

Minutes

RTA Board of Trustees Meeting

9:56 a.m. March 29, 2022

Board Members: Lucas, (Chair), Moss (Vice Chair), Biasiotta, Duarte, Joyce, Koomar, McCall, Pellet, Weiss

Not present: None

Staff: Benford, Birdsong, Burney, Caver, Dangelo, Darden, Davidson, Fesler, Fleig, Ferraro, Flachbart, Freilich, Garofoli, Gautam, Gettings, Hudson, Jones, Miller, Mothes, Schipper, Walker-Minor

Public: Ferenczy, Gibbons, Julien, Loh, McGrady, Rodriguez, Romanoff, Watts

The meeting to order at 9:56 a.m. The secretary called the roll and reported that nine (9) board members were present.

In accordance with the Ohio Open Meetings Act and House Bill 51, signed into law on February 17, 2022 and effective immediately through June 30, 2022, this meeting will be live-streamed on RTA's Board Page www.RideRTA.com/board via the meeting date for staff and members of the public. House Bill 51 allows Board members to participate by telephone or video and be considered present as if in person. It also allows Board members to vote and be counted for the purpose of determining a quorum while attending by telephone or video.

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 February 15, 2022 Board Meeting and March 1, 2022 Special Board Meeting had been previously distributed and reviewed, and asked whether there were any additions and/or corrections. There were no corrections. The minutes were approved.

Public Comments – Agenda Items (comments were submitted in-person and by phone)

1. Mr. Rodriguez – He thanked the staff and Board for the new buses on the west side. He would like to see more routes added. A paratransit driver he spoke to said some areas are not being served.
2. Terry McGrady – He asked what happened to the 5-minute limit on public comments. He is a RTA retiree. He was a union Executive Board Member at Triskett for 12 years. A lot of time is not spent on labor relation issues. There is no advocacy for the bargaining employees. Issues about the financial irregularities have reared its heads again. There were payments made to union officials that was questionable. He made a records request. The money was paid to two to three employees. Past Board Chair, Mr. Dixon did not pay his healthcare premiums for over 20 years. At that point, he was compromised. Someone should have known the premiums were not paid. There were some employee fraud issues also.

Mr. Dixon, Internal Audit and the Director of Labor Relations should have been aware of the none payments. We are back to looking at improprieties where employees have to pay money back. Bargaining employees were never listened to. The grievance process was never followed.

3. Matthew Watts – He was a Triskett operator from Jan. 2014 to 2018. There were issues with the time clock for his shift. He was put under crisis suspension for some issues related to the reporting time. A pre-termination hearing was held and it was proved that there was errors with his missed record. Mr. Bryan Moore terminated him and never addressed the issues pertaining to the miscount and misses that he was one minute late. He went through the grievance process, which were ignored. He accepted the outcome of the grievance process. He was told it would be a good thing for him to take a DML, which he did not want to do. Taking the DML would allow him to get back to work. A DML is a hard process. He was rehired, November 13, 2022. Robert (?) stated that Scott Ferraro said he could not be rehired.
4. Airric Stewart – The adjustment to the 50 is now extended for a longer time if we had left the 48A in place. The 50 where it starts takes 8 minutes longer to get to the end point going north than the 48. It requires a longer period to transfer to the 15 and 14. The rapid lines and if the 50 started at Marymount Hospital would get to its end point 9 minutes sooner and would connect to all the hospitals in University Circle. Staff refuse to acknowledge this information and the efficiencies of his recommendations. The number 50 and 48 would be more efficient as an hourly bus because it would share 30-minute service from Marymount to E. 131st in Miles. The 48 would share the traditional 30-minute service from 131st in Miles to its end point with the 48A, if it was put back into service. Staff said back in July they would look at the 15A service. The 15A would give more service to schools, libraries and retail. This information was sent to the Board. There was a meeting with Councilman Jones, July 1. The attendees and Councilperson agreed with Mr. Stewart's recommendation.
5. Carlita Gardner – She agrees with Mr. Stewart. The NextGen routes have disrupted many things. Route 14 and 41 was extended, but they have good service. Attention is not being made to the interior parts of the city. The 15A and 41A was not extended. Customers are walking further distances to get to these stops. The public is being ignored. It is taking longer for the 14 and 48 to reach the customers with the changes.
6. Chris Martin – RTA must demand transparency. He thanked RTA for using YouTube to livestream and allowing email comments again. He ask that comments be sent to the Board also. Morning meetings are not good for the public. The media had to get involved to get an answer on why trolleys were being used on non-trolley routes. RTA lied in their press release saying trolleys were running only on four non-trolley routes, but he took a trolley home last week. RTA refuse to state the number of responses to the rail car replacement RFP or any details. Larger agencies have mask dispensers on their buses, but RTA claims there are too many buses and that operators can distribute masks. There was a conflict of interest in allowing comments only from staff on body cam retention at the Records Management meeting.

