

SAN JOAQUIN REGIONAL TRANSIT DISTRICT
BOARD OF DIRECTORS - AGENDA

THE BOARD OF DIRECTORS OF THE SAN JOAQUIN REGIONAL TRANSIT DISTRICT WILL HOLD ITS REGULAR MEETING AT 3:00 P.M. ON TUESDAY, SEPTEMBER 20, 2011, **IN THE BOARDROOM OF SAN JOAQUIN REGIONAL TRANSIT DISTRICT'S DOWNTOWN TRANSIT CENTER, 421 EAST WEBER AVENUE, STOCKTON, CALIFORNIA**

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

1. CALL MEETING TO ORDER
2. MOMENT OF SILENCE/REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. ROLL CALL
5. SPECIAL PRESENTATION
 - A. EMPLOYEES OF THE MONTH
Special recognition to the Administration, Maintenance, and Transportation Employees of the Month
 - B. GOVERNMENT FINANCE OFFICERS ASSOCIATION (GFOA) AWARD
Special recognition to the Finance Department for receiving the Certificate of Achievement for Excellence in Financial Reporting Award
6. PUBLIC COMMENT

Those wishing to address the Board of Directors should complete the CITIZEN REQUEST TO SPEAK CARD and hand it to the Clerk of the Board prior to the beginning of the meeting. All public comments shall be limited to FIVE (5) MINUTES.
7. PUBLIC HEARING
 - A. PUBLIC HEARING ON PROPOSED FARE RESTRUCTURE
8. REPORTS
 - A. GENERAL MANAGER/CEO REPORT
 - B. STATE/FEDERAL LEGISLATIVE REPORT UPDATE

9. CONSENT CALENDAR

- A. RESOLUTION: MINUTES OF THE AUGUST 23, 2011 REGULAR BOARD MEETING
Board approval of the August 23, 2011 regular Board of Directors meeting minutes
- B. RESOLUTION: FY 2012 GRANTS
 - 1. RESOLUTION AUTHORIZING GRANT APPLICATION UNDER THE FEDERAL TRANSIT ACT
 - 2. RESOLUTION AUTHORIZING SECTION 5307 GRANT APPLICATION UNDER THE FEDERAL TRANSIT ACT
 - 3. RESOLUTION AUTHORIZING SECTION 5308 GRANT APPLICATION UNDER THE FEDERAL TRANSIT ACT
 - 4. RESOLUTION AUTHORIZING SECTION 5309 GRANT APPLICATION UNDER THE FEDERAL TRANSIT ACT
 - 5. RESOLUTION AUTHORIZING SECTION 5310 GRANT APPLICATION AND A PUBLIC HEARING
 - 6. RESOLUTION AUTHORIZING SECTION 5311 and 5311(f) GRANT APPLICATION UNDER THE FEDERAL TRANSIT ACT
 - 7. RESOLUTION AUTHORIZING SECTION 5316 GRANT APPLICATION UNDER THE FEDERAL TRANSIT ACT
 - 8. RESOLUTION AUTHORIZING SECTION 5317 GRANT APPLICATION UNDER THE FEDERAL TRANSIT ACTBoard approval authorizing the General Manager/CEO to execute and file grant applications, execute grant agreements, and take such other necessary actions to receive grant funds
- C. RESOLUTION: FY 2011 LOCAL TRANSPORTATION FUND (LTF) CLAIM AMENDMENT
Board approval to amend the FY 2011 LTF Claim
- D. RESOLUTION: FY 2012 TRANSPORTATION DEVELOPMENT ACT (TDA) CLAIM
 - 1. Board approval to authorize the FY 2012 LTF Claim
 - 2. Board approval to authorize the FY 2012 State Transit Assistance (STA) Claim

10. ACTION ITEMS

- A. RESOLUTION: FY 2012 OPERATING BUDGET
Board approval of FY 2012 Operating Budget and the implementation thereof
- B. RESOLUTION: SECOND AMENDMENT TO THE CONTRACT OF SIEGFRIED ENGINEERING, INC.
Board approval of a second amendment to the contract of Siegfried Engineering, Inc. for the preliminary and final engineering for the Bus Rapid Transit (BRT) III Hammer Lane Corridor Improvement Projects
- C. RESOLUTION: AWARD A CONTRACT PIGGY-BACK TO LYNX/GILLIG, LLC
Board approval to award a contract piggy-back to LYNX/Gillig, LLC to purchase one BRT III Hybrid Diesel Electric bus and 16 40-foot Hybrid Diesel Electric bus options

- D. INCENTIVES FOR VOLUNTARY RETIREMENT OPTION FOR OPERATORS
Staff will provide a presentation on incentives for operator early retirement
- 11. INFORMATION ITEMS
 - A. EQUAL EMPLOYMENT OPPORTUNITY (EEO) ANNUAL REPORT – SEPTEMBER 2011
Information on the EEO Annual Report
- 12. QUESTIONS AND COMMENTS FROM DIRECTORS
- 13. CLOSED SESSION
 - A. LABOR NEGOTIATIONS
 - 1. Conference with Labor Negotiator
Agency Negotiator: Donna DeMartino, General Manager/CEO
Employee Organization: Amalgamated Transit Union, Local 276
 - B. CONFERENCE WITH REAL PROPERTY NEGOTIATOR, pursuant to Government Code section 54956.8:
 - 1. Sale of Property: Parcels known as 1533 E. Lindsay St. and 1528 E. Fremont St., Stockton, CA
Agency Negotiator: Donna DeMartino, General Manager/CEO
Under Negotiation: Purchase Price and other related terms
 - 2. Sale of Property: Parcels known as 1545 East Miner Avenue and 1544, 1602, and 1604 East Lindsay Street, Stockton, CA
Agency Negotiator: Donna DeMartino, General Manager/CEO
Under Negotiation: Purchase Price and other related terms
 - C. LITIGATION – CONFERENCE WITH LEGAL COUNSEL
 - 1. Existing Litigation, pursuant to Government Code Section 54956.9, subdivision (a). Two cases:
 - (i) Kuhn, et al., vs. San Joaquin Regional Transit District, et al.,
San Joaquin Superior Court Case No. 39-2008-00192086-CU-OE-STK
 - (ii) San Joaquin Regional Transit District vs. DSS-2731 Myrtle LLC, et al.,
San Joaquin Superior Court Case No. 39-2010-00252684-CU-EI-STK
- 14. ADJOURNMENT

NOTE: THE NEXT REGULARLY SCHEDULED BOARD MEETING WILL BE HELD ON
TUESDAY, October 18, 2011

DATE POSTED: September 16, 2011

Subject: Employees of the Month

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

**LEAD STAFF: DONNA DeMARTINO
GENERAL MANAGER/CEO**

FINANCIAL IMPACT: MINIMAL

BACKGROUND:

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

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

RTD selects EOMs based on the following criteria:

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

The Administrative EOMs are selected as follows:

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

Maintenance and Transportation EOMs are selected by a majority of their respective supervisors.

There may be months where no Administrative, Maintenance, or Transportation EOMs are selected.

Every EOM receives:

- EOM watch
- RTD coffee tumbler
- Certificate and acceptance photograph
- Priority parking for a month

Subject: Employees of the Month

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

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

DISCUSSION:

The Employees of the Month from Administration, Maintenance, and Transportation will be introduced and given special recognition.

AUGUST

Administration: Administrative Assistant Lorena Herrera

Maintenance: Storekeeper Chris Melton

Transportation: Coach Operator La Rita Jackson

MV EOM: Dispatcher Lori Barbosa

Subject: Government Finance Officers Association (GFOA) Award

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SPECIAL PRESENTATION: **RECOGNITION TO THE FINANCE DEPARTMENT FOR RECEIVING THE CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING**

LEAD STAFF: **GLORIA SALAZAR
ASSISTANT GENERAL MANAGER/CFO**

FINANCIAL IMPACT: **NONE**

BACKGROUND:

The Certificate of Achievement for Excellence in Financial Reporting is awarded to the individual(s), department, or agency designated by the government as primarily responsible for preparing an award-winning Comprehensive Annual Financial Report (CAFR). The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government agency and its management.

DISCUSSION:

The Certificate of Achievement for Excellence in Financial Reporting is awarded by the Government Finance Officers Association (GFOA) of the United States and Canada, a non-profit professional association serving approximately 15,000 government finance professionals. The GFOA established the Certificate of Achievement for Excellence in Financial Reporting Program in 1945 to encourage and assist state and local governments to go beyond the minimum requirements of generally accepted accounting principles to prepare comprehensive annual financial reports that evidence the spirit of transparency and full disclosure and then to recognize individual governments that succeed in achieving that goal. The CAFR is judged by an impartial panel to meet the high standards of the program including demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story.

In late August, the GFOA informed San Joaquin Regional Transit District (RTD) that it once again achieved the Certificate of Achievement for Excellence in Financial Reporting for its CAFR. This is the eighth year in a row that RTD's Finance Department has received this prestigious award.

Subject: General Manager/CEO Report

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LEGISLATIVE UPDATES:

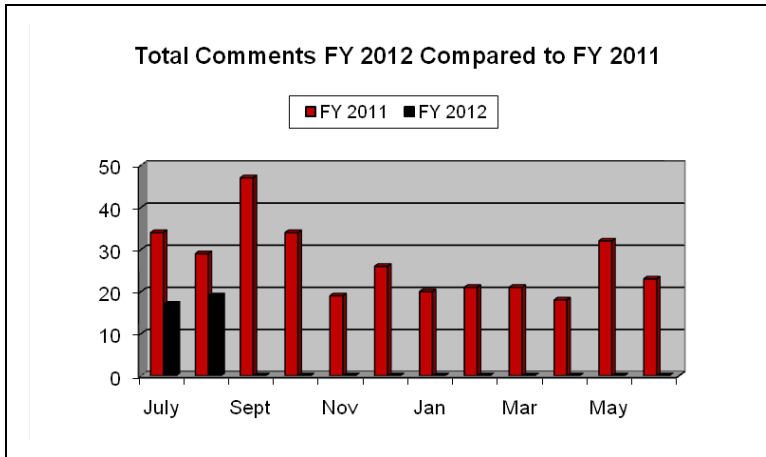
The State and Federal Legislative report from Jordan & Associates is attached (8B).

