

Minutes

RTA Board of Trustees Meeting

9:08 a.m. July 27, 2021

Present: Lucas (Chair), Moss (Vice-Chair), Byrne, Joyce, Koomar, McCall, Pellot, Serrano, Weiss

Not present: Duarte

Also Present: Benford, Birdsong, Bitto, Bober, Burney, Caver, Coffey, Cox, Dangelo, Davidson, Feke, Fields, Freilich, Gautam, Ghanem, Johnson, Jones, Kirkland, Miller, Penning, Petit, Schipper, Snell, Sutula, Walker-Minor

President Lucas called the meeting to order at 9:08 a.m. The secretary called the roll and reported that nine (9) board members were present.

This meeting was live-streamed on RTA's Facebook page (www.facebook.com/rideRTA) for staff and members of the public. Based on Centers for Disease Control guidance to continue to avoid large events and gatherings and Ohio Department of Public Health advice that businesses may continue to require mitigation measures, as well as RTA's interest in protecting community and employee health and safety, only Board members and required RTA staff was allowed in the Board Room.

The Secretary advised that notice of this meeting have been posted more than twenty-four hours in advance of the meeting, that the usual notification has been given the news media and other interested persons, and that all requirements of the Ohio Revised Code and Rules and Bylaws of this Board regarding notice of meeting have been complied with.

Minutes

President Lucas stated that the minutes from the June 29, 2021 Board meeting had been previously distributed and reviewed, and asked whether there were any additions and/or corrections. There were no corrections. It was moved and seconded. The minutes were approved.

Public Comments – Agenda Items (comments were submitted by form and phone)

1. Rev. Pamela Pinkney-Butts – She congratulated the retirees. She opposes Reso No. 2021-75, Reso No. 2021-71 and Reso No. 2021-72. She asked how trash collection impacts the community in Reso No. 2021-70.
2. Dontez Taylor – The system changes are not good because it takes people out of their way. It's hard to figure out the changes if you are visually impaired. It's hard to get to City Hall. Why is the #8 running hourly when the #11 ran every 15 minutes.
3. Arric Stewart – It was discussed at a public meeting at the Lee-Harvard Community Center on July 1 about putting the #48A back in place and for it to have weekend service. And that the #15A be a new route based on his email he sent to Joel Freilich, the Board and Dr. Caver. Two weeks after the meeting, he called Joel to find out what action had been taken on how the decision will be made and when the public request will be achieved. He did not receive a call back. He called a week after that and received no response.
4. Chris Martin – Cleveland, OH - Good morning. I wish I didn't need to rely on the board secretary to read this comment for me today, but you all have chosen to bar the public from attending in-person your public, in-person meeting. In defense of this, you vaguely claim adherence to CDC and Ohio Department of Health guidelines. If I were a Trustee, I'd want to know how this claim squares with the fact that the state of Ohio has lifted its exceptions to open-meeting laws. You claim you are following "Ohio Department of Public Health advice that businesses may continue to require

mitigation measures." It is unfortunate that I need to remind you that GCRTA is not in fact a business but a unit of government. You serve the public. What conclusion is the public supposed to draw, from the decision to bar the public from your public meeting, other than you believe transit riders are inherently more likely to carry COVID than GCRTA staff and board members? If that is the conclusion you want us to draw - that you see us as less-than you - why should we believe you will act in our interest?

5. Dennis Hancy – North Olmsted, OH - As a follow-up to my earlier comments, I want to let you know that I am going into the office tomorrow. I reviewed the schedules for both the 55B and the Red Line. Neither one is a particularly attractive alternative. I either have to get up a half hour earlier than usual, or I have to endure a longer bus ride in order to get downtown early enough for a meeting I have scheduled. Again, I am asking you to *please* reconsider bringing back the 263 route - especially the one that left at 5:59 AM. That was ideal. If that were still an option, I would be taking that tomorrow. But instead, I will be forced to drive downtown and pay for parking.

Community Advisory Committee (CAC)

There was no report.

Committee Reports

There were no reports.

Ad Hoc Committee Reports

There were no reports.

