU shall be valid or binding. Any modification of this MOU will be effective only if it is in writing signed by the party to be charged.

C. Partial Invalidity

If any provision in this MOU is held by a court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions will nevertheless continue in full force without being impaired or invalidated in any way.

D. Governing Law

This MOU will be governed by and construed in accordance with the laws of State of California.

E. No attempted or requested modification to this MOU shall be effective until thirty (30) days after the party seeking a modification has notified the other of the desired modification, and the parties have demonstrated their mutual consent to the modification by mutually executing a written instrument amending this MOU.

F. No Partnership or Agency

This Agreement does not create a partnership or agency relationship between RTD and SUS D. RTD does not have authority to enter into contracts on behalf of SUS D without separate written approval from SUS D.

G. Presumption

The parties acknowledge that this document is the product of mutual negotiation and that in the event of a dispute as to the meaning of this Agreement, or any provision in this Agreement, there shall be no presumption against the drafter of the document or any provision herein.

SIGNATURES APPEAR ON THE NEXT PAGE

IN WITNESS WHEREOF, the parties hereto have executed this MOU by their duly authorized officers as of the day and year first above written.

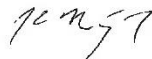
San Joaquin Regional Transit District

P.O. Box 201010
Stockton, CA 95201
Phone: (209) 943-1111
Email: rtd-procurement@sjrtd.com

Stockton Unified School District

640 N. San Joaquin Street
Stockton, CA 95202
Phone: (209)933-7070

By: _____
ALEX CLIFFORD
Chief Executive Officer

By:  _____
JOHN RAMIREZ JR.
Superintendent

PROCUREMENT APPROVAL:

ROBERT KYLE
Chief Financial Officer

ATTEST:

 _____
ALICIA RICO
Clerk

APPROVED AS TO FORM:

AL WARREN HOSLETT
Attorney for RTD

APPROVED AS TO FORM:

 _____
JACK P. LIPTON, PH.D., ESQ.
SUSD General Counsel



Attachment B
Cover Page

RESOLUTION NO. _____
DATED: MAY 20, 2022

RESOLUTION AUTHORIZING THE CHIEF EXECUTIVE OFFICER (CEO)
TO ENTER INTO AND EXECUTE A MEMORANDUM OF UNDERSTANDING
(MOU) BETWEEN SAN JOAQUIN REGIONAL TRANSIT DISTRICT (RTD) AND
STOCKTON UNIFIED SCHOOL DISTRICT (SUSD) FOR A
TWO-YEAR BUS PASS SUBSIDY PROGRAM FOR 7TH - 12TH GRADE STUDENTS
FOR THE PERIOD OF JUNE 1, 2022 - MAY 31, 2024

WHEREAS, RTD has partnered with SUSD to provide transit services for all 7th – 12th grade students of said district, and

WHEREAS the RTD Board of Directors wishes to delegate authorization to enter into and execute a MOU with SUSD to Alex Clifford, CEO.

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

- 1) That the CEO be, and hereby is, authorized to finalize and execute the MOU with SUSD for a two-year bus pass subsidy program for the period of June 1, 2022 - May 31, 2024 at a rate of \$800,000.00 per year.
- 2) That the CEO is 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.