PROJECT STATUS, REPORTS, OR UPDATES:**AUGUST – 2011**Police Activities – Report:

Officer Miramontes worked 15 days; Officer Nelson worked 23 days; other police officers worked three days in August. Their production statistics are listed below:

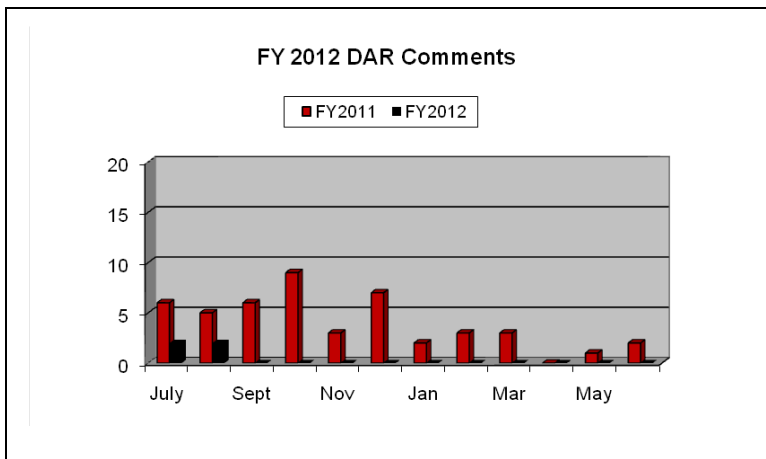
Type of Report Filed	Quantity	Type of Report Filed	Quantity
Felony Arrests	2	Misdemeanor Arrests	5
Warrants Arrests	2	Intoxication Arrests	2
Other Arrests	1	Moving Citations	10
Parking Citations	3	SMC Citations	39
Other Citations	10	Vehicles Towed	0
Calls for Service	122	Weapons Seized	0
Field Interviews	15	Abandoned Autos	0
PC 640 Citations	238		

AUGUST 2011 – CUSTOMER COMMENT UPDATE



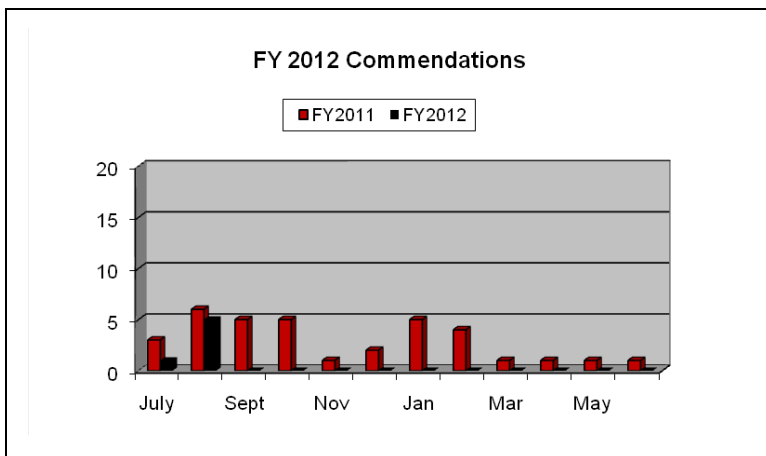
For the month of August 2011, RTD received a total of 19 comments. This is a decrease of 10 from the same period last fiscal year and an increase of two from last month.

Figure 1 reflects the comments filed during FY 2012 as compared to FY 2011.



There were two comments filed by Dial-A-Ride passengers for the month of August 2011. This is a decrease of three from the same period last fiscal year and equal to last month.

The graph reflects the Dial-A-Ride comments filed during FY 2012 as compared to FY 2011.



There were five commendations filed by passengers during the month of August 2011. This is a decrease of one from the same period last fiscal year and an increase of four from last month.

The graph reflects the commendations filed during FY 2012 as compared to FY 2011.

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CUSTOMER COMMENTS SUMMARY – AUGUST 2011**NATURE OF CONTACT****COMMENTS**

NATURE OF CONTACT		COMMENTS
EMPLOYEE COMMENDATION	1	Supervisors deliver all commendations to the employee at a meeting with peers present, place a copy of the commendation in the employee's personnel file, and give a copy to the employee commended. RTD also publishes employee commendations in the monthly newsletter.
OPERATOR COMMENDATION	4	
TOTAL COMMENDATIONS	5	
SCHEDULE ADHERENCE	3	RTD staff invalidated two comments alleging schedule adherence problems on Routes 83 and 61. Video pulls and route tracings showed both routes operating on time or slightly behind schedule. RTD staff investigated one comment alleging that Route 44 operates behind schedule daily. Supervisory staff pulled the video, traced the route, and found the route operating approximately five to seven minutes behind schedule. Supervisory staff will closely monitor this route and implement necessary action to prevent delays. A supervisor contacted the customer and apologized for the inconvenience.
PASS-UP	1	RTD staff invalidated one comment alleging that the Route 73 operator passed up a customer at a bus stop on Hammer Lane near Alexandria Place. The video showed there was nobody waiting at this bus stop at the time indicated in the report. A supervisor contacted the customer involved and also reminded the operator to slow down at all bus stops and survey the area for potential customers to ensure that nobody is left behind.
HAZARDOUS OPERATION	1	RTD staff received one comment alleging that a Route 40 operator failed to wait for a customer to sit down before moving their coach. Supervisory staff confirmed the comment through video review. Staff reminded the operator to review mirrors and doors to ensure that all customers are either seated or standing safely before operating the coach. Staff apologized to the customer involved and will continue monitoring this operator through random field checks and supervisor field reviews.
FAREBOX	2	RTD staff received two comments alleging mechanical failures of Fare Vending Machines (FVM) at the Downtown Transit Center (DTC) and at the stop on Miner Avenue. Maintenance staff immediately responded and made the necessary repairs. Staff apologized to both customers and continually monitors all FVMs to ensure proper operation.
OPERATOR CONDUCT	6	RTD staff invalidated five comments alleging that operators on Routes 40, 61, 74, and 83 acted rudely. Video reviews showed that the operators involved acted courteously and followed all operating rules, policies, and procedures. Staff investigated one comment alleging that the Route 44 operator acted rudely towards a customer and departed after the scheduled departure time from the DTC. The video confirmed the report and appropriate corrective action was documented. The superintendent issued a written reprimand to the operator and required the operator to undergo remedial training regarding dealing with difficult people. Supervisors will continue monitoring this operator through random ride checks and field reviews. The superintendent followed up with the customer and apologized to the customer for the negative experience.
MV TRANSPORTATION COMMENTS	3	RTD staff received one comment alleging unsafe coach operation by an MV operator and two comments alleging rude behavior by MV operators. Staff immediately forwarded these comments to MV for processing and met with MV staff to discuss the appropriate course of action for each comment. RTD staff regularly meets with MV staff to ensure appropriate corrective action is documented with regards to all comments received. Staff apologized to the customers involved for their negative experiences and thanked them for providing this important information to RTD.
INFO	1	RTD staff received one comment alleging that customer service staff at the DTC did not provide acceptable customer service. The customer ordered a 31-day pass online and attempted to retrieve the pass from customer service at the DTC. The customer was unable to retrieve the pass and felt they did not receive the appropriate service. A superintendent apologized to the customer and provided complimentary passes to the customer until the 31-day pass arrived. The customer service staff received counseling from the supervisor to avoid future comments of this type.
AMERICNA LOGISTICS COMPANY (ALC)	2	RTD staff received two comments regarding Dial-A-Ride service operated by ALC. Staff immediately forwarded the comments to ALC and contacted ALC management to discuss and resolve the comments. RTD management regularly meets with ALC management to ensure appropriate corrective action is taken when comments and complaints are received.
TOTAL DOCUMENTED COMMENTS	19	

COMMITTEES/MEETINGS:

Valley Mountain Regional Center (VMRC) Coalition of Local Area Service Providers (CLASP): On August 18, 2011, Customer Service Supervisor Roberta Paoletti attended. CLASP is VMRC's vendor meeting that includes care homes, day programs, as well as others committed to improving independence for people with developmental disabilities. Agenda items included: Treasure's Report; CLASP Membership Driver; Update on Implementation of Trailer Bill; Discuss Volunteer Draft Policy; Representative Reports; Area 6 Report; VMRC Executive Director's Report.

Access Advisory Committee (AAC): On August 19, 2011, Operations Superintendent Norman Tuitavuki, Operations Superintendent Mark Fairbanks, Customer Service Supervisor Roberta Paoletti, and Lead Mobility Trainer Jeanne Moser attended. Agenda items included: Overview of Services; Upcoming Changes; and Self Advocacy.

San Joaquin Council of Governments (SJCOG) Board of Directors Meeting: On August 25, 2011, Director Gary S. Giovanetti, Marketing and Communications Manager Paul Rapp, and Planning Manager Nathaniel Atherstone attended. Agenda items included: SJCOG Monthly Financial Report & Transportation Authority Monthly Investment Report; Measure K Renewal Cooperative Agreement with San Joaquin Regional Transit District (RTD) for FY 2011 – FY 2012 and FY 2013 – FY 2014; Revised Local Transportation Fund Revenue and Apportionment Schedule; Smart Growth Economic Development; Final 2011 Measure K Renewal Strategic Plan; RTD TextBus Presentation; and 2012 – 2013 Unmet Transit Needs Kick-Off.

CalACT Legislative Committee Conference Call: On September 1, 2011, Mobility Manager Ashish John participated. Agenda items included: SB 791 Regional Fuel Fee Proposal; SB 565 State Transit Assistance (STA) Criteria Amendments; AB 650 and AB 474 Update; Bond Sales; California Budget Update; and Federal Gas Tax Authorization.

San Joaquin Regional Rail Commission Board of Directors Meeting: On September 2, 2011, I attended. Agenda items included: Rail Commission/Altamont Commuter Express (ACE) Monthly Expenditure Report; ACE Monthly Fare Revenue; ACE Ridership; ACE On-Time Performance; Commissioner Comments; Ex-Officio Comments; and Executive Director's Report.

SJCOG Technical Advisory Committee Meeting: On September 8, 2011, Planning Manager Nathaniel Atherstone attended. Agenda items included: 2012 State Transportation Improvement Program (STIP) Development Policies and Priorities; I-580 Interregional Multi-Modal Corridor Study; Regional Transportation Impact Fee (RTIF) Semiannual Report; Rideshare Week "Corporate Challenge"; Revised Local Street Repair/Safety Formula Under Measure K Renewal; Monthly Management Report; and 2011 Federal Transportation Improvement Program (FTIP) Amendment No. 11.

SJCOG Management and Finance Committee Meeting: On September 14, 2011, I attended. Agenda items included: Regional Economic Development Strategy Planning Proposal; 2012 STIP Development Policies and Priorities; RTIF Semiannual Report; Revised Local Street Repair/Safety Formula under Measure K Renewal; and Executive Director's Report.

California Transit Association Executive Committee Meeting: On September 16, 2011, I attended. Agenda items included: Chair's Report; Executive Director's Report; Consent Calendar; State Budget and Other Transit Funding Issues; Association Litigation; 2011 State Legislative Program Update; Matrix of Transportation-Related Legislation; Preparation for the 2012 State Legislative Program; Association Membership; Update on Annual Fall Conference; Status Report from the Finance and Management Committee; Status Report on the

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California Transit Finance Corporation; Executive Director's Performance Evaluation; Executive Committee Election; and 2011 Year-to-Date Financial Statements as of July 31, 2011.

OTHER:

Travel Training Outreach: During the month of August, Lead Mobility Trainer Jeanne Moser and Mobility Trainer Janine Davis had the opportunity to provide outreach on RTD's transportation services and travel training program to 300 people. RTD's mobility trainers focus their outreach efforts on people seeking employment or education and people who are elderly or have a disability. When working with a client one-on-one, RTD's mobility trainers conduct an initial assessment of the trainee's abilities, by using a skills checklist, daily progress reports, and a final report; all indicating the progress of the individual being trained. Trainers provided outreach at the following location:

- August 25, 2011 Recreational Sports Club of San Joaquin Disability Fair
300 people, no referrals

ACE Maintenance Facility Groundbreaking Event: On August 26, 2011, Marketing and Communications Manager Paul Rapp, Planning Manager Nathaniel Atherstone, Director of Operations Laurie Brown, Director of Human Resources Thomas Webb, Assistant General Manager/CFO Gloria Salazar, and Director Les J. Fong attended. The new ACE facility will be built on approximately 64 acres and will be used for the repair, maintenance, cleaning, and overnight storage of the train sets used by ACE and for future rail service expansions.