Ms. Birdsong said some of the comments involve personnel issues and can be followed up on. Details of the collective bargaining agreement through a resolution will be provided. RTA is transparent with their leadership of the city through council to ensure they have communicated the effects and taking feedback on NextGen. A media statement was issued on the trolleys. They are being run to get efficiencies while the new fleet arrives. The vehicles have to pass inspection before they can be put into service. We are on schedule for vehicle replacement. The rail car RFP is under procurement rules, which prohibit divulging information to the media

and the public. We will provide mask to anyone who needs one on our service. If supplies is not available, please inform someone.

Committee Reports

There were no committee reports.

Community Advisory Committee (CAC)

There were no reports.

Ad Hoc Committee Reports

Ms. Pellot said the next Ad Hoc Tech Committee Meeting is April 21, 2022 at 5 p.m.

Introduction of New Employees/Promotions

New Hires:

1. Malik Bacon – Operator
2. Lauren Bell – Hostler
3. Reginald Black – Hostler
4. Ashile Burks – Operator
5. Kameron Clipps-Shelton – Operator
6. Erica Curry – Operator
7. Gary Eshols – Operator
8. Erik Ferrell – Hostler
9. Destie Fred Del-Valle – Transit Police Officer
10. Jacob Gorbey – Transit Police Officer
11. Stanford Hicks – Operator
12. Cesar Irizarry III – Transit Police Officer
13. Tenisha Jones – Operator
14. Andrae Kincaid – Operator
15. Toby Lesofski – Operator
16. Sowan Lockridge – Operator
17. Valerie McDowell – Operator
18. Isaiah Mitchell – Operator
19. Samaria Munford – Operator
20. Angela Murphy – Hostler
21. Natasha Price – Operator
22. Hector Roman – Operator
23. Linzie Ross – Operator
24. Sarah Smith – Operator
25. Richard Urminski – Laborer
26. Raymond Valentine – Operator
27. Ashley Wagner – Hostler
28. Bossawn Wagner – Operator
29. Laquita Watson - Operator

Promotions:

1. SheaRon Daniels – District Business Analyst
2. Darren Garlock – Staff Auditor
3. Samantha Harper – Supervisor – Tower Control

4. Margaret Swetel – Contract Administrator
5. John Tiell – Lead Maintenance Planner
6. James Waken – Lead Maintenance Planner

Chief Jones introduced recent promotions in the Transit Police Department. They include Deputy Chief Michael Gettings (2nd in command), Commander of Patrol Operations, Robert Flachhart, Commander of Administrative Operations, Orlando Hudson, and Commander of Specialized Units, Ronald Darden. Along with the Chief, they have a combined total of more than 125 years of law enforcement experience. Their #1 priority will be to continue to serve the community with respect, professionalism and excellence. A swearing in ceremony will include new sergeants and lieutenants, Thursday, May 19 during Police Memorial Week.

