

SAN JOAQUIN REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS MEETING – NOTICE AND AGENDA
AT THE LATER OF 11:15 A.M. ON FRIDAY, SEPTEMBER 18, 2026 OR IMMEDIATELY
FOLLOWING THE REGULAR BOARD MEETING

The Board of Directors of the San Joaquin Regional Transit District (RTD) will hold a special meeting at the later of 11:15 a.m. or immediately following the Regular Board Meeting on Friday, September 18, 2026, in the Boardroom of RTD's Downtown Transit Center, 421 East Weber Avenue, Stockton, California. Please visit <https://sanjoaquinrtd.com/board-of-directors/board-meeting-agendas-and-minutes/> for an electronic copy of this document. Materials related to an item on this agenda packet are available for public inspection at the above address.

Members of the public can attend the RTD Board Meeting by dialing: (669) 444-9171, Meeting ID: 820 5708 3129, or by viewing a live broadcast of the meeting online at <https://sjrtd.zoom.us/j/82057083129>.

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, preferred alternative format, auxiliary aid, or service, at least three workdays before the meeting. Requests should be sent to RTD by mail at 421 East Weber Avenue, Stockton, CA 95202, by phone at (209) 467-6619, by fax at (209) 948-8516, or by email to BoardSupport@sjRTD.com.

The RTD Board of Directors may take action on each item on the agenda. The action may consist of the recommended action, a related action, or no action. Staff recommendations are subject to action and/or change by the Board of Directors.

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. ROLL CALL
3. ACTION ITEMS
 - A. MOTION: APPROVING RESOLUTIONS TO EXECUTE THE APPLICATIONS AND AGREEMENTS WITH THE STATE OF CALIFORNIA TO FORMALLY

REQUEST SOCIAL SECURITY COVERAGE FOR ALL PARTICIPANTS IN
BOTH THE RETIREMENT PLAN AND THE 401(A) RETIREMENT SAVINGS
PLAN

4. ADJOURNMENT

**NOTE: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE
ON FRIDAY, OCTOBER 16, 2026, AT 10:00 A.M.**

DATE POSTED: SEPTEMBER 17, 2026



LEAD STAFF: THOMAS DEMPSEY, ACTING CHIEF FINANCIAL OFFICER

I. RECOMMENDED ACTION:

That the Board of Directors (Board) approve the resolutions to execute the Applications and Agreements with the State of California to formally request Social Security coverage for all participants in both the Defined Benefit Retirement Plan and the 401(a) Retirement Savings Plan.

II. SUMMARY:

- RTD's Finance department discovered that the state's section 218 agreement with the Social Security Administration (SSA) was never modified to extend Social Security coverage to plan participants.
- RTD's leadership determined that a majority vote election of each of the retirement plan's participants as part of an error modification was needed to correct this error and permit the SSA to continue providing Social Security benefits to RTD retirees and correct employment tax errors.
- On December 6, 2024, the Board of Directors approved resolutions requesting authorization from CalPERS, the State Social Security Administrator, to conduct the elections.
- On April 21, 2026, the elections were conducted in accordance with federal and state law for both the Retirement Plan participants and the 401(a) Retirement Savings Plan participants. The elections resulted in a majority of the eligible participants in each plan voting in favor of Social Security coverage.
- On May 7, 2026, the Local Election Officer certified the results of the elections to CalPERS.
- The next step in the section 218 error modification process requires the Board to approve the resolutions to execute the Applications and Agreements with CalPERS to formally request Social Security coverage for participants in each of the plans.

III. DISCUSSION/BACKGROUND

In 2024, the RTD Finance department discovered that the state's section 218 agreement with the SSA was never modified to extend Social Security coverage to Retirement Plan and 401(a) Retirement Savings Plan participants. This means that participants in both the Retirement Plan and the 401(a) Retirement Savings Plan, both currently employed and retired, were not eligible for Social Security benefits, including retirement, disability, and survivor benefits.

Obtaining an error modification of the state's section 218 agreement for each of the plans is the proper and legal step to secure Social Security coverage for both active and retired participants. An error modification involves a multistep process. RTD has already completed the first three steps of this process.

First, on December 6, 2024, the Board approved the resolutions to request authorization from CalPERS to conduct the elections.

Second, RTD completed the plan of procedure, chose the election date and the date when the notice of the election was given to participants, and provided information about the election to participants.

Third, RTD held the elections on April 21, 2026. The elections resulted in a majority vote of the eligible participants in each of the plans in favor of Social Security coverage. The Local Election Officer has certified the results of the elections to CalPERS.

