

## Minutes

RTA Board of Trustees Meeting  
8:56 a.m., March 26, 2019

**Present:** Clough (Chair), Lucas (Vice Chair), Bibb, Byrne, Joyce, McCall, Serrano, Welo

**Not present:** Moss

Also Present: Anderson (T), Anderson (P), Barnett, Benford, Bober, Brooks-Williams, Burney, Canaday, Capek, Castelucci, Caver, Cottrell, Cranford, Curran, Dangelo, Davis (C), Davis (J), Dietrich, Faith, Feliciano, Ferraro, Fields, Flannery, Freilich, Garofoli, Gautam, Gibbons, Gillan-Shafron, Goodwin, Gray, Hall, Jaszczak, Johnson, Jones, Kirkland, Krecic, Laule, Lewis, Lincoln, Llg, Loh, Manus, Matthew, McGrady, Metcalf, Miller, Montgomery, Ortega, Pillow, Pinkney-Butts, Reedy, Ries, Scaff, Schipper, Scott, Shaffer, Smith, Stocking, Stover, Sungay, Sutula, Tarter, Timko, Togher, Vukmanic, Wiehe, Winn, Young, Zeller

Mayor Clough called the meeting to order at 8:56 a.m. The secretary called the roll and reported that eight (8) board members were present.

The Secretary advised that notice of this meeting has 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

Mayor Clough stated that the minutes from the February 19, 2019 Board Meeting and March 5, 2019 Special Meeting had been previously distributed and reviewed and asked whether there were any additions and/or corrections. For February 19, 2019 there were six (6) ayes and two (2) abstentions by Mayor Byrne and Ms. McCall. For March 5, 2019, there were five (5) ayes and three (3) abstentions by Mr. Bibb, Mayor Clough and Ms. McCall. The minutes were approved by a majority vote.

### Invitation for public comment on agenda matters – (2 minutes)

1. Rev. Pamela M. Pinkney-Butts – Cuyahoga County - Reso. No. 2019-33 implies a non-binding letter of intent with Carnegie Management. This shows no accountability. The public is not being made aware of decisions. Board positions that have been replaced have been males or white males, except for two females that have maintained their position. She made a request to be a part of the Board and committees, but she has been denied. Every resolution she has addressed in the 17 years that she has attended meetings, has been taken seriously. She doesn't want anything that is non-binding, because it says that the law is not impactful for the decisions of Cuyahoga County and the U.S.
2. Ken Ilg – AVI Food Systems – He asked the Board to reject the recommendation of the staff to change vending machine suppliers from AVI to a non-union company based in Sandusky, because they are wrong. Not because they didn't work hard, follow the rules and didn't do their due diligence. They are wrong because they forgot the fundamental mission of RTA, which is being an economic engine for Cuyahoga County. The key error is that the original RFP didn't include any criteria for local economic impact or geography of the vendor. He disagreed with the response letter from the procurement directors, that his protest was based on location of AVI. That was true in part, but it wasn't the fullness of their protest. The map in his presentation indicated that location doesn't matter if you want the vending machines filled and fixed on time. In his follow up letter to the Board, his presentation is more about economics of Cuyahoga County. The revenue generated for his company and his partnership supports operation that generated \$4 million in

payroll, \$1 million in healthcare spending at local hospitals, and \$2 million with local vendors. The recommended vendor can't make those claims. The CSU study stated that every dollar that RTA generates in the community has ripple effects that touch every part of it. He doesn't understand why the economic impact was not included in the original RFP. Nearly 230 of their employees work in Cuyahoga County. These are the constituents of RTA. They pay fares, park in RTA lots and pay taxes that support RTA. The recommended vendor can't make those claims. He asked the Board to reject the staff recommendation and send it back to an RFP that carefully weights the economic impact of the chosen vendor.

### Committee Reports

*Operational Planning & Infrastructure Committee report – Chair: Mayor Georgine Welo* – Resolutions A through E went through her committee. Action is required to purchase the items to move forward on the projects. The landscaping required several procurements to handle the different projects.

Mr. Bibb stated that he wanted to abstain from seconding the motion to move the selected vending machine vendor to the full Board meeting, due to a conflict of interest with Key Bank. He made his motion during the Organizational, Services and Performance Monitoring Committee meeting held prior to this meeting.