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INFORMATION ITEM: STATE/FEDERAL LEGISLATIVE REPORT UPDATE**LEAD STAFF: DONNA DeMARTINO
GENERAL MANAGER/CEO****REPORT BY: JORDAN & ASSOCIATES****FINANCIAL IMPACT: TBD****STATE LEGISLATIVE UPDATE*****A Ten-Year Perspective: California Infrastructure Spending***

On August 25, the California's Legislative Analyst's Office (LAO) published a report, *A Ten-Year Perspective: California Infrastructure Spending*. In this report, the LAO summarizes the state's infrastructure (including transportation infrastructure) spending and provides ideas for planning and funding future infrastructure. The report states:

"Mass Transportation Capital Expenditures Have Varied Over Time. The amount of annual state funds expended for mass transportation capital projects has varied from roughly \$200 million to \$1.5 billion over the past ten years. Over this time, the major source of funds has shifted from special funds to bond funds. However, it is likely that the use of bond funds for capital projects will decline over the next few years as the Proposition 1B resources diminish. As an alternative, transit operators may use a greater share of the funds provided by the State Transit Assistance (STA) Program for capital projects. The STA is a state subsidy allocated by formula to transit operators throughout the state that can be used for capital outlay or operations. Recent legislative changes will provide increasing levels of funding for STA. While only about 20 percent of STA has been used for capital projects in the past, it is unclear whether local transit operators will see more of this funding for capital expenditures as the overall amount of STA increases and other sources of capital funding decrease."

Under transportation, the report continues by outlining issues for legislative consideration. These include:

- Highway spending should focus on maintenance and repair
- Managing demand could improve performance of existing infrastructure
- Different sources of revenue
- Actions to improve successful development of High-Speed Rail (HSR) should be considered

To read the report, visit:

http://www.lao.ca.gov/reports/2011/stadm/infrastructure/infrastructure_082511.pdf

What this means to RTD: This is informational. The report only outlines issues to consider.

State Legislature Finishing Up

September 9 was the last day for the State Legislature to pass bills. The governor now has until October 9 to sign or veto bills passed by the Legislature. Below is information on legislation of interest to transit:

SB 791

This legislation, as amended on August 25, would have authorized a metropolitan planning organization, subject to majority voter approval, to impose, for up to 30 years, a regional transportation congestion reduction charge on purchasers of motor vehicle fuel. Revenue would have gone to congestion reduction projects, including transit projects. However, on September 9, this legislation was gutted and became a bill dealing with health issues. To learn more, visit: http://www.legislature.ca.gov/cgi-bin/port-postquery?bill_number=sb_791&sess=CUR&house=B&author=simitian

What this means to RTD: SB 791 is no longer a legislation to authorize a regional transportation congestion reduction charge. Legislators may revisit this proposal in 2012.

SB 565

Under the STA Program, funds may not be allocated to a transit operator for operating purposes unless the operator meets one of two specified efficiency standards, subject to certain exceptions. Existing law suspends those restrictions with respect to allocations for operating purposes made to those transit operators after January 1, 2010, through the 2011 - 2012 fiscal year. This bill would extend the suspension of those restrictions through the 2014 - 2015 fiscal year. This legislation has been sent to the governor for consideration. To learn more, visit: http://www.legislature.ca.gov/cgi-bin/port-postquery?bill_number=sb_565&sess=CUR&house=B&author=desaulnier

What this means to RTD: If the governor approves this legislation, it would extend through the 2014-15 fiscal year the suspension of efficiency standards for STA funds.

AB 650

This bill would establish, until March 30, 2013, the Blue Ribbon Task Force on Public Transportation for the 21st Century. The bill would require the task force to be comprised of 12 members and would require the Senate Committee on Rules and the Speaker of the Assembly to each appoint six specified members by January 31, 2012. The bill would require the task force to elect one of its nonlegislative members as chair. The bill would require the task force to issue a written report that contains specified findings and recommendations relating to, among other things, the current state of California's transit system, the estimated cost of creating the needed system over various terms, and potential sources of funding to sustain the transit system's needs, and to submit the report by September 30, 2012. The bill would require the task force, for purposes of collecting information for the written report, to consult with appropriate state agencies and departments and to contract with consultants for preparation of

the report. The bill would require the Department of Transportation (DOT) to provide administrative staffing to the task force. The bill would appropriate \$750,000 from the Public Transportation Account to the department, as specified, to accomplish the purposes of these provisions. This legislation will be sent to the governor for consideration. To learn more, visit: http://www.legislature.ca.gov/cgi-bin/port-postquery?bill_number=ab_650&sess=CUR&house=B&author=blumenfield

***What this means to RTD:** If approved by the governor, this bill would create a Blue Ribbon Task Force on Public Transportation. The bill would require the task force to issue a written report that contains specified findings and recommendations relating to the current state of California's transit system.*

SB 310

This bill would establish the Transit Priority Project Program, and authorize a city or county to participate in the program by adopting an ordinance indicating its intent to participate in the program and by forming an infrastructure financing district. This legislation will be sent to the governor for consideration. To learn more, visit: http://www.legislature.ca.gov/cgi-bin/port-postquery?bill_number=sb_310&sess=CUR&house=B&author=hancock

***What this means to RTD:** If this legislation is approved by the governor it would encourage transit-oriented development through the Transit Priority Project Program.*

FEDERAL LEGISLATIVE UPDATE

House Appropriations Subcommittee Approves Transportation Spending Bill

On September 8, the House Transportation-HUD Appropriations Subcommittee approved a \$55 billion spending bill for FY 2012, which would drastically reduce spending for highway and transit programs. The programs would only be funded out of the Highway Trust Fund, and not general revenue funds, which have been needed in recent years to sustain current authorized levels. Overall, public transit programs would be reduced by more than 30 percent.

Highway programs would be funded at \$27 billion, which is \$13 billion lower than current funding levels. Transit formula funding and bus grants would receive \$5.2 billion, a \$3.1 billion reduction from FY 2011. Transit capital grants would be funded at \$1.554 billion, a cut of \$46 million, and funding from the program would be limited to "Small Starts" programs and projects with full-funding grant agreements that are signed by the Federal Transit Administration (FTA) before November 1, 2011. In addition, new full-funding grant agreements would not be allowed for projects that require more than a 50 percent federal cost share. The Appropriations Committee indicated they would support a higher level of Trust Fund spending if a reauthorization bill that contained increased Trust Fund levels is passed. The Federal Railroad Administration would be funded at \$1.3 billion, which is \$36 million above last year's level. The bill would provide \$899 in capital funds for Amtrak, a cut of \$102 million. Amtrak operating would receive \$227 million, in operating funds which is a cut of \$336 million. The bill would require Amtrak to limit overtime for Amtrak employees and federal funding would be prohibited for state-supported routes, routes of 750 miles or less, designated HSR corridors and for routes

where Amtrak offers a discount of 50 percent or more off normal, peak fares. In addition, the bill does not include funding for HSR or Intercity Passenger Rail Service.

The Senate Appropriations Committee has not approved a bill for FY 2012 and has not released any details of its DOT funding bill; however, the Committee is expected to support maintaining current highway and transit spending levels as FY 2012 spending is finalized.

***What this means to RTD:** The House Transportation Spending Bill FY 2012 is draconian and would have severe negative impacts on RTD's ability to provide public transportation to the community.*

Senate Committee Approves Four-Month SAFETEA-LU Extension

On September 8, the Senate Environment and Public Works Committee approved a four-month extension of highway and transit programs, which would extend current surface transportation spending levels through January 31, 2012. Stopgap funding is needed since House and Senate authorizing committees continue to work toward a difficult goal of a multi-year reauthorization measure. There remain significant differences between the House and Senate draft outlines.

Passage of an extension bill by both chambers is expected the week of September 12, since House Republican leaders and Senate Democratic leaders have arrived at one uniform transportation extension bill. The proposal involves a "clean" four-month Federal Aviation Administration extension and a "clean" six-month surface transportation extension. The current surface transportation extension does not expire until September 30, but the aviation deadline is September 16, so a combined extension must be considered to meet the earlier deadline. The House is scheduled to consider the combined extension bill on the House floor on September 13. The bill is supposed to be considered under the "suspension of the rules" parliamentary procedure, which requires a two-thirds vote but also prohibits amendments and automatically waives any House or budget rules against the bill. In effect, voting to pass the extension bill will also waive the House FY 2012 budget restrictions, since it spends at least \$16 billion per year more than the House budget.

The President also called on Congress to pass clean extensions of both surface and air transportation policies during his joint session address to Congress the week of September 5.

***What this means to RTD:** The immediate effect on RTD is that federal transit formula funding will continue for another four months, if the bill is passed.*

President Proposes Jobs Bill

On September 8, the President released a jobs plan to Congress and the nation. Known as the American Jobs Act, the \$447 billion plan includes \$253 billion in tax cuts for individuals and business that are designed to create jobs and stimulate the nation's battered economy. The most expensive single item would expand the Social Security payroll tax cut enacted in December 2010 so that for 2012 the 6.2 percent tax would be trimmed in half to 3.1 percent on the individual side. This is meant to put money back in the pockets of workers and stimulate the economy. The plan would also cut the 6.2 percent tax in half for employers. In addition,

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the President proposes to create a tax credit of between \$5,600 and \$9,600 for companies that hire unemployed veterans with service-connected disabilities who have been seeking work for more than six months. There would also be an existing tax credit for firms that hire unemployed workers, increasing the value of the credit up to \$4,000 and extending the length of time the individual has been seeking work from 60 days to six months. The final tax provision would extend for 2012 a provision allowing companies to expense the full cost of any capital investments made during the year, which would cost \$5 billion.

In terms of transportation, an additional \$60 billion in transportation infrastructure spending is a key piece to the President's jobs package, although many of the ideas seem to be borrowed from previous initiatives that went nowhere in Congress. President Obama said during his address that new investments in highways, transit, railroads, and airports have traditionally enjoyed bipartisan support and are key to putting the nation's unemployed back to work.

The President is seeking \$50 billion in "immediate" funding for highways, transit, rail, and aviation. The funding would provide \$27 billion for highways, \$9 billion for transit, \$2 billion for intercity passenger rail, and \$2 billion for airport projects. It also includes \$4 billion for HSR, which is dead on arrival in the Republican-controlled House, \$1 billion for modernizing the U.S. air traffic control system, and \$5 billion to be split between the Transportation Investments Generating Economic Recovery (TIGER) and Transportation Infrastructure Finance and Innovation Act (TIFIA) programs. It would also expand the TIFIA program, which provides loans, loan guarantees, and lines of credit for large transportation projects, and fund the TIGER discretionary program. The text of the bill, including how the funding would be paid for, is expected to be made available the week of September 12.

The President's proposal to quickly infuse spending for transportation projects sounds very similar to the \$50 billion program proposed a year ago. That idea died in Congress.

Republicans were careful not to blast the President's jobs package, focusing on areas of agreement. The latest economic indicators, as well as the public's low opinion of Congress in particular, have led Republicans to change their strategy of not compromising.

What this means to RTD: Without seeing the legislation, it is difficult to accurately predict the impact the President's job plan would have on RTD; however, a \$9 billion increase in transit funding over the next two years would undoubtedly be helpful to RTD. Once the legislative language is released this week, we will be able to provide a more detailed analysis.

Regulatory Issues

FTA Issues Funding Eligibility Policy on Pedestrian and Bicycle Improvements

A final policy statement providing guidance on federal funding eligibility of pedestrian and bicycle improvements near public transportation facilities was issued by the FTA in the August 19 Federal Register. Under federal transit law, funding administered by FTA can be used to construct bicycle and pedestrian improvements in and around transit facilities when there is a "functional relationship" to the facility. This FTA policy statement strengthens current law by stating that projects within the one-half mile pedestrian "catchment area" or the three mile

Subject: State/Federal Legislative Report

Page 6 of 6

bicycle "catchment area" have a *de facto* physical and functional relationship to the transit facility, and therefore are eligible for federal funding. The new policy was well received by the American Public Transportation Association, the National Complete Streets Coalition, Smart Growth American, and others.