Introduction of New Employees/Promotions

New Hires:

1. William Beavis – Senior System Administrator

Promotions:

1. Shayne Benware – Assistant. Equipment Manager
2. Ryan Milhouse – Transportation Safety Specialist II
3. Kenneth Springer – Assistant Equipment Manager
4. Gerald Mason – Manager – Facilities
5. Doreen Lauber – Operating Instructor
6. Torri Parson – Dispatcher
7. Cardell Jones – Assistant Equipment Manager

Introduction of Resolutions:

- A. 2021-69 – Expressing congratulations to the employees of the Greater Cleveland Regional Transit Authority who retired during the second quarter of 2021, the adoption of which was moved by Mr. Serrano, seconded by Chief McCall and approved by unanimous vote.
- B. 2021-70 – Authorizing Contract No. 2021-82 with Browning-Ferris Industries of Ohio, Inc. dba Republic Services, Inc. to provide trash collection and removal services in an amount NTE \$254,450.49 for a base three-year period with two, one-year options in an amount NTE \$88,086.72 for option year one and \$90,116.02 for option year two, for a total contract amount NTE \$432,653.23 (General Fund, Service Management Department

budget), the adoption of which was moved by Mr. Serrano, seconded by Ms. Pellot and approved by unanimous vote.

- C. 2021-71 – Authorizing Contract No. 2021-084 with Brasco International, Inc. for Baby on Board Transit Waiting Environments in an amount not to exceed \$160,775.00 (RTA Development Fund, Programming and Planning Department budget), the adoption of which was moved by Chief McCall, seconded by Mayor Byrne and approved by unanimous vote.
 - D. 2021-72 – Authorizing Contract No. 2021-101 with Bob Russ Buick GMC, Inc., for the purchase and delivery of three (3) 2021 GMC Sierra 2500 vehicles, equipment, and accessories, as specified, through the State of Ohio, Department of Administrative Services, Cooperative Purchasing Program for a total price not to exceed \$103,133.80 (RTA Capital Fund, Fleet Management Department budget), the adoption of which was moved by Mr. Serrano, seconded by Ms. Pellot and approved by unanimous vote.
 - E. 2021-73 – Authorizing Contract No. 2021-030 with Transpro Consulting for Performance Management Services in an amount not to exceed \$199,004.00 (General Fund, Executive Department budget), the adoption of which was moved by Mayor Byrne, seconded by Chief McCall and approved by unanimous vote.
- Mayor Weiss asked for the period of the contract. Melinda said it runs through December 2022.
- F. 2021-74 – Amending appropriations for the current expenses and other expenditures for the Greater Cleveland Regional Transit Authority, as adopted in Resolution Nos. 2020-101, 2021-019 and 2021-064 and increasing the appropriation to the General Fund by \$3,100,000, the adoption of which was moved by Mr. Serrano, seconded Chief McCall and approved by unanimous vote.
 - G. 2021-75 – Adopting the tax budget of the Greater Cleveland Regional Transit Authority for the fiscal year beginning January 1, 2022 and submitting the same to the Cuyahoga County Fiscal Officer, the adoption of which was moved by Mr. Serrano, seconded by Mr. Joyce and approved by unanimous vote.
 - H. 2021-76 – Authorizing the General Manager, Chief Executive Officer to enter into an agreement with Medina County to exchange operating funds for Medina County's grant funds and to provide for Medina County to fund a portion of the cost of the Authority's 251 Flyer route, the adoption of which was moved by Chief McCall, seconded by Ms. Pellot and approved by unanimous vote.

Secretary-Treasurer's Report

Rajan Gautam, Deputy General Manager of Finance and Secretary-Treasurer presented the report. The unemployment rates by month for Cuyahoga County and Ohio compared to U.S. are from the Bureau of Labor Statistics. In June 2021, U.S. unemployment rate rose from 5.8% to 5.9%. Ohio unemployment rate rose from 5.0% to 5.2%. Cuyahoga County information will be coming out later this week. The inflation rate for Jan. 2020 was 2.49%. In June 2021, it went up to 5.39%. Experts expect it to decline in 2022. The rationale is the assumption of life as more people are traveling, the supply is greater and there is a supply chain issue resulting from COVID causing temporary shortages of semi-conductors, vehicles, computers, etc. As the economy adjusts and the supply chain issues are resolved, these shortages are expected to dissipate.

The uptick in ridership in April was due to the NFL Draft. May decreased slightly to 1.3 million riders. Ridership in 2021 is about 18.3% higher compared to 2020. YTD May ridership was down 31.5% compared to 2020. In June there was a slight uptick that includes the launching of NextGen and the free fare week. Passenger fares in June are 5.4% higher than 2020. YTD passenger fares are 23.4% lower than the previous year. Historically, 25% of passenger fares come from agreements with CMSD and several colleges under the U-Pass program. With the uncertainties in 2020, that revenue was impacted negatively. We are still in the process of completing negotiations for CMSD and some of the colleges. It looks a little brighter, but there are still significant uncertainties on how the school years will look when you look at in-person versus remote learning. CMSD indicated that unlike the past years in 2019 when RTA provided them with a card with the student id, they are opting to get tickets instead.