Ms. Birdsong congratulated the team. Their jobs are not easy and not without great compassion. The last few years have been challenging for the city and nation. There is a difference between agencies with Transit Police and those without them. It is a vast difference in being able to connect with regional partners and customers to understand that we are human and people make mistakes while using the system. Rev. Lucas congratulated them on behalf of the Board. Recently there were some incidents where statements were made by customers riding the bus. They commented on the demeanor and the wonderful way the Transit Police handled the situation.

Introduction of Resolutions:

- A. 2022-24 – Authorizing Contract No. 2021-184 with Johnson Controls Fire Protection LP for Project 19.12 – Woodhill Garage Sprinkler System Expansion, as specified and as required, in an amount not to exceed \$124,500.00 (RTA Capital Fund, Engineering & Project Development Department budget), the adoption of which was moved by Mr. Joyce, seconded by Ms. McCall and approved by unanimous vote.

Ms. Moss asked why there was only one bidder and why the budget exceeded the estimate. Mr. Schipper said they are always concerned when we receive one bidder. This reflects something that will be seen again throughout 2022 as they look at inflation and supply chain issues. Through the first half of the State fiscal year, ODOT saw an 8% rise in like goods and they are starting to see that in our projects. As they go through the Capital Improvement process, the estimates may be bumped up. When they get one bid, it is just under the 10%. There are probably other potential vendors that decided not to pursue it because they did not want to get under the 10% rule. If they receive a bid that exceeds our published estimate by 10%, that is considered a non-responsive bid. Contractors that are aware of that may hope that no one bids and that we will rebid it at a higher estimate. One vendor came under. We have used them before so staff is comfortable they can do the work. Ms. Dangelo said this is the second time this was put out. They did not receive any responsive bids the first time.

- B. 2022-25 – Authorizing the General Manager to enter into a lease agreement with PNC Bank, National Association for property at the Puritas - West 150th Street Rapid Transit Station, located at 4200 West 150th Street, Cleveland, Ohio 44135, for a renewal term of two years with options for two renewal terms of one year each, the adoption of which was moved by Ms. McCall, seconded by Ms. Pellot and approved by unanimous vote.
- C. 2022-26 – Authorizing a lease agreement with 2 Birds Shuttle and Detail, LLC for property at the Puritas-West 150th Street Rapid Transit Station located at 4200 West 150th Street, Cleveland, Ohio 44135, for a renewal term of two years at \$12,000.00 per year, the adoption of which was moved by Mayor Koomar, seconded by Ms. Moss and approved by unanimous vote.

- D. 2022-27 – Approving the 2022 Internal Audit Plan, the adoption of which was moved by Mr. Joyce, seconded by Mayor Weiss and approved by unanimous vote.
- E. 2022-28 – Approving a new three-year collective bargaining agreement covering conditions of employment with Local 268 of the Amalgamated Transit Union, the adoption of which was moved by Mayor Biasiotta, seconded by Ms. Moss and approved by unanimous vote after the discussion.

Ms. Birdsong said the collective bargaining process is never easy. It requires collaboration, communication, honesty and transparency about the issues. They have made significant strides over the last few years to shore up gaps in communication between administrative staff and management regarding union employees. This is a competitive agreement compared to others across the country. She appreciates union employees putting their lives on the line to provide service during the Pandemic. The ATU passed this agreement with 761 yes / 51 no. Mr. Ferraro added that a more collaborative process was used compared to the past.