Prior to this policy, grantees had previously lacked guidance on how to meet the "related physically or functionally" condition, since FTA had made no determination of the specific distances pedestrians or bicyclists can be expected to travel to access a public transportation stop or station. The new policy simplifies the process of determining whether pedestrian and bicycle improvements are eligible for funding. This policy is expected to improve access to public transportation, thereby increasing the number of users. The text of the policy statement can be found at <http://www.gpo.gov/fdsys/pkg/FR-2011-08-19/pdf/2011-21273.pdf>.

What this means to RTD: *The FTA policy on Pedestrian and Bicycle Improvements provides clear direction to RTD on the ability to use federal transit and highway funds for bike/pedestrian projects. An increase in bike/pedestrian projects has the ability to increase RTD's ridership, while making the community more livable and walkable.*

MINUTES OF THE REGULAR MEETING OF THE
BOARD OF DIRECTORS OF THE
SAN JOAQUIN REGIONAL TRANSIT DISTRICT
TUESDAY, AUGUST 23, 2011

The Board of Directors of the San Joaquin Regional Transit District (RTD) held its regular meeting at 3:00 p.m. on Tuesday, August 23, 2011, **IN THE BOARDROOM OF RTD'S DOWNTOWN TRANSIT CENTER, 421 E. WEBER AVENUE, STOCKTON, CALIFORNIA**

1. CALL MEETING TO ORDER Chair Isetti called the meeting to order at 3:00 p.m.
2. MOMENT OF SILENCE/REFLECTION
3. PLEDGE OF ALLEGIANCE TO THE FLAG
4. ROLL CALL Present: Duane Isetti Absent: Joni Bauer
Les J. Fong
Gary S. Giovanetti

Staff Present

Donna DeMartino, General Manager/CEO
Gloria Salazar, Assistant General Manager/CFO
Laurrie Brown, Director of Operations
Thomas Webb, Director of Human Resources
Al Hoslett, Legal Counsel
Shelly Valenton, Executive and Board Support Manager
Ericka Rocha, Senior Administrative Assistant
Lorena Herrera, Office Assistant II
Sharon Miller, Procurement Manager
Norman Tuitavuki, Operations Superintendent
Mark Fairbanks, Operations Superintendent
Adam Doi, Marketing Senior Specialist
Alan Zimmerman, Marketing Specialist
Rolando Yanez, IT Specialist
Paul Rapp, Marketing and Communications Manager
Mike Thompson, IT Manager
Bobby Machado, Custodian
Brad Menil, Maintenance Supervisor

Employees and Members of the Public Who Indicated They Were Present

Justin Mendoza Deborah Gurley Jesse Lopez
Alan Wagner

5. SPECIAL PRESENTATION
 - A. EMPLOYEES OF THE MONTH

Special recognition was given to Marketing Senior Specialist Adam Doi, Marketing

Specialist Alan Zimmerman, Service Development Analyst Luci Graffigna, IT Specialist Rolando Yanez, Marketing and Communications Manager Paul Rapp, and IT Manager Mike Thompson Team Work Award for July; Custodian Bobby Machado, Maintenance Employee of the Month for July; and Maintenance Supervisor Brad Menil, Administration Employee of the Month for July.

- B. FORMER DIRECTOR D. DAVID SMITH
Special recognition was given to D. David Smith for his years of service as a member of RTD's Board of Directors.

6. PUBLIC COMMENT

Justin Mendoza commented on service reductions and Congressman John Mica's Transportation Bill.

Deborah Gurley commended TextBus. She also commented on passenger behavior on the bus.

Jesse Lopez commented that he forgot his monthly pass and paid his fare on the bus.

Alan Wagner commented on labor negotiations, operator absenteeism, and the American Public Transportation Association (APTA) Safety Peer Review program. He also commended D. David Smith for his years of service.

7. REPORTS

A. GENERAL MANAGER/CEO REPORT

The General Manager/CEO provided the following additional information:

- RTD now owns the Hollywood Video property on the Hammer Lane Triangle. That area will be used for the Bus Rapid Transit (BRT) III Hammer Lane Corridor Project and has the potential to provide passenger amenities.

B. STATE/FEDERAL LEGISLATIVE REPORT

The General Manager/CEO provided the following additional information:

- The debate continues on the Federal Reauthorization Bill. Senator Barbara Boxer just announced that she will markup a four-month clean extension of the bill with no changes. Congressman Mica opposes the bill and proposes a six-year bill with a cut of over 30% to transit funding.

8. CONSENT CALENDAR

- A. RESOLUTION: MINUTES OF THE JULY 19, 2011 REGULAR BOARD MEETING
Resolution No. 5331: Board approval of the July 19, 2011 regular Board of Directors meeting minutes

ACTION: MOTION: VICE-CHAIR FONG SECOND: DIRECTOR GIOVANETTI
Roll Call:
AYES: Giovanetti, Isetti, Fong
NAYES: None
ABSTAIN: None
ABSENT: Bauer

9. ACTION ITEMS

- A. RESOLUTION: AWARD A CONTRACT TO ENTYSIS SOLUTIONS, INC.
Resolution No. 5332: Board approval to award a contract to Entysis Solutions, Inc. for Disaster Recovery Services

ACTION: MOTION: DIRECTOR GIOVANETTI SECOND: VICE-CHAIR FONG
Roll Call:
AYES: Giovanetti, Isetti, Fong
NAYES: None
ABSTAIN: None
ABSENT: Bauer

- B. RESOLUTION: IMPLEMENT PROPOSED STOCKTON METROPOLITAN AREA (SMA), METRO AND COUNTY HOPPER, AND INTERCITY SERVICE MODIFICATIONS
Resolution No. 5333: Board approval to implement the proposed SMA, Metro and County Hopper, and Intercity service modifications

ACTION: MOTION: VICE-CHAIR FONG SECOND: DIRECTOR GIOVANETTI
Roll Call:
AYES: Giovanetti, Isetti, Fong
NAYES: None
ABSTAIN: None
ABSENT: Bauer

10. DISCUSSION ITEMS

- A. OPERATOR ABSENTEEISM
Director of Human Resources Thomas Webb and Operations Superintendent Norman Tuitavuki provided a report on operator absenteeism

11. QUESTIONS AND COMMENTS FROM DIRECTORS

Director Giovanetti provided a report on the APTA Board of Directors Conference and the Lodi Leadership Forum.

Vice-Chair Fong thanked staff for listening to passengers' public comments regarding service changes and making adjustments to accommodate such comments.

12. CLOSED SESSION

Chair Isetti announced that there would be no closed session.

13. ADJOURNMENT

Chair Isetti adjourned the meeting at 4:45p.m.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION APPROVING THE BOARD MINUTES OF THE
REGULAR MEETING OF AUGUST 23, 2011

RESOLVED AND ORDERED by the Board of Directors of the San Joaquin Regional Transit District that the minutes of the regular meeting of August 23, 2011, be approved.

STAFF RECOMMENDATION: **AUTHORIZE THE GENERAL MANAGER/CEO OR
DESIGNEE TO EXECUTE AND FILE GRANT
APPLICATIONS, EXECUTE GRANT AGREEMENTS,
AND TO TAKE REQUIRED ACTIONS TO RECEIVE
GRANT FUNDS**

LEAD STAFF: **GEORGE LORENTE
GRANTS MANAGER**

FINANCIAL IMPACT: **TO BE DETERMINED**

BACKGROUND:

San Joaquin Regional Transit District (RTD) will apply for both operating and capital assistance grant programs through the course of FY 2012. RTD currently has a blanket resolution in place for the General Manager/CEO or designee to sign applications, execute grant agreements, and take actions to meet the requirements of the grantors. However, certain grant programs specifically require RTD to obtain a separate resolution for each fiscal year that it applies for funding. RTD has compiled the required resolutions, as it has in previous years, for the grant programs for which RTD expects to file grant applications for FY 2012.

DISCUSSION:

The following resolutions will authorize the General Manager/CEO or designee to sign applications, execute grant agreements, and take actions to meet the requirements of the grantors. There are resolutions for specific grant programs that require separate resolutions. This allows RTD to file applications to federal, state, local, and private agencies as soon as they provide notice of the grants' availability. Many grant programs, including those administered by the California Department of Transportation and the Federal Transit Administration, provide their notice of availability and grant application deadlines at varying times during the fiscal year. Having the general authorization and specific grant resolutions allows RTD to proactively respond to grant funding opportunities as they become available.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
FOR A GRANT UNDER THE FEDERAL TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision of the local share of the project costs; and

WHEREAS, it is required by the U. S. Department of Transportation (DOT), in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for capital assistance, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements thereunder; and

WHEREAS, it is the goal of San Joaquin Regional Transit District (RTD) that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the General Manager/CEO or designee is authorized to execute and file an application on behalf of RTD with the DOT to aid in the financing of capital assistance projects.
2. That the General Manager/CEO or designee is authorized to execute and file with such applications an assurance or any other document required by the DOT for the purposes of complying with Title VI of the Civil Rights Act of 1964.
3. That the General Manager/CEO or designee is authorized to furnish such additional information as the DOT may require in connection with the application for the program of projects.
4. That the General Manager/CEO or designee is authorized to schedule and hold a Public Hearing, as required by Federal Transit Act regulations, and that Notice of said Public Hearing be given by the General Manager/CEO by publishing said Notice in a newspaper of local circulation at least twice, the first publication to be no later than thirty (30) days before the date of said Public Hearing.

Resolution No. _____

Dated: September 20, 2011

Grant under Federal Transit Act

Page 2

5. That the General Manager/CEO or designee is authorized to accept and execute on behalf of RTD a grant with the DOT.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION
WITH THE U.S. DEPARTMENT OF TRANSPORTATION (DOT) FOR A SECTION 5307 GRANT
UNDER THE FEDERAL TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision of the local share of the project costs; and

WHEREAS, it is required by the U. S. Department of Transportation (DOT), in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for capital assistance under Section 5307 of the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements thereunder; and

WHEREAS, it is the goal of San Joaquin Regional Transit District (RTD) that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the General Manager/CEO or designee is authorized to execute and file an application on behalf of RTD with the DOT to aid in the financing of capital assistance projects for FY 2012, pursuant to Section 5307 of the Federal Transit Act.
2. That the General Manager/CEO or designee is authorized to execute and file with such applications an assurance or any other document required by the DOT for the purposes of complying with Title VI of the Civil Rights Act of 1964.
3. That the General Manager/CEO or designee is authorized to furnish such additional information as the DOT may require in connection with the application for the program of projects.
4. That the General Manager/CEO or designee is authorized to schedule and hold a Public Hearing on Federal Capital Assistance Application, as required by Federal Transit Act regulations, and that Notice of said Public Hearing be given by the General Manager/CEO by publishing said Notice in a newspaper of local circulation at least twice, the first publication to be no later than thirty (30) days before the date of said Public Hearing.

Resolution No. _____

Dated: September 20, 2011

Section 5307

Page 2

5. That the General Manager/CEO or designee is authorized to accept and execute, on behalf of RTD, a grant with the DOT pursuant to Section 5307 of the Federal Transit Act.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE U.S. DEPARTMENT OF
TRANSPORTATION (DOT) FOR A SECTION 5308 GRANT UNDER THE FEDERAL TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision of the local share of the project costs; and

WHEREAS, it is required by the U. S. Department of Transportation (DOT), in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for capital assistance under Section 5308 of the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements thereunder; and

WHEREAS, it is the goal of San Joaquin Regional Transit District (RTD) that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the General Manager/CEO or designee is authorized to execute and file an application on behalf of RTD with the DOT to aid in the financing of the capital assistance projects for FY 2012, pursuant to Section 5308 of the Federal Transit Act.
2. That the General Manager/CEO or designee is authorized to execute and file with such applications an assurance or any other document required by the DOT effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the General Manager/CEO or designee is authorized to furnish such additional information as the DOT may require in connection with the application for the program of projects.
4. That the General Manager/CEO or designee is authorized to schedule and hold a Public Hearing on Federal Section 5308 Capital Assistance Application, as required by Federal Transit Act regulations, and that Notice of said Public Hearing be given by the General Manager/CEO by publishing said Notice in a newspaper of local circulation at least twice, the first publication to be no later than thirty (30) days before the date of said Public Hearing.