Sales tax represents a major component of unrestricted operating revenues. It has been extremely strong. With the 3rd round of stimulus checks in March, they expect to see a significant bump in sales tax revenues in June and July. Nineteen of the 23 categories within the sales tax are positive. July 2021 compared to July 2020, motor vehicles and watercraft were 74% higher. Online sales continue to be extremely strong at 70% higher. Regular and statewide sales are 84% higher.

General Manager/CEO Report

India Birdsong, General Manager/CEO, presented the report. Ms. Birdsong is the Noon speaker today on Public Square for the City Club. You can also connect virtually. Ridership went up 13% or 40,000 higher than the average of the surrounding weeks during the free fare week, which was the first week of the NextGen service changes, June 13-19, 2021. The promotion was created to encourage new ridership, which is done industry-wide. This was also done to help the public navigate the new route changes prior to the change.

A RTA bus will be used to get the vaccine out to low income communities. It is called the Community Immunity Bus. This is a partnership with the City of Cleveland's Department of Public Health. The service is funded through an ODOT grant of \$972,000. The bus will be located at several locations and events around the city and can be requested by businesses that are returning to work downtown. We are working with DCA and DCIC to see which companies are coming back to work. The bus will operate for two months from August-September and then reevaluated for effectiveness and to see if funding is still available to continue. Channel 19 reported on the bus. Mr. Joyce thanked the staff for the work with the vaccine bus. RTA received a great response with the partnership with Wolstein to get people to vaccination sites. Dayton is also doing a vaccine bus. People are more than likely to get the vaccine when it comes to them. Ms. Moss asked if the bus is giving a single dose or double doses. Ms. Walker-Minor said the CDPH administers all three vaccines. They will have two of the three vaccines. RTA will provide 10,000 All-Day bus tickets so that those who need the two dose shots, can take a bus trip back to receive the second dose. They just need to have their vaccine card. Ms. Moss said there is also a database for people who don't have their card. Natoya said the bus will have Wi-Fi to look up vaccination information. The bus will hit the lowest vaccinated areas.

Chief Jones gave an update on the Diversion Center of Cleveland project. The center assist with addiction treatment. While on a tour of the center, the Chief noticed how nice the outdoor patio area for the men looked. The female area needed a lot of work so she had her officers beautify the space. They created flower beds and cleaned the area of weeds. They painted the wooden fence area. Lowe's in Bedford Heights donated the plants and shrubs to the center. They plan to mulch and put in picnic tables August 2nd. They welcome donations (games, books, etc.) and volunteers to assist with the work. Chief McCall suggested they connect to Felton Thomas and Shanice Johnson at the Cleveland Public Library about books. Cudell Center can help with their art program. The idea is to connect RTA police with the community.

RTA's Office of Business Development will receive a Best in Class Award from the Greater Cleveland Partnership. It is recognizing our work in several areas noted on the slide show such as supplier diversity, products and services, workforce demographics, etc. This was a competitive process.

Maribeth Feke gave an update on our work with Graffiti HeArt called WRDSMTH. This is a community project with art. Mural Painting Week will be held August 6-13. RTA has a lot of public art throughout its facilities. They met with Graffiti HeArt and other art agencies to get art in our facilities. GH funded WRDSMTH and found the artist for this program. WRDSMTH was born in Cleveland and went to Miami University. He is a graffiti artist who lives in London. He will put positive messages at RTA locations like Tower City and at a E. 120th Street substation building. City Planning Commission and RTA's DEIJ committee approved the murals. RTA will power wash the substation building at E. 120th. Ms. Pellet said they are excited to bring this artist back to Cleveland.

Several rail shutdowns are coming up. July 25 through August 7, 2021 Red Line rail between W. 25th Street Station and Tower City Station will have replacement bus service due to Viaduct Bridge construction work. August 8 through October 2 Blue and Green Line rail service east of Tower City will have replacement bus service due to track replacement on the trunk line. Division updates include a technology update in September. The Ad Hoc Technology Committee will meet in August. A Transit Police update on crime statistics, body cams and policies is planned for October. A Human Resources & Training update is scheduled for November.