Ms. Moss asked for the details of the agreement. Ms. Birdsong said that staff could touch on the highlights. It was discussed in executive session. Mr. Ferraro stated that there would be a 4% increase over the next 3 years of the contract. The contract term will run from August 1, 2021 – July 31, 2024. The 4% will be divided up into 2% every 6 months over the term. There will be a Hazard/COVID incentive payment of a total of \$3,500, made into two payments (\$2,500 in June / \$1,000 in December). The starting wage rate for operators will increase 65% of the top operator pay rate, which will bring them up to \$20 to remain competitive in hiring. Juneteenth holiday was added to the contract. A number of issues have not been addressed in the past, so they increased the value of the short-term disability program. They added days to bereavement (3 days for grandparents, 1 day for grandchildren). They increased night premium, instructing pay, tool allowance, fill-in and safety shoe allowances. They included a safety shoe allowance for part-time employees.

A number of other issues will be addressed. They are looking at creating an AM/PM board so that operators have a better understanding of what their schedules will be. They increased the annual dental allowance maximum from \$1,000 to \$2,000 and incorporated a prescription rebate plan that will address specialty drugs, which are more expensive. Employees will be able to get those drugs without a co-pay, but RTA can take advantage of rebates. Mr. Joyce said the yes votes on the agreement shows a lot of collaboration. Mr. Ferraro said we are sustainable with the changes. Mayor Biasiotta asked if the 2% pay increase would be retroactive to August 2021 and if these increases were worked into the 2022 budget. Mr. Ferraro said the first increase was due the first full pay of February 2022, so it will be retro to that date. Mr. Gautam said the increase was incorporated into the 2022 budget.

Secretary-Treasurer's Report

Rajan Gautam, Deputy General Manager of Finance and Secretary-Treasurer, gave the report. The economic conditions report comes from the Peterson Institute of International Economics, USAfacts.org and Bureau of Labor Statistics. These are the unemployment rates by month for Cuyahoga County and Ohio compared to the U.S. rates. The U.S. rates for Jan. 2022 was 4%. The Ohio unemployment rate fell from 4.5% in Dec. 2021 to 4.3% in Jan. 2022. The Cuyahoga County rate rose from 4.1% in Dec. 2021 to 6.1% in Jan. 2022. Goods producing industries, services, transportation, utilities, hospitality, construction and manufacturing increased compared to the previous month.

Ridership includes four calendar years of data. Data for 2019 is included to show the impact of COVID. For Feb. 2022, ridership was up 28.2% compared to Feb. 2021. The All Star weekend was

in Feb. 2022 and is reflected in that increase. YTD ridership is 11.6% above 2021 levels. Passenger fares for Feb. were \$2.7 million. It is 106.5% higher than the same month last year. That is not necessarily a reflection of anything else other than a timing of payments received from various educational institutions we have U-Pass agreements with. Fare revenue was 99.6% higher than budget. YTD they are 57.2% higher than the same period in 2021. Sales tax remains strong. Sales tax represents the largest revenue for operations. March 2022 receipts, which are based off Dec. 2021 activity (three month lag between when the cash is collected) were 15.3% higher than March 2021 and 13% higher than budget. Sixteen of the 23 categories that make up the sales tax base were positive in March. The largest increases were in motor vehicles/water craft at 37% higher, on-line sales at 33% higher and 18.6% higher.

Mayor Weiss asked what the reason is for the spike in unemployment in Cuyahoga County. Mr. Gautam said Cuyahoga has historically lagged compared to the State of Ohio. They will continue to monitor this.

General Manager/CEO Report

India Birdsong, General Manager/CEO, presented the report. Board member Valarie J. McCall and staff member Natoya Walker-Minor attended the APTA Legislative Conference in DC. The APTA Racial Equity Commitment Program was discussed at the conference as a means to elevate the core principles regarding racial equity in public transportation. RTA is one of 30 transit authorities that have signed on. We will participate in a two-year pilot program designed to assist us with a roadmap to integrate racial equity and DEI into our business practices. The pilot will begin in May. Ms. McCall added that this was the highlight of the conference. Many of the business members had not signed on. It was good that RTA was signed on. It was mentioned that RTA is a leader in DEI. The APTA Chair requested Ms. Birdsong to be more active in APTA. RTA is seen as a leader in the transit industry.