Resolution No. _____

Dated: September 20, 2011

Re: Section 5308

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5. That the General Manager/CEO or designee is authorized to accept and execute, on behalf of RTD, a grant with the DOT pursuant to Section 5308 of the Federal Transit Act.

RESOLUTION NO. ____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE U.S. DEPARTMENT OF TRANSPORTATION (DOT) FOR A SECTION 5309 GRANT UNDER THE FEDERAL TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision of the local share of the project costs; and

WHEREAS, it is required by the U. S. Department of Transportation (DOT), in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for capital assistance under Section 5309 of the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements thereunder; and

WHEREAS, it is the goal of San Joaquin Regional Transit District (RTD) that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the General Manager/CEO or designee is authorized to execute and file an application on behalf of RTD with the DOT to aid in the financing of the capital assistance projects for FY 2012 pursuant to Section 5309 of the Federal Transit Act.
2. That the General Manager/CEO or designee is authorized to execute and file with such applications an assurance or any other document required by the DOT effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the General Manager/CEO or designee is authorized to furnish such additional information as the DOT may require in connection with the application for the program of projects.
4. That the General Manager/CEO or designee is authorized to schedule and hold a Public Hearing on Federal Section 5309 Capital Assistance Application, as required by Federal Transit Act regulations, and that Notice of said Public Hearing be given by the General Manager/CEO by publishing said Notice in a newspaper of local circulation at least twice, the first publication to be no later than thirty (30) days before the date of said Public Hearing.

Resolution No. _____

Dated: September 20, 2011

Re: Section 5309

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5. That the General Manager/CEO or designee is authorized to accept and execute, on behalf of RTD, a grant with the DOT pursuant to Section 5309 of the Federal Transit Act.

RESOLUTION NO. ____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE DEPARTMENT OF TRANSPORTATION (DOT) FOR A SECTION 5310 GRANT UNDER THE FEDERAL TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision of the local share of the project costs; and

WHEREAS, it is required by the U. S. Department of Transportation (DOT), in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for capital assistance under Section 5310 of the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements thereunder; and

WHEREAS, it is the goal of San Joaquin Regional Transit District (RTD) that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the General Manager/CEO or designee is authorized to execute and file an application on behalf of the RTD with the DOT to aid in the financing of the capital assistance projects for FY 2012, pursuant to Section 5310 of the Federal Transit Act.
2. That the General Manager/CEO or designee is authorized to execute and file with such applications an assurance or any other document required by the DOT effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the General Manager/CEO or designee is authorized to furnish such additional information as the DOT may require in connection with the application for the program of projects.
4. That the General Manager/CEO or designee is authorized to schedule and hold a Public Hearing on Federal Section 5310 Capital Assistance Application, as required by Federal Transit Act regulations, and that Notice of said Public Hearing be given by the General Manager/CEO by publishing said Notice in a newspaper of local circulation at least twice, the first publication to be no later than thirty (30) days before the date of said Public Hearing.

Resolution No. _____

Dated: September 20, 2011

Re: Section 5317

Page 2

5. That the General Manager/CEO or designee is authorized to accept and execute, on behalf of RTD, a grant with the DOT pursuant to Section 5310 of the Federal Transit Act.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF APPLICATIONS WITH THE U.S. DEPARTMENT OF
TRANSPORTATION (DOT) FOR SECTION 5311 AND 5311(f) GRANTS UNDER THE FEDERAL
TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision of the local share of the project costs; and

WHEREAS, it is required by the U. S. Department of Transportation (DOT), in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of applications for operating and capital assistance under Sections 5311 and 5311(f) of the Federal Transit Act, the applicant gives an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements thereunder; and

WHEREAS, it is the goal of San Joaquin Regional Transit District (RTD) that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the General Manager/CEO or designee is authorized to execute and file an application on behalf of RTD with the DOT to aid in the financing of the operating and capital assistance projects for FY 2012, pursuant to Sections 5311 and 5311(f) of the Federal Transit Act.
2. That the General Manager/CEO or designee is authorized to execute and file with such applications an assurance or any other document required by the DOT effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the General Manager/CEO or designee is authorized to furnish such additional information as the DOT may require in connection with the application for the program of projects.
4. That the General Manager/CEO or designee is authorized to schedule and hold a Public Hearing on Federal Sections 5311 and 5311(f) Capital Assistance

Resolution No. _____

Dated: September 20, 2011

Section 5311

Page 2

Applications, as required by Federal Transit Act regulations, and that Notice of said Public Hearing be given by the General Manager/CEO by publishing said Notice in a newspaper of local circulation at least twice, the first publication to be no later than thirty (30) days before the date of said Public Hearing.

5. That the General Manager/CEO or designee is authorized to accept and execute, on behalf of RTD, a grant with the DOT pursuant to Sections 5311 and 5311(f) of the Federal Transit Act.

RESOLUTION NO. ____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE
U. S. DEPARTMENT OF TRANSPORTATION (DOT) FOR A SECTION 5316 GRANT UNDER
THE FEDERAL TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision of the local share of the project costs; and

WHEREAS, it is required by the U. S. Department of Transportation (DOT), in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for capital assistance under Section 5316 of the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements thereunder; and

WHEREAS, it is the goal of San Joaquin Regional Transit District (RTD) that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the General Manager/CEO or designee is authorized to execute and file an application on behalf of RTD with the DOT to aid in the financing of the capital assistance projects for FY 2012, pursuant to Section 5316 of the Federal Transit Act.
2. That the General Manager/CEO or designee is authorized to execute and file with such applications an assurance or any other document required by the DOT effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the General Manager/CEO or designee is authorized to furnish such additional information as the DOT may require in connection with the application for the program of projects.

Resolution No. _____

Dated: September 20, 2011

Re: Section 5316

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4. That the General Manager/CEO or designee is authorized to schedule and hold a Public Hearing on Federal Section 5316 Capital Assistance Application, as required by Federal Transit Act regulations, and that Notice of said Public Hearing be given by the General Manager/CEO by publishing said Notice in a newspaper of local circulation at least twice, the first publication to be no later than thirty (30) days before the date of said Public Hearing.

5. That the General Manager/CEO or designee is authorized to accept and execute, on behalf of RTD, a grant with the DOT pursuant to Section 5316 of the Federal Transit Act.

RESOLUTION NO. ____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE U.S. DEPARTMENT OF TRANSPORTATION (DOT) FOR A SECTION 5317 GRANT UNDER THE FEDERAL TRANSIT ACT

WHEREAS, the Secretary of Transportation is authorized to make grants for a mass transportation program of projects; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including the provision of the local share of the project costs; and

WHEREAS, it is required by the U. S. Department of Transportation (DOT), in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for capital assistance under Section 5317 of the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the DOT requirements thereunder; and

WHEREAS, it is the goal of San Joaquin Regional Transit District (RTD) that minority business enterprise be utilized to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that minority businesses shall have the maximum feasible opportunity to compete for contracts when procuring construction contracts, supplies, equipment contracts, or consultant and other services.

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

1. That the General Manager/CEO or designee is authorized to execute and file an application on behalf of RTD with the DOT to aid in the financing of the capital assistance projects for FY 2012 pursuant to Section 5317 of the Federal Transit Act.
2. That the General Manager/CEO or designee is authorized to execute and file with such applications an assurance or any other document required by the DOT effectuating the purposes of Title VI of the Civil Rights Act of 1964.
3. That the General Manager/CEO or designee is authorized to furnish such additional information as the DOT may require in connection with the application for the program of projects.
4. That the General Manager/CEO or designee is authorized to schedule and hold a Public Hearing on Federal Section 5317 Capital Assistance Application, as required by Federal Transit Act regulations, and that Notice of said Public Hearing be given by the General Manager/CEO by publishing said Notice in a newspaper of local circulation at least twice, the first publication to be no later than thirty (30) days before the date of said Public Hearing.

Resolution No. _____

Dated: September 20, 2011

Re: Section 5317

Page 2

5. That the General Manager/CEO or designee is authorized to accept and execute, on behalf of RTD, a grant with the DOT pursuant to Section 5317 of the Federal Transit Act.

Subject: FY 2011 Local Transportation Fund (LTF) Claim Amendment

Page 1 of 1

**STAFF RECOMMENDATION: APPROVE RESOLUTION AMENDING THE LOCAL
TRANSPORTATION FUND (LTF) CLAIM FOR FY 2011**

**LEAD STAFF: GEORGE LORENTE
GRANTS MANAGER**

**FINANCIAL IMPACT: \$723,120 NET LTF FUNDS TO
SAN JOAQUIN REGIONAL TRANSIT DISTRICT (RTD)**

BACKGROUND:

Each year, San Joaquin Regional Transit District (RTD) files a Transportation Development Act (TDA) claim with the San Joaquin Council of Governments (SJCOG). The claim is an application for funding to support capital and operating expenses that are eligible for the Local Transportation Fund (LTF) and State Transit Assistance (STA), based on the allocation provided to RTD by the SJCOG. SJCOG receives a 3% apportionment of the TDA LTF Fund for the purpose of transit planning. RTD prepared its LTF claim in accordance with the LTF Allocation Table approved by the SJCOG Board of Directors.

DISCUSSION:

In February 2010, the SJCOG Board adopted an LTF revenue estimate for FY 2010 - 2011 and an apportionment schedule that distributes the funds to LTF recipients. This revenue estimate considered economic conditions at the time and historical trends. In August 2011, SJCOG adopted a revised apportionment schedule that reflected actual revenues that was a 7.15% increase over estimates. This revised schedule is routinely prepared at the end of each fiscal year. The amended claim amount will be \$11,195,941 and will increase RTD's local LTF Claim by \$745,947; which represents an increase in revenue due to RTD of \$723,120 and an increase in transit planning apportionment due to SJCOG of \$22,827 for the FY 2010 – 2011 TDA claim period.

In June 2010, the RTD Board approved the TDA claim for FY 2011. In order to claim the additional \$745,947 LTF revenues, RTD needs to amend its FY 2011 claim.

RTD is requesting authorization to submit an amendment to the FY 2011 TDA claim to reflect the total claim amount of \$11,195,941.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION AMENDING THE
LOCAL TRANSPORTATION FUND (LTF) CLAIM FOR FY 2011

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

1. The General Manager/CEO is hereby authorized and directed to file the Local Transportation Fund (LTF) Claim within the Transportation Development Act (TDA) in the amount of \$11,195,941 and said claim to be filed with the San Joaquin Council of Governments (SJCOG) in the following amount for the indicated purpose:

<u>Fund</u>	<u>FY 2011/12</u>	<u>Purpose</u>
LTF	\$10,674,745	Public Transportation Article 4 (99260) - Operator
LTF	\$ 150,443	Unexpended Carryover-Reclaim for Article 4 (99260) - Capital
LTF	\$ 370,753	TDA Planning & Administration
	\$ 11,195,941	Total LTF Claim
	\$ 150,443	Less: Unexpected Carryover
	\$ 370,753	Less: TDA Planning and Administration
	\$ 10,674,745	Net LTF funds to be paid to RTD
	\$ 9,951,625	Less: Previously Claimed Amount
	\$ 723,120	Net Funds to be paid to RTD

2. SJCOG is directed to hold in reserve the full amount of RTD's remaining TDA Fund allocations, including any and all interest earned, for use by RTD to help meet its operating and capital budget;
3. The General Manager/CEO is hereby authorized and directed to take action necessary to obtain the funds requested in said claim herein authorized to be filed with SJCOG.