Public Comments – Non-Agenda Items (comments were submitted by form and phone)

1. Rev. Pamela M. Pinkney – She is seeking a seat on Congress and wants to work with RTA. HB 294 will impact voting rights. HBs 22, 109 and 251 will also impact transportation.
2. Dontez Taylor – Paratransit provides phenomenal service.
3. Airric Stewart – His comments were for the CEO India Birdsong, Dr. Caver, Joel Freilich and President Lucas. The public meeting at Lee-Harvard Community Center on July 1 has passed. When will there be actions to put the 48A back into place. Many people attended the meeting. He showed that the route was more efficient before it was changed and asked that the 15A be brought back. He asked what steps were taken to make the current change to the route. Mr. Freilich said they met with Councilman Jones and other community leaders at the July 1 meeting. Since then, he made a follow up appointment with the Councilman per his request. They will discuss alternatives and further steps. Ms. Birdsong said she is aware of the concerns and will get back to him and the public on next steps.
4. Kevin Ullman – Cleveland, OH - Good morning. When are you going to stop requiring masks on public transportation including paratransit? I am a paratransit rider. Thanks!
5. Art Cernoia – Parma, OH - Fare collection on the Healthline has been broken since Judge Emanuella Groves' decision against RTA's use of armed police to perform fare enforcement functions. RTA should pursue the idea of "Transit Ambassadors" to spot check fares and perform other customer service related functions. Not only would this help "heal the Healthline," but it could be a positive public relations move at a time when RTA needs to build back ridership.
6. Jennifer G – Cleveland, OH - Recently I saw on RTA's website that RTA police will undergo crisis intervention training. While this may sound good on paper, anyone that works in the field understands that you can't do mental health crisis intervention with armed police. A person experiencing a mental health crisis may try to go for the officer's gun, creating a fatal situation where the officer may view they have no other choice. Instead, RTA should look at Bay Area Rapid Transit as an example. They have crisis intervention specialists on staff working alongside a larger group of transit ambassadors. Working together this partnership assist riders with mental illness, substance abuse issues and homeless instead of throwing them onto live train tracks or shoving

them into the pavement they help riders. Please consider these programs, crisis intervention specialists and transit ambassadors for a better RTA.

7. Robert Winn – Cleveland, OH - My comment concerns the authority's decision to prohibit members of the public from attending board meetings. Ohio's Open Meetings Act, (ORC 121.22) requires all meetings of public bodies to be open to the public at all times. Although Substitute House Bill 404 temporarily allowed virtual attendance in lieu of being physically open to the public, this provision expired on July 1, 2021. I commend the continuation of streamed board and committee meetings, but COVID-19 precautions do not exempt GCRTA from the requirements of the Open Meetings Act. Guidance about this topic can be found from the Ohio Attorney General's office. On July 8,, 2021 Bridget Coontz, Section Chief of the Constitutional Offices Section of the Attorney General's office is quoted in a WFMJ (Youngstown) story about the expiration of the temporary open meetings provisions as saying, ""I think the takeaway from this is to educate the public and public bodies that yes, we are under old law," Coontz goes on to say "...local governing bodies, local public bodies would not be able to give themselves any sort of exceptions from the Open Meeting Act.* GCRTA must allow the public to attend these meetings. By barring the public, the authority is violating the Open Meetings Act and is causing a disservice to those impacted the most by the digital divide.
8. Mollie Hambro – Cleveland, OH - RTA desperately needs to consider re-allocating the transit police budget to a team of transit ambassadors. My experience over the years with RTA police: speeding down my street or milling around Tower City. I don't see them much anywhere aside from the negative news stories. The majority of riders are women, and we don't have time to worry about being tackled over "failure to flash fare card long enough." I experienced a situation as a young student trying to make a connection from Philadelphia through Camden, NJ: I was 17, traveling alone, and I knew the fare boxes lagged. I didn't want to wait alone for the next train 45 minutes later, and I thought I would get off at the next stop and purchase a ticket as the trains idled. I had no idea transit police existed. Out of nowhere, there's a fare check. I offered to pay the \$1.10 but the police held my ID, had no remorse for my situation and slapped me with a \$75 fine. This took a few paychecks to make up at that time. As we know, Cleveland is the poorest city in the nation, and a fine like that could mean being short on rent, a missed connection could mean job loss. It's deplorable. Transit ambassadors would be a welcome addition to the system and change the stigma and perception that the system isn't safe. They could provide system information, be a presence while you're waiting for your ride, or act quickly and confidently in a system warranting crisis intervention.
9. Glenn Brown – Cleveland, OH - GCRTA employs 30 fare enforcement officers spending over \$1.8 million per year despite fare evasion citations dropping over 90% from 2017 to 2018. In 2017, 5,836 citations, in 2018, only 259. Less than 20 citations total per officer. Keep in mind these citations are over a \$2.50 fare. GCRTA must eliminate its wasteful fare enforcement unit and create a transit ambassador program to replace it. Transit ambassadors are helpers. They can serve as another set of eyes on the ground -check fares and explain the fare payment system to new riders -perform station audits to keep shelters and stations clean with up-to-date information - work with community intervention specialists for individuals experiencing crisis, homelessness, mental health, and substance use -be a friendly face for RTA. RTA's own strategic plan says "a court decision rendered RTA's Healthline Bus Rapid Transit fare collection and enforcement system that used uniformed police to enforce fares potentially illegal. As a result, RTA switched to riders walking up to the driver to show fare payment. This has slowed down boarding and made riding the HealthLine more inconvenient. By making the fare collection system easy to understand, convenient, and affordable without requiring complicated knowledge on behalf of the customer, RTA can improve the rider experience and speed up the boarding process." It's been nearly 4 years since RTA destroyed the HealthLine. Start a transit ambassador program now.
10. Joe Schwarten – Cleveland, OH - Why are you shutting down two rail lines for two months in the Green and Blue Lines? Clearly it is not an emergency as the lines still run through to August 8th.