The Marketing and Legislative Affairs team held a RTA 101 event March 24 with legislatures, city council members and mayors. A booklet of information was produced. Items of discussion included pilot projects, rail cars, financial outlook, capital projects, fare collection replacement, business development and ADA. There were requests to hold this event again. U.S. Senator Sherrod Brown announced that the U.S. DOT and FTA awarded \$32 million in bus and bus facilities grants to transit systems in Ohio. RTA was awarded \$4 million to replace the Hayden District roof. RTA would not be able to proceed with this project this year without this grant. Advocacy efforts proved dividends in support.

We have new 40' Gillig CNG Transit buses. A bus is parked outside. The vehicles are coming on line. Twenty buses were delivered after they went through our audit process and will be placed on the street over the next 30 days. Features include CNG, telematics, passenger information system, 4k security camera system, contoured plastic seats and vented tip-in windows. The e-version of the 2021 Annual Report video was played. Ms. McCall said the RTA 101 booklet is nice. The video is a good marketing piece and should be promoted more. It would be helpful to add some stats for Board members when they go to APTA, like system size, buses and trains, budget, etc. She suggested the Board be invited to these type of events since they have an External Affairs Committee. Ms. Pellot asked if the booklet was in any other languages. Ms. Birdsong said it was not for this event, but could be translated and distributed

Old Business

Ms. McCall requested that the Ward 1 issue with the 15, 48, be resolved by the April 26 Board Meeting. Public comments were made today on these routes. Councilman Joe Jones should be

invited. Ms. Birdsong said the issue was addressed, but not to the pleasure of the residents in that Ward. She offered to go over the steps that were taken. Ms. McCall would like to see it resolved at the Board level to ensure the comments are not falling on deaf ears. She believes there is still a disconnect.

Public Comments – Non-Agenda Items (comments were submitted in-person and phone)

1. Terry McGrady – he asked again about the length of the public comments. Two minutes is not enough time. It was 5 minutes at one point. Ms. McCall added that public comments previously were 3 minutes at the beginning of the meeting and two minutes at the end of the meeting. It was never 5 minutes. It can be revisited at the Board Retreat. Mr. McGrady feels that public comments are rushed. President Lucas said they would look at the time.
2. Loh – She welcomed Mayor Biasiotta to the Board. Communication is the key for riders. Comments should go back to 3 minutes or have public comments at committee meetings. There was a homicide on the HealthLine. This can happen anywhere. She witnessed an incident on the HL that caused her to be late today. Operator number 2900 on the HL (Giana?) was involved. Security is important to riders and operators. We need Transit Police Security. The city police can handle crime issues.
3. Carlita Gardner – The 48A and 15A correlate with schools, hospitals, work and the social security office. They should not have to walk long distances or be put in harms way to get to these routes.
4. Airric Stewart – The claims of transparency by staff is misrepresented. If RTA were being transparent, they would acknowledge the 50 and 48 in a 15-hour period runs 45 buses each way. If you put the 48A back in service, it would still be 45 buses, the service would be quicker, and the transfers would be easier. The 15 runs 64 buses one-way in a 16-hour period. If it runs every 20 minutes, the 15A as an hourly bus would still have 64 buses in a 16-hour period. Staff has not acknowledged that. Ms. Birdsong has not returned a call in a year. Dr. Caver takes long to return calls. It is a city issue, not just Ward 1.

Upcoming Meetings

The next regular Board meeting is scheduled for **Tuesday, April 26, 2022** in the Board Room of the Authority, Root-McBride Building, 1240 West Sixth Street, Cleveland, Ohio 44113. This meeting will be live-streamed on RTA's Board page (www.RideRTA.com/board) by selecting the meeting date. The public is welcome to attend in person.

The meeting was adjourned at 11:20 a.m.



President

Attest: Rajan D. Jantam
Secretary-Treasurer