Subject: FY 2012 Transportation Development Act (TDA) Claim

Page 1 of 1

STAFF RECOMMENDATION: **APPROVE THE RESOLUTION ADOPTING THE
TRANSPORTATION DEVELOPMENT ACT (TDA)
CLAIM FOR FY 2012**

LEAD STAFF: **GEORGE LORENTE
GRANTS MANAGER**

FINANCIAL IMPACT: **\$13,930,332 NET TDA FUNDS TO
SAN JOAQUIN REGIONAL TRANSIT DISTRICT (RTD)**

BACKGROUND:

Each year, San Joaquin Regional Transit District (RTD) files a Transportation Development Act (TDA) claim with the San Joaquin Council of Governments (SJCOG). The claim is an application for Local Transportation Fund (LTF) and State Transit Assistance (STA) funding to support eligible operating and capital expenses and is based upon the allocation schedule provided to RTD by SJCOG. SJCOG receives a 3% apportionment of the LTF funds and 2% apportionment of the STA funds for the purpose of transit planning. RTD prepared its TDA claim in accordance to the LTF Allocation Schedule approved by the SJCOG Board of Directors.

DISCUSSION:

SJCOG has provided RTD with the FY 2012 LTF and STA Revenue Estimates and Apportionment Schedule. RTD has prepared the TDA Claim in accordance with the amounts contained within this schedule. RTD is requesting authorization to move forward with the submission of the FY 2012 TDA Claim to support operating and capital expenditures for FY 2012.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF
THE LOCAL TRANSPORTATION FUND (LTF) CLAIM FOR FY 2012

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

1. The General Manager/CEO is hereby authorized to file the Local Transportation Fund (LTF) Claim within the Transportation Development Act (TDA) in the amount of \$10,568,532 and said claim to be filed with the San Joaquin Council of Governments (SJCOG) in the following amount for the indicated purpose:

<u>Fund</u>	<u>FY 2011/12</u>	<u>Purpose</u>
LTF	\$ 10,219,760	Public Transportation Article 4 (99260) - Operating
LTF	\$ 22,343	Unexpended Carryover- Reclaim for Article 4 (99260) - Capital
LTF	<u>\$ 326,430</u>	TDA Planning & Administration
	\$ 10,568,532	Total LTF Claim
	\$ 348,772	Less: Unexpended Carryover & TDA Planning/Admin
	\$ 10,219,760	Net LTF funds to RTD

2. SJCOG is directed to hold in reserve the full amount of RTD's remaining TDA Fund allocations, including any and all interest earned, for use by RTD to help meet its operating and capital budget in FY 2012;
3. The General Manager/CEO is hereby authorized and directed to take action necessary to obtain the funds requested in said claim herein authorized to be filed with SJCOG.

RESOLUTION NO. ____
DATED: SEPTEMBER 20, 2011

RESOLUTION AUTHORIZING THE FILING OF
THE STATE TRANSIT ASSISTANCE (STA) CLAIM FOR FY 2012

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

1. The General Manager/CEO is hereby authorized to file the State Transit Assistance (STA) Claim within the Transportation Development Act (TDA) in the amount of \$5,015,323 and said claim to be filed with the San Joaquin Council of Governments (SJCOG) in the following amount for the indicated purpose:

<u>Fund</u>	<u>FY 2011/12</u>	<u>Purpose</u>
STA	\$ 3,000,000	California Code of Regulations (CCR) Section 6730(b) Public Transit - Operating
STA	\$ 677,572	CCR Section 6730(a) Public Transit - Capital
STA	\$ 33,000	Previous Years Unclaimed Apportionment- CCR Section 6730(a) Public Transit - Capital
STA	\$ 1,244,530	Unexpended Carryover-Reclaim CCR Section 6730(a) Public Transit - Capital
STA	<u>\$ 60,221</u>	TDA Planning & Administration
	\$ 5,015,323	Total STA Claim
	\$ 1,304,751	Less: Unexpended Carryover & TDA Planning/Admin
	\$ 3,710,572	Net STA funds to be paid to RTD

2. SJCOG is directed to hold in reserve the full amount of RTD's remaining TDA Fund allocations, including any and all interest earned, for use by RTD to help meet its operating and capital budget in FY 2012;
3. The General Manager/CEO is hereby authorized and directed to take action necessary to obtain the funds requested in said claim herein authorized to be filed with SJCOG.

Subject: FY 2012 Operating Budget

Page 1 of 3

**STAFF RECOMMENDATION: ADOPT THE FY 2012 OPERATING BUDGET FOR
\$31,592,771.00**

**LEAD STAFF: GLORIA SALAZAR
ASSISTANT GENERAL MANAGER/CFO**

FINANCIAL IMPACT: \$31,592,771 - OPERATING

BACKGROUND:

On June 28, 2011, the Board approved San Joaquin Regional Transit District's (RTD) FY 2012 spending authority for \$31,276,238. The spending authority was based upon assumed revenues for the fiscal year. The initial revenue and expenditure statement that staff presented to the Board reflected a \$2.2 million deficit.

During that time, staff presented the challenges and pending items affecting the development of RTD's operating plan:

1. Staff reported that the rising costs of benefits (particularly medical benefits) as well as employee absenteeism were contributing to RTD's budget challenges.
2. RTD initiated a Fare Study with two main objectives: increase revenues by increasing fares and decrease costs and confusion by simplifying RTD's existing fare structure. As of June 2011, the fare study was not completed.
3. RTD's labor negotiations with the Amalgamated Transit Union Local 276 were in progress then. Opportunities in negotiations that would have budgetary impacts included wages, medical benefits costs, absenteeism, safety program to reduce lost time and claims, use of part-time operators, and operator work assignments.
4. Outside of RTD operations, the uncertainty of a state budget that had not been passed then remained a threat to RTD's State Transit Assistance revenue. In addition, the absence of a federal transportation reauthorization created instability to the future of transportation funding.

In addition to the reasons stated above, staff requested more time to carefully evaluate the public comments received on the proposed service modifications and recommend a service design that would provide the least negative impact on RTD's customers and the most efficient use of RTD's revenues and funding.

The Board approved the spending authority for \$31.3 million pending the development of a balanced budget.

Since then, there have been developments in some of these areas that helped enable staff to finalize a budget based upon reasonable assumptions.

Subject: FY 2012 Operating Budget

Page 2 of 3

DISCUSSION:Service Modifications

On July 19 and August 23, 2011, the RTD Board approved the service modifications for the Commuter Services and the rest of the RTD Metro and Intercity services, respectively. The changes to the Commuter Services took into effect in September 2011 while the rest of the modifications will take place effective October 2011. The total financial impact of the service modifications in FY 2012 is approximately \$1.7 million.

Fare Study

RTD's consultant, Nelson\Nygaard Consulting Associates, Inc. released its final draft report on the Fare Study. After receiving the report, RTD formed a Fare Committee to evaluate the consultant's recommendations. Based on the data presented in the report, the RTD Fare Committee agreed with the recommendation of the consultant not to increase basic fares on Metro and County bus services. The only exception was to increase the Weekend Single Day Pass (\$3.00) and Discount Single Day Pass (\$1.50) rates to the current Weekday Single Day Pass (\$4.00) and Discount Single Day Pass (\$2.00) rates. Having a consistent structure on weekends and weekdays eliminates confusion on the part of both the passengers and operators and facilitates fare enforcement. In addition, RTD has implemented improvements to the frequency of the weekend services that eliminated the justification for discounted fares. The consultant recommended, and the RTD Fare Committee agrees and recommends the elimination of transfers.

Staff will present the details of the Fare Study under a separate Board item.

The assumed Fare Revenue for FY 2012 is at the same level as in FY 2011. While there may be a slight increase in revenues resulting from the fare structure change, there may also be an offsetting decrease in revenues resulting from the reduced level of service.

Local Transportation Fund (LTF) and State Transit Assistance (STA)

The original allocation of LTF revenues for FY 2012 (\$10,219,760) remains the same. However, the allocation for FY 2011 was increased by \$700K, all of which was applied to fund FY 2011 expenditures. Because of this increased allocation, there was approximately \$300K in Capital and Operating Reserves not used in FY 2011 that is available for use in FY 2012.

Staff originally assumed \$3.9 million in STA revenues for FY 2012 (\$3 million for operating and \$900K for capital.) The revised STA allocation that was recently released was \$200K lower than the assumed revenue. Staff will not change the operating budget assumption, but will need to revisit the capital budget.

Subject: FY 2012 Operating Budget

Page 3 of 3

Labor Negotiations

RTD and the ATU did not reach an agreement that would have replaced the Collective Bargaining Agreement that expired June 30, 2011. The opportunities for cost savings in the areas of attendance, work assignments, part-time work, and others were not settled in time to help with the challenges of the current fiscal year.

RTD cancelled the contract as of June 30, 2011. As a result, RTD and ATU will need to settle their differences through an arbitration process. Unfortunately, some changes will need to be made before the arbitration process is completed.

The proposed service modifications for Metro services, including BRT, will require the use of part-time operators in order to cut costs and produce more efficient work assignments. The use of part-time operators is allowed in the expired Collective Bargaining Agreement, Section 37.

Medical Plan

Staff originally projected an 11% increase in the cost of health benefits. Staff worked with its third party administrator to maintain the same level of employee coverage without increasing premiums, by introducing a Health Reimbursement Account (HRA). Establishing the HRA will eliminate the assumed premium increase of approximately \$140K; it will also present more opportunities for cost savings if RTD is able to implement an effective wellness program. This approach saves RTD money and also improves the health of the RTD employees which, in turn, will improve their quality of lives.

Concessions from the Non-Represented Employees

In FY 2011, the non-represented employees experienced a 3.4% reduction in pay by way of unpaid holidays for the entire fiscal year. In FY 2012, they will not receive pay for four holidays (Labor Day, Veterans Day, Thanksgiving Day, and Christmas Day), saving RTD approximately \$75K.

In addition, the administrative employees at the DTC and Metro will be required to use their vacation the day after Thanksgiving Day on November 25, 2011 to save costs.

Conclusion

In light of the upcoming service modifications, the results of the fare study, and current revenue projections, staff recommends adopting an operating budget for FY 2012. The details are attached.