There should be a way to at least single track past the part you are working on or at least keep total shut down to a more reasonable time. Replacement buses create confusion among riders especially on 7 of the stations that won't even have replacement service to them. Long stints of rail lines down also create distrust in the system and makes it so many riders will find other ways to commute and no longer use your service. I hope this shut down will be worth it. It's bad enough we are approaching a year with no Waterfront line and no replacement service for that especially with the trollies taken away.

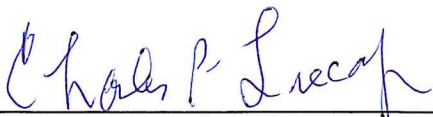
11. Chris Stocking – Cleveland, OH - RTA is looking at police reform. That is good but we need to go further. Page 66 for RTA strategic plan: "Not all groups equate more police with more safety. Populations of color describe a fear of police. In a system in which approximately 75% of customers are African American, a consideration of staffing, policies, and protocols of the security presence could be helpful to improve the perception of safety." In late 2017, Judge Groves ruled that proof-of-payment fare enforcement by transit police was unconstitutional. In summer 2018, the case was appealed to the state and dismissed: If RTA utilized non-law enforcement officers, a constitutional analysis would be unnecessary. The utilization of police officers inappropriately removes the 'middleman' or buffer between police and passengers. Passengers should only encounter police once reasonable articulable suspicion is established. Despite this, Transit Police staffing levels for fare enforcement remain unchanged since 2016: 20 full and 10 part time fare enforcement officers. We are asking the board to invest these funds in transit ambassadors to restore and expand constitutional proof-of-payment. Please read TransitCenter's new report Safety for All. President Lucas can share this with you to see what other transit agencies are doing. This comment was originally written in June 2020. Despite this, we still look forward to new leadership from Birdsong.

Rev. Lucas asked that Janet Burney give an update at the next meeting on Judge Groves ruling on proof of payment. Ms. Moss asked that Legal look at the State requirements for public meetings and DOT requirements for mask wearing on public transit and RTA facilities to ensure we are in compliance. She asks that the policy be made clear for the record and the public. Sheryl said we are in compliance with the Open Meetings law and following CDC guidelines. We are in RTA's largest public space in the Main Office. The room is limited to 44 people to have safe distancing. The Board has been back in person since July 1. With the Board's full attendance, staff and presenters, we can reach 40 or more people easily. The capacity limit was approved by the Engineering department. The public can still attend meetings virtually and submit comments which meets the public requirement, but we can provide the Board with research supporting that. Chief McCall ask that the meeting notice be updated to show the occupancy limit. City Hall visitors have to have an appointment to monitor occupancy.

Upcoming Meetings

The next regular Board meeting is scheduled for Tuesday, August 24, 2021 in the Board Room of the Authority, Root-McBride Building, and 1240 West Sixth Street, Cleveland, Ohio 44113. This meeting will be live streamed on RTA's Facebook page for staff and members of the public at www.facebook.com/riderta Only Board members and required RTA staff will be allowed in the Board Room.

This meeting was adjourned at 10:32 a.m.



President

Attest:  acting for
Secretary-Treasurer 