The next step in this process is for the Board to approve the resolutions to execute the Applications and Agreements with CalPERS to formally request Social Security coverage for participants in each of the plans.

IV. STRATEGIC PLAN PRIORITIES ALIGNMENT

This recommendation aligns with the Board's Strategic Priority 1, 3, and 4.
Strategic Priorities:

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

V. CUSTOMER IMPACT

There is no impact on external customers. RTD's employees will be secure in the knowledge that their Social Security benefits are legally intact.

VI. FINANCIAL CONSIDERATIONS/IMPACT

CalPERS will charge a \$1,000 annual and on-going maintenance fee for each modification, with a total of \$2,000 annually.

There are no changes to RTD's current practice of paying the employer-portion of the Social Security tax. RTD has always paid the tax and will continue to do so.

VII. CHANGES FROM COMMITTEE

N/A

VIII. ALTERNATIVES CONSIDERED

There are no alternatives that will extend Social Security coverage to plan participants effective retroactively. This includes current participants and retirees.

IX. ATTACHMENTS

Attachment A: Previous Resolutions

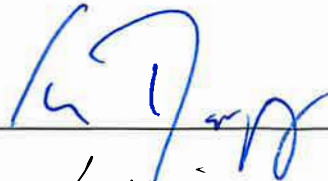
Attachment B: Resolution for Defined Benefit Retirement Plan

Attachment C: Resolution for 401(a) Retirement Savings Plan

Prepared by: Thomas Dempsey, Acting Chief Financial Officer

X. APPROVALS

Financial Impact Approved:
Thomas Dempsey, Acting CFO




Eric Williams, Acting CEO and COO



Attachment A
Cover Page

RESOLUTION 7104

WHEREAS, San Joaquin Regional Transit District hereinafter designated as "Public Agency", desires to include services performed by its employees in positions covered by San Joaquin Regional Transit District Retirement Plan in the California State Social Security Agreement of March 9, 1951, providing for the coverage of public employees under the old age, survivors, disability and health insurance system established by the Federal Social Security Act, as amended; and

WHEREAS, State and Federal laws require, as a condition of such coverage, that an election first be authorized by the Board of Administration, Public Employees' Retirement System, and conducted among the "eligible employees" (as defined in Section 218(d)(3) of the Social Security Act) of the Public Agency; and

WHEREAS, it is necessary that the "Public Agency" now designate any classes of positions covered by said retirement system which it desires to exclude from coverage under said insurance system;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Administration, Public Employees' Retirement System be, and hereby is requested to authorize the foregoing election; and

BE IT FURTHER RESOLVED, that upon receipt of authorization from the Board of Administration, an election shall be conducted in accordance with the requirements of Section 218(d) of the Social Security Act, and applicable State and Federal laws and regulations;

that such election shall be held on the question of whether service in positions covered by said retirement system should be excluded from or included under an agreement under the insurance system established under the Social Security Act, as hereinbefore provided, with such coverage effective as to services performed on and after January 1, 1973; and

BE IT FURTHER RESOLVED, that the following classes of positions covered by said retirement system of the "Public Agency" shall be excluded from coverage under said agreement:

1. All services excluded from coverage under the agreement by Section 218 of the Social Security Act; and
2. Services excluded by option of the Public Agency (**Check a or b; fill in b if checked**):
 - ☒ a. No optional exclusions desired.
 - ☐ b. Service performed: _____

BE IT FURTHER RESOLVED, that not less than ninety days' notice of such election be given to all "eligible employees" as hereinabove provided; and that Alex Clifford, Chief Executive Officer is hereby designated and appointed to conduct such election on behalf of the "Public Agency" in accordance with law, regulations, and this resolution, including the giving of proper notice thereof to all such "eligible employees"; and

BE IT FURTHER RESOLVED, that with respect to eligible members thereof, the benefits and contributions of the said retirement system shall not be modified in any way and

BE IT FURTHER RESOLVED, that the Public Agency will pay and reimburse the State at such time and in such amounts as may be determined by the State the approximate cost of any and all work and services relating to such election.

Alex Clifford, Chief Executive Officer
Presiding Officer

San Joaquin Regional Transit District
Official Name of Public Agency

12/06/2024
Date

CERTIFICATION

I, Alex Clifford, Chief Executive Officer, of the San Joaquin Regional Transit District, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Resolution No. 7104 adopted by the Board of the San Joaquin Regional Transit District at the regular meeting held on the 6th day of December 2024, as the same appears of record in my office.