The result of the labor arbitration is still a missing piece to this process which may impact RTD's ability to meet its financial plan

FY 2012 RECOMMENDED BUDGET

REVENUE	Estimated as Presented Jun-11	Unaudited Actual FY 2011	Budget as Presented Jun-11	FY 2012 Recommended	Difference Recommended vs. Presented	
Passenger Fares	\$ 4,766,240	\$ 4,890,755	\$ 4,712,029	\$ 4,890,755	\$ 178,726	4%
Special Transit Fares	95,984	986	95,984	95,984	-	
Auxiliary Trans Revenue	81,842	106,524	100,000	100,000	-	
Non Transportation	64,603	113,208	55,906	55,906	-	
Local Property Tax Revenue	786,107	789,405	786,107	786,107	-	
Measure K	6,781,650	6,681,955	4,838,000	4,838,000	-	
TDA-STA Revenues	-		3,000,000	3,000,000	-	
Operating and Capital Reserves	1,381,145	1,066,574	1,113,858	1,451,083	337,225	21%
TDA-LTF Revenues	9,951,625	10,674,744	10,219,760	10,219,760	-	
Homeowners Property Relief	9,496	9,591	9,496	9,496	-	
Federal 5311	281,367	242,201	242,201	242,201	-	
Federal 5307	5,373,633	5,318,429	5,373,633	5,174,215	(199,418)	-4%
Federal 5316 - JARC	317,498	317,497	454,265	454,265	-	
Federal 5317 - New Freedom/Lifeline	119,530	119,530	125,000	125,000	-	
5307 - CMAQ - BRTII			150,000	150,000	-	
Total Revenue	\$ 30,010,720	\$ 30,331,399	\$ 31,276,238	\$ 31,592,771	\$ 316,533	1%
EXPENDITURES						
Wages & Fringes	\$ 16,260,333	\$ 16,863,129	\$ 16,661,416	\$ 15,964,481	\$ (696,935)	-4%
Services	2,794,963	2,242,269	2,986,948	2,887,326	(99,622)	-4%
Materials & Supplies	3,352,050	3,464,599	4,947,949	4,158,018	(789,931)	-24%
Utilities	800,643	572,095	667,720	667,720	-	
Insurance	955,842	1,123,096	899,781	899,781	-	
Taxes & Licenses	231,862	262,764	374,423	280,385	(94,038)	-33%
Purchased Transportation	4,877,156	5,299,425	6,151,479	5,925,848	(225,631)	-5%
Operating Contingency	83,334		200,000	200,000	-	
Miscellaneous Expenditures	532,741	459,631	572,866	609,212	36,346	7%
Total Expenditures	\$ 29,888,925	\$ 30,287,008	\$ 33,462,582	\$ 31,592,771	\$ (1,869,811)	-6%
SURPLUS (DEFICIT)	\$ 121,795	\$ 44,391	\$ (2,186,344)	\$ 0	\$ 2,186,344	



MEMORANDUM

September 15, 2011

TO: BOARD OF DIRECTORS

FROM: FINANCE AND AUDIT COMMITTEE:
DUANE ISETTI
JONI BAUER

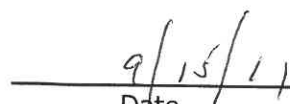
SUBJECT: FY 2012 OPERATING BUDGET

The Finance and Audit Committee met on Thursday, September 15, 2011, to review the FY 2012 Operating Budget. Those present were Board Chair Duane Isetti, Director Joni Bauer, General Manager/CEO Donna DeMartino, Assistant General Manager/CFO Gloria Salazar, and Legal Counsel Al W. Hoslett.

The Finance and Audit Committee has reviewed the FY 2012 Operating Budget and endorses it to the Board for approval.



Duane Isetti, Board Chair



Date



Joni Bauer, Director



Date

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION TO APPROVE THE FY 2012 OPERATING BUDGET

WHEREAS, on June 28, 2011, the Board approved San Joaquin Regional Transit District's (RTD) FY 2012 spending authority for \$31,276,238;

WHEREAS, staff have concluded the service modification recommendations, received and studied the Fare Study, and determined that the labor negotiation with the Amalgamated Transit Union, Local 276 will be settled through arbitration;

WHEREAS, staff have prepared a balanced operating budget for FY 2012 for board adoption.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Directors of RTD that the RTD operating budget for FY 2012 for \$31,592,771 is hereby adopted and approved.

Subject: Second Amendment to the contract of Siegfried Engineering, Inc.

Page 1 of 1

STAFF RECOMMENDATION: **APPROVE A SECOND AMENDMENT TO THE CONTRACT OF SIEGFRIED ENGINEERING, INC. FOR THE PRELIMINARY AND FINAL ENGINEERING OF THE BUS RAPID TRANSIT (BRT) III HAMMER LANE CORRIDOR IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$8,702.00**

LEAD STAFF: **SHARON MILLER
PROCUREMENT MANAGER – CONTRACTS**

FINANCIAL IMPACT: **\$242,089.00 - ORIGINAL CONTRACT AMOUNT
\$47,869.00 - FIRST AMENDMENT AMOUNT
 8,702.00 - SECOND AMENDMENT AMOUNT
**\$298,660.00 - TOTAL CONTRACT AMOUNT
80% FEDERAL LIVABILITY GRANT
20% STATE PROP 1B (PTMISEA)****

BACKGROUND:

On May 16, 2011, the contract for preliminary and final engineering of the Bus Rapid Transit (BRT) III Hammer Lane Corridor Improvements was awarded to Siegfried Engineering, Inc. by Resolution No. 5316. This contract has required and received one amendment thus far. The First Amendment, adding preliminary and final engineering services at the Hollywood Video site located on the BRT III Hammer Lane Corridor, was approved under the General Manager/CEO's authority for a total amount not to exceed \$289,959.00.

Per San Joaquin Regional Transit District's (RTD) Procurement Manual: "For Contracts with an original Contract price over \$150,000.00, the General Manager is authorized to issue Contract Change Orders or Amendments cumulatively not to exceed twenty percent (20%) of the original Contract price, or \$75,000.00 whichever is less, for any single Change Order. All other Change Orders shall be approved by the Board of Directors."

The Second Amendment represents a contract increase of \$8,702.00. The First and Second Amendment combined will increase the original contract amount by 23.37%.

DISCUSSION:

During the Preliminary Engineering Review RTD staff and City of Stockton staff agreed that three stops would be better situated at different locations. This change required the addition of topographic survey services at the Mariners Drive stop, one layover pad at the Westbound Hammer Lane and West Lane stop, and one crosswalk at the Hammer and Lorraine stop.

The price for the second amendment shall not exceed \$8,702.00 and will be completed within the term of the contract. Funding is 80% Federal Livability Grant and 20% State Prop 1B Public Transportation Modernization, Improvement, and Service Enhancement Account Program (PTMISEA). Staff performed a cost analysis and determined that the price is fair and reasonable.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION APPROVING A SECOND AMENDMENT TO THE CONTRACT OF SIEGFRIED ENGINEERING, INC. FOR PRELIMINARY AND FINAL ENGINEERING OF THE BUS RAPID TRANSIT (BRT) III HAMMER LANE CORRIDOR IMPROVEMENTS

WHEREAS, on May 16, 2011, the contract for preliminary and final engineering of the Bus Rapid Transit (BRT) III Hammer Lane Corridor Improvements was awarded to Siegfried Engineering, Inc. by Resolution No. 5316; and

WHEREAS, per San Joaquin Regional Transit District's (RTD) Procurement Manual, for contracts over \$150,000.00, the Board of Directors shall approve all change orders or amendments cumulatively exceeding 20% of the original contract price; and

WHEREAS, the First Amendment amount was awarded in a total contract amount not to exceed \$47,869.00; and

WHEREAS, the Second Amendment represents a contract increase of \$8,702.00; and

WHEREAS, the First and Second Amendment combined will increase the original contract amount by 23.37%; and

WHEREAS, the Second Amendment will provide an additional \$8,702.00 to the contract of Siegfried Engineering, Inc. to perform supplemental topographic survey services and preparation of additional plans and specifications; and

WHEREAS, funding has been identified for a second amendment; and

WHEREAS, the price for the second amendment is deemed fair and reasonable.

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

- 1) That the General Manager/CEO be, and hereby is, authorized and directed to award and execute the second amendment with Siegfried Engineering, Inc. for preliminary and final engineering of the BRT III Hammer Lane Corridor Improvements, in an amount not to exceed \$8,702.00 for a total contract amount not to exceed \$298,660.00, in accordance with the Request for Proposals for Preliminary and Final Engineering of the BRT III Hammer Lane Corridor Improvements, dated March 29, 2011, being Solicitation No. 2011-R105972-S.
- 2) That the General Manager/CEO, acting individually, is hereby authorized and directed to take such other actions as may be necessary or appropriate to carry out the intent and purpose of this resolution.

Subject: Award a contract piggy-back to LYNX/Gillig, LLC

Page 1 of 2

STAFF RECOMMENDATION: APPROVE RESOLUTION TO AWARD A CONTRACT PIGGY-BACK TO LYNX/GILLIG, LLC FOR THE PURCHASE OF ONE BUS RAPID TRANSIT (BRT) III HYBRID DIESEL ELECTRIC BUS AND 16 40-FOOT HYBRID DIESEL ELECTRIC BUS OPTIONS IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$12,566,742.00

**LEAD STAFF: SHARON MILLER
PROCUREMENT MANAGER – CONTRACTS**

FINANCIAL IMPACT:

\$ 777,161.00	CMAQ [Federal]/20% Match (1 BRT Bus)
\$3,531,986.00	CMAQ [Federal]/20% Match (5 SMA Hybrids)
\$5,000,000.00	CMAQ [Federal] (6 SMA Hybrids)
\$ 654,500.00	FTA 5308 [Federal]/20% Match (1 SMA Hybrid)
\$1,269,295.00	CMAQ [Federal]/20% Match (2 SMA Hybrids)
<u>\$1,333,800.00</u>	CMAQ [Federal] (2 SMA Hybrids)
\$12,566,742.00	

BACKGROUND:

In August 2010, San Joaquin Regional Transit District (RTD) exercised its last five bus options under Contract MSE-2005-021 with Gillig, LLC. The options provided for five 40-foot Stockton Metropolitan Area (SMA) replacement buses. Notice to Proceed was given to Gillig, LLC on August 30, 2010 with production to begin December 2011.

In July 2010, the Federal Transit Administration (FTA) awarded RTD a \$5.2 million grant for its Bus Rapid Transit (BRT) III Hammer Lane Corridor and asked RTD to accelerate project delivery by one year. Six BRT III Hybrid Diesel Electric buses need to be purchased for the BRT III Hammer Lane Corridor project. RTD has five buses available on its original contract with Gillig, LLC, which leaves us one short of what is required. A formal solicitation and award would push bus production out beyond the implementation date of the BRT III Hammer Lane Corridor project.

DISCUSSION:

Staff asked Gillig, LLC to identify a piggy-back option for the purchase of the outstanding BRT III bus. On July 12, 2011, Gillig, LLC located a piggy-back option available for RTD to use with the Florida State Consortium (LYNX) who has over 400 options under its contract. The process requires the execution of an assignment form for the number of buses RTD wants to purchase. LYNX provided RTD staff with copies of the original Request for Proposals (RFP), contract, and Gillig, LLC's RFP. Staff reviewed the documents and considers them adequate to meet FTA requirements. In addition to the price of the bus, there is an administrative fee of \$500.00 per bus. The fee is only payable at the time the purchase order is issued to Gillig, LLC.

Subject: Award a contract piggy-back to LYNX/Gillig, LLC

Page 2 of 2

Staff performed a detailed cost analysis and deemed the prices to be fair and reasonable.

After further review, staff has identified funding for 16 40-foot Hybrid Diesel Electric bus options to be used before the end of the LYNX agreement on May 12, 2012.

A formal solicitation for 16 buses would result in a higher cost per bus. It is in RTD's best interest to take advantage of the piggy-back options for these buses also.

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION TO AWARD A CONTRACT PIGGY-BACK TO LYNX/GILLIG, LLC FOR THE
PURCHASE OF ONE BUS RAPID TRANSIT (BRT) III HYBRID DIESEL ELECTRIC BUS AND 16
40-FOOT HYBRID DIESEL ELECTRIC BUS OPTIONS

WHEREAS, in July 2010, the Federal Transit Administration (FTA) awarded RTD a \$5.2 million grant for its Bus Rapid Transit (BRT) III Hammer Lane Corridor and asked RTD to accelerate the project by one year; and

WHEREAS, in August 2010, San Joaquin Regional Transit District (RTD) exercised its last five bus options under contract MSE-2005-021 with Gillig, LLC; and

WHEREAS, on July 12, 2011, Gillig, LLC located a piggy-back option available for RTD to use with the Florida State Consortium (LYNX) who has over 400 options under its contract; and

WHEREAS, staff performed a detailed cost analysis and deems the price to be fair and reasonable; and

WHEREAS, staff has identified funding for 16 40-foot Hybrid Diesel Electric bus options to be utilized before the end of the LYNX agreement on May 12, 2012.