Signature

Chief Executive Officer

Title

12/06/2024

Date

RESOLUTION 7105

WHEREAS, San Joaquin Regional Transit District hereinafter designated as "Public Agency", desires to include services performed by its employees in positions covered by San Joaquin Regional Transit District 401(a) Retirement Saving Plan in the California State Social Security Agreement of March 9, 1951, providing for the coverage of public employees under the old age, survivors, disability and health insurance system established by the Federal Social Security Act, as amended; and

WHEREAS, State and Federal laws require, as a condition of such coverage, that an election first be authorized by the Board of Administration, Public Employees' Retirement System, and conducted among the "eligible employees" (as defined in Section 218(d)(3) of the Social Security Act) of the Public Agency; and

WHEREAS, it is necessary that the "Public Agency" now designate any classes of positions covered by said retirement system which it desires to exclude from coverage under said insurance system;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Administration, Public Employees' Retirement System be, and hereby is requested to authorize the foregoing election; and

BE IT FURTHER RESOLVED, that upon receipt of authorization from the Board of Administration, an election shall be conducted in accordance with the requirements of Section 218(d) of the Social Security Act, and applicable State and Federal laws and regulations;

that such election shall be held on the question of whether service in positions covered by said retirement system should be excluded from or included under an agreement under the insurance system established under the Social Security Act, as hereinbefore provided, with such coverage effective as to services performed on and after January 1, 2017; and

BE IT FURTHER RESOLVED, that the following classes of positions covered by said retirement system of the "Public Agency" shall be excluded from coverage under said agreement:

1. All services excluded from coverage under the agreement by Section 218 of the Social Security Act; and
2. Services excluded by option of the Public Agency (**Check a or b; fill in b if checked**):
 - ☒ a. No optional exclusions desired.
 - ☐ b. Service performed: _____

BE IT FURTHER RESOLVED, that not less than ninety days' notice of such election be given to all "eligible employees" as hereinabove provided; and that Alex Clifford, Chief Executive Officer is hereby designated and appointed to conduct such election on behalf of the "Public Agency" in accordance with law, regulations, and this resolution, including the giving of proper notice thereof to all such "eligible employees"; and

BE IT FURTHER RESOLVED, that with respect to eligible members thereof, the benefits and contributions of the said retirement system shall not be modified in any way and

BE IT FURTHER RESOLVED, that the Public Agency will pay and reimburse the State at such time and in such amounts as may be determined by the State the approximate cost of any and all work and services relating to such election.

Alex Clifford, Chief Executive Office
Presiding Officer

San Joaquin Regional Transit District
Official Name of Public Agency

12/06/2024
Date

CERTIFICATION

I, Alex Clifford, Chief Executive Officer, of the San Joaquin Regional Transit District, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Resolution No. 7105 adopted by the Board of Directors of the San Joaquin Regional Transit District at the regular meeting held on the 6th __ day of December 2024, as the same appears of record in my office.



Signature

Chief Executive Officer

Title

12/06/2024

Date



Attachment B
Cover Page

RESOLUTION NO. _____
(To Accompany Application and Agreement)

WHEREAS, a majority of the eligible employees of the San Joaquin Regional Transit District, hereinafter referred to as "Public Agency", who are members of and in positions covered by the San Joaquin Regional Transit District Retirement Plan; at a majority vote election conducted in accordance with the provisions of Part 4, Division 5, of Title 2 of the California Government Code, Section 218 of the Federal Social Security Act, and regulations promulgated by the Board of Administration of the California Public Employees' Retirement System, hereinafter referred to as "State," voted in favor of coverage under the provisions of the Old-Age, Survivors, Disability and Health Insurance system established by the Federal Social Security Act; and

WHEREAS, the Public Agency desires to file an application with the State and to enter into an agreement with the State to extend to such retirement system members and to other eligible employees of the Public Agency in the same coverage group, as defined in Section 218(d)(4) of the Federal Social Security Act, coverage under the said insurance system on behalf of the Public Agency; and

WHEREAS, official form "Application and Agreement" containing the terms and conditions under which the State will affect such inclusion has been examined by this body;

NOW, THEREFORE, BE IT RESOLVED, that said Application and Agreement on said official form be executed on behalf of the Public Agency and submitted to the State to provide coverage under the California State Social Security Agreement of March 9, 1951, of all services performed by individuals as employees of the Public Agency as members of a coverage group (as defined in Section 218(d)(4) of the Social Security Act) of the San Joaquin Regional Transit District Retirement Plan, except the following:

1. All services excluded from coverage under the agreement by Section 218 of the Social Security Act; and
2. Services excluded by option of the Applicant as indicated in Resolution No. 7104 adopted at a meeting of the San Joaquin Regional Transit District on December 6, 2024:
None.

Effective date of coverage of services under said agreement to be January 1, 1973; and

BE IT FURTHER RESOLVED, that Eric Williams, Chief Executive Officer, 421 East Weber Avenue, Stockton, CA 95202, is hereby authorized and directed to execute said Application and Agreement on behalf of and as Authorized Agent of the Public Agency and to forward same to the State for acceptance and further action; and

BE IT FURTHER RESOLVED, that authority hereafter to act as Authorized Agent, and so to conduct all negotiations, conclude all arrangements, submit all reports, and sign all agreements and instruments which may be necessary to carry out the letter and intent of the aforesaid application and agreement, in conformity with all applicable Federal and State laws, rules and regulations, is vested in the position of Chief Executive Officer.

San Joaquin Regional Transit District

Presiding Officer

Chief Executive Officer

Date

CERTIFICATION

I, Eric Williams, Chief Executive Officer of the San Joaquin Regional Transit District, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Resolution No. ___ adopted by the San Joaquin Regional Transit District Board of Directors of the San Joaquin Regional Transit District at the regular meeting held on the _____ day of _____, _____, as the same appears of record in my office.

Signature

Title

Date



Attachment C
Cover Page

RESOLUTION NO. _____
(To Accompany Application and Agreement)

WHEREAS, a majority of the eligible employees of the San Joaquin Regional Transit District, hereinafter referred to as "Public Agency", who are members of and in positions covered by the San Joaquin Regional Transit District 401(A) Retirement Savings Plan; at a majority vote election conducted in accordance with the provisions of Part 4, Division 5, of Title 2 of the California Government Code, Section 218 of the Federal Social Security Act, and regulations promulgated by the Board of Administration of the California Public Employees' Retirement System, hereinafter referred to as "State," voted in favor of coverage under the provisions of the Old-Age, Survivors, Disability and Health Insurance system established by the Federal Social Security Act; and

WHEREAS, the Public Agency desires to file an application with the State and to enter into an agreement with the State to extend to such retirement system members and to other eligible employees of the Public Agency in the same coverage group, as defined in Section 218(d)(4) of the Federal Social Security Act, coverage under the said insurance system on behalf of the Public Agency; and

WHEREAS, official form "Application and Agreement" containing the terms and conditions under which the State will affect such inclusion has been examined by this body;

NOW, THEREFORE, BE IT RESOLVED, that said Application and Agreement on said official form be executed on behalf of the Public Agency and submitted to the State to provide coverage under the California State Social Security Agreement of March 9, 1951, of all services performed by individuals as employees of the Public Agency as members of a coverage group (as defined in Section 218(d)(4) of the Social Security Act) of the San Joaquin Regional Transit District 401(A) Retirement Savings Plan, except the following:

1. All services excluded from coverage under the agreement by Section 218 of the Social Security Act; and
2. Services excluded by option of the Applicant as indicated in Resolution No. 7105 adopted at a meeting of the San Joaquin Regional Transit District on December 6, 2024:
None.

Effective date of coverage of services under said agreement to be January 1, 2017; and

BE IT FURTHER RESOLVED, that Eric Williams, Chief Executive Officer, 421 East Weber Avenue, Stockton, CA 95202, is hereby authorized and directed to execute said Application and Agreement on behalf of and as Authorized Agent of the Public Agency and to forward same to the State for acceptance and further action; and

BE IT FURTHER RESOLVED, that authority hereafter to act as Authorized Agent, and so to conduct all negotiations, conclude all arrangements, submit all reports, and sign all agreements and instruments which may be necessary to carry out the letter and intent of the aforesaid application and agreement, in conformity with all applicable Federal and State laws, rules and regulations, is vested in the position of Chief Executive Officer.

San Joaquin Regional Transit District

Presiding Officer

Chief Executive Officer

Date

CERTIFICATION

I, Eric Williams, Chief Executive Officer of the San Joaquin Regional Transit District, State of California, do hereby certify the foregoing to be a full, true, and correct copy of Resolution No. ___ adopted by the San Joaquin Regional Transit District Board of Directors of the San Joaquin Regional Transit District at the regular meeting held on the _____ day of _____, _____, as the same appears of record in my office.

Signature

Title

Date