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

- 1) That a LYNX/Gillig, LLC contract piggy-back for one BRT III Hybrid Diesel Electric Bus and 16 40-Foot Hybrid Diesel Electric Bus Options in a total contract amount not to exceed \$12,566,742.00 be approved.
- 2) That the Board of Directors authorizes the General Manager/CEO be, and hereby is, authorized and directed to execute the LYNX/Gillig, LLC Piggy-Back Assignment form for one BRT III Hybrid Diesel Electric Bus and 16 40-Foot Hybrid Diesel Electric Bus Options, in a total contract amount not to exceed \$12,566,742.00.
- 3) That the General Manager/CEO, acting individually, 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 the intent and purpose of this resolution.

Subject: Incentives for Retirement Options for Operators

Page 1 of 1

STAFF RECOMMENDATION: RESOLUTION TO APPROVE INCENTIVES FOR RETIREMENT OPTIONS FOR OPERATORS

**LEAD STAFF: THOMAS WEBB
DIRECTOR OF HUMAN RESOURCES**

FINANCIAL IMPACT: TO BE DETERMINED

BACKGROUND:

In its ongoing effort to minimize layoffs and the reduction of full-time operators to part-time status, San Joaquin Regional Transit District's (RTD) staff met with operators who are currently eligible to voluntarily retire within a time frame that meets the operational needs of RTD. Based upon the information received, it is in the best interest of RTD to make a one-time offer to a limited number of eligible operators who would elect voluntary retirement as an option in exchange for monetary incentives. The terms of the incentive and the voluntary retirement are contained in a Voluntary Retirement Agreement ("Agreement") that eligible candidates will be required to sign in order to take advantage of this retirement option.

Candidates who are eligible and willing to voluntarily retire prior to October 2, 2011, and thereby allow RTD to minimize any layoffs and reductions of full-time employees to part-time status at that time, will be eligible to receive \$10,000.00 as a lump sum payment as an incentive for voluntary retirement that meets the operational needs for RTD and the terms of the Agreement. In order to be eligible for this payment, eligible operators must meet the conditions contained in the Agreement and be willing to execute and comply with the Agreement no later than September 19, 2011.

The number of eligible operators who will be offered this voluntary retirement option is limited. If there are more eligible operators interested in participating in the voluntary retirement option than the required number to meet RTD's operational needs, offers will be awarded by seniority.

DISCUSSION:

This voluntary retirement option has been approved by the Personnel Committee of the RTD Board of Directors. Staff is seeking the concurrence of the full RTD Board to begin implementation of the program.

San Joaquin Regional Transit District Voluntary Retirement Agreement

This Voluntary Retirement Agreement (hereinafter "Agreement") is made and entered into by and between San Joaquin Regional Transit District, its parent, subsidiaries and/or affiliated entities, (hereinafter referred to as "RTD"), and [EMPLOYEE NAME] (hereinafter referred to as "Employee").

1. As consideration for Employee's execution of and compliance with this Agreement, RTD agrees to tender to Employee a check in the total gross amount of TEN THOUSAND and NO/100 Dollars (\$10,000.00), minus statutory deductions. The check will be made payable to "[EMPLOYEE NAME]" and will be paid no sooner than ten (10) days after the following events occur: (i) Employee executes this Agreement and delivers it to RTD; (ii) Employee returns to RTD all items of RTD property in Employee's possession; and (iii) Employee's retirement, consistent with Paragraph 2 below, is approved by the Retirement Board that administers the San Joaquin Regional Transit District Retirement Plan ("Plan").
2. Employee agrees to make application for retirement pursuant to the terms of the Plan and take all other steps necessary so that Employee's retirement takes effect no later than October 2, 2011. Also, with regard to such retirement, Employee agrees to exclude the monetary inducement provided in this Agreement from any thirty-six (36) month period elected by Employee for purposes of determining final compensation and/or calculating benefits available to Employee under the Plan.
3. The parties agree that Employee has voluntarily elected to retire from employment with RTD effective no later than October 2, 2011 and prior to any compulsory retirement deadline. Until the date of retirement, Employee shall cooperate fully with RTD to transition his/her duties and responsibilities as directed by RTD. Employee acknowledges and agrees that because he/she is voluntarily electing retirement prior to any compulsory deadline and solely due to the monetary inducements offered in this Agreement and without any other motivating factors, substantial or otherwise, Employee is not eligible for any state unemployment insurance benefits and is voluntarily leaving employment without good cause.

4. Employee acknowledges by signing this Agreement that Employee has read and understood this document, that Employee has conferred with or had opportunity to confer with Employee's attorneys or representatives of his/her choosing regarding the terms and meaning of this Agreement, that Employee has had sufficient time to consider the terms provided for in the Agreement, that no representations or inducements have been made to Employee except as set forth herein, and that Employee has signed the same knowingly and voluntarily.

5. It is intended that the provisions of this Agreement shall be enforced to the fullest extent permissible under the laws and public policies applied in each jurisdiction in which enforcement is sought. In the event that any paragraph, subparagraph, or provision of this Agreement shall be determined to be partially contrary to governing law or otherwise partially unenforceable, the paragraph, subparagraph, or provision and this Agreement shall be severed and disregarded and the remainder of this Agreement shall be enforced to the maximum extent permitted by law.

6. This Agreement contains the entire Agreement between the Employee and RTD with respect to the matters covered and supersedes all prior agreements, understandings, or commitments, whether oral or written. No amendment or supplement to this Agreement may be made except by writing signed by both the Employee and RTD.

7. This Agreement shall be binding upon the parties hereto and upon their heirs, administrators, representatives, executors, successors and assigns, and shall inure to the benefit of said parties and each of them and their heirs, administrators, representatives, executors, successors and assigns.

Dated: _____

[EMPLOYEE NAME]

San Joaquin Regional Transit District

Dated: _____

By: _____
Name:
Title:

RESOLUTION NO. _____
DATED: SEPTEMBER 20, 2011

RESOLUTION TO APPROVE INCENTIVES FOR
RETIREMENT OPTIONS FOR OPERATORS

WHEREAS, in its ongoing effort to minimize layoffs and the reduction of full-time employees to part-time status, San Joaquin Regional Transit District's (RTD) staff met with operators who are currently eligible to voluntarily retire within a time frame that meets the operations needs of RTD; and

WHEREAS, operators who are eligible and willing to voluntarily retire prior to October 2, 2011, and thereby allow RTD to minimize layoffs and reductions of full-time operators to part-time status, will be eligible to receive \$10,000.00 as a lump sum payment; and

WHEREAS, the number of eligible operators who will be offered this voluntary retirement option is limited; and

WHEREAS, eligible operators must meet the conditions in a Voluntary Retirement Agreement ("Agreement") and be willing to execute and comply with the Agreement no later than September 19, 2011; and

WHEREAS, if there are more eligible operators who will be offered this voluntary retirement option than the required number to meet RTD's operations needs, offers will be awarded by seniority; and

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

- 1) That the General Manager/CEO be, and hereby is, authorized and directed to execute the voluntary retirement option with eligible operators.
- 2) That the General Manager/CEO is hereby authorized and directed to take such other actions as may be necessary or appropriate to carry out the intent and purpose of this resolution.

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**INFORMATION ITEM: EQUAL EMPLOYMENT OPPORTUNITY (EEO)
ANNUAL REPORT – SEPTEMBER 2011**

**LEAD STAFF: CHRISTINA TORRES-PETERS
HUMAN RESOURCES MANAGER**

FINANCIAL IMPACT: NONE

BACKGROUND:

The Equal Employment Opportunity Commission (EEOC) requires all federal contractors with at least 50 employees and federal contracts of \$50,000 or more during a 12-month period to electronically file an annual report. This report is a summary of the data San Joaquin Regional Transit District (RTD) will provide in the EEOC filing. The information presented pertains to the 12-month period July 1, 2010 to June 30, 2011, in accordance with the EEOC reporting requirement.

DISCUSSION:

Each year staff collects and verifies data to complete reports and analysis for RTD's Equal Employment Opportunity (EEO) report, which includes a breakdown of agency workforce by race and gender for the following seven job categories:

Officials and Managers	Crafts Workers (Skilled)	Service Workers
Professionals	Operators (Semiskilled)	
Office/Clerical	Laborers (Unskilled)	

In prior years, RTD has successfully provided employment opportunities to minorities and females. The challenge RTD and other transit properties face is recruiting minorities and females into traditionally hard to fill classifications. RTD has several job categories that are underutilized by females and minorities. These skilled craft positions will not be expanded in the coming fiscal year because budget cuts have precluded expanding these classifications. As positions become available in the identified job categories, RTD will increase efforts to address underutilization in those job categories.

Attached is a copy of the Human Resources' analysis used to ensure compliance with RTD's EEO program.

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GOALS:

Under normal circumstances, and as a part of the process of the EEO program implementation, RTD sets annual goals for the hiring of females and minorities in each job classification within RTD. The first step in establishing goals is to look at the existing make-up of RTD workflow. The table below shows how various minority groups and females are represented among job classifications.

RTD Minority/Female Representation by Job Classification As of June 2011

Number Representation by Group

Job Classification	Total Number	M	F	B	H	A/PI
Officials/Managers	30	17	13	3	4	6
Professionals	19	9	10	0	4	7
Office/Clerical	19	2	17	2	8	1
Craft Workers (Skilled)	21	21	0	0	9	4
Operators	91	30	61	38	22	4
Laborers (Unskilled)	12	12	0	1	7	2
Service Workers	6	5	1	0	1	1
Total	198	96	102	44	55	25
Previous Year	291	140	151	94	77	32

M-Male; F-Female; B-Black; H-Hispanic; A/PI-Asian/Pacific Islander

This table serves as a baseline for determining which classifications should be targeted for Affirmative Action. Goals are established on the number of new hires, promotions, and transfers expected during the coming year.

RTD's EEO Hiring Goals – Program Year 07/01/2011- 06/30/2012

Due to external economic events, RTD staffing levels have been reduced. The reduction in force impacted the existing RTD profile. As a result of the economic condition, goals for recruitment and hiring of females and minorities are not available for FY 2012. If a vacancy occurs in the coming year, and RTD is financially capable of filling the vacancy, RTD will recruit candidates reflective of the workforce that are representative of the communities we serve. RTD will continue to rely on the demographic profiles of the 2000 U.S. Census data for the City of Stockton and San Joaquin County. The demographic profile will be updated upon the availability of the 2012 U.S. Census data.

Workforce Comparison Between RTD and San Joaquin County

Classification	2011 San Joaquin Regional Transit District Workforce		2000 San Joaquin Co. Workforce		2000 San Joaquin Co. Population	
	Number	Percentage	Number	Percentage	Number	Percentage
Male	96	48%	134,044	55%	201,383	49%
Female	102	52%	110,472	45%	207,171	51%
Caucasian	71	36%	128,673	53%	210,691	52%
Hispanic	55	28%	68,515	28%	111,678	27%
Asian/Pacific Islander	25	13%	23,081	9%	44,820	11%
African American	44	22%	13,349	5%	24,695	6%
American Indian/Alaskan Native	0	0%	1,515	1%	2,669	1%
Other	3	2%	9,383	4%	14,001	3%
TOTALS	198	100%	244,516	100%	408,554	100%