### Introduction of New Employees/Promotions

Christian Miller is the new Business Analyst at CBM. Thomas Curran is the new Central Communication Specialist in Service Quality. He was previously at Norfolk Southern and has 20 years' experience in transportation. Susan Canaday is the new Senior Programmer Analyst in IT. Her background is in database administration. Dawn Timko is the new Workers' Compensation/Disability Claims Examiner. She was recently at Accordia. Michael Capek is the new Engineering Project Manager for facilities. He is a CSU graduate.

The General Manager's Customer Service award winners are present today. They will receive their full award at the April 25 Awards Banquet. Hayden operator, William Pillow was nominated by many of his passengers, who stated that he exemplified compassion, concern and consistency at all times. His customers define him as friendly, professional and that he always has a positive demeanor along with a consistent smile, which communicates daily that he cares about the customer. Tower City Rail District attendant, Alarice Reedy was nominated by her customers for her compassion that she shows in her willingness to go above and beyond downtown at Tower City. Her customers define that she exhibits professionalism and a willingness to provide outstanding customer service. Triskett operator, Calvin Scaff was nominated by some of his passengers who stated that he has gone above and beyond the call of duty. One of his passengers left their briefcase on a RTA bench. He waited for the customer to get his belonging and got his customers to their destination. His compassion and willingness to go the extra mile is indicative of RTA values. Chief McCall will be the mistress of ceremonies for the banquet. He thanked the executive assistant for the Board, Theresa Burrage, for all the work she does.

### Community Advisory Committee (CAC)

Mr. Bibb reported that the CAC has nine potential applications that they are waiting for background checks before they bring them before the Board.

### Introduction of Resolutions

- A. 2019-27 – Authorizing Contract No. 2019-001 with Railworks Track Services, Inc., for Project 52M – Rehabilitation of Tracks 10 and 13 at Tower City Station, at a total amount of \$11,860,000.00 (RTA Development Fund, Engineering & Project Development

Department budget), the adoption of which was moved by Mayor Welo, seconded by Mr. Serrano and approved by unanimous vote.

- B. 2019-28 – Authorizing Contract No. 2019-007 with Hatzel & Buehler, Inc. for Project 18.08 – Light Rail Bonding Renewal, at a total amount of \$265,000.00 (RTA Development Fund, Engineering & Project Development Department budget), the adoption of which was moved by Mr. Serrano, seconded by Mayor Welo and approved by unanimous vote.
- C. 2019-29 – Authorizing Contract No. 2019-008 with The Asturi Landscape Group, LLC for Non-Rail Landscaping Services, as specified, for a period of three years in an amount not to exceed \$234,869.87 (General Fund, Service Management Department budget), the adoption of which was moved by Mayor Welo, seconded by Mr. Serrano and approved by unanimous vote.
- D. 2019-30 – Authorizing Contract No. 2019-009 with PIRC Company Landscaping & Snowplowing, LLC to provide landscaping services for all GCRTA Rapid Transit Station locations, as specified, for a three year period with two one-year options in an amount not to exceed \$545,739.12 for the base three years and in an amount not to exceed \$181,913.04 for each of the two option years, for a total contract amount not to exceed \$909,562.20 (General Fund, Rail District Department budget), the adoption of which was moved by Mayor Welo, seconded by Mr. Serrano and approved by unanimous vote.
- E. 2019-31 – Authorizing Contract No. 2019-010 with Top Designer Landscaping, LLC to provide Turf Maintenance for all GCRTA Rail Right of Way locations, as specified, for a three year period with two, one-year options in an amount NTE \$130,548.00 for the base three years and in an amount NTE \$47,850.00 for the first option year and in an amount NTE \$52,650.00 for the second option year for a total contract amount NTE \$231,048.00 (General Fund, Rail District Department budget), the adoption of which was moved by Mayor Welo, seconded by Mr. Serrano and approved by unanimous vote.

This contract is going to a DBE firm as a prime contractor.

- F. 2019-32 – Authorizing Contract No. 2018-143 with Stephen J. Hall DBA Firelands Vending to provide Vending Services Authority-Wide, for a period of three years with two, one-year options (revenue generating, variable amount based upon sales)

Mayor Clough asked if the process could be explained. Procurement Director, Melinda Dangelo provided more information. The RFP process is competitive and negotiated. It's solicited through an RFP competitive process that's posted publicly. It comes in within 30 days. There is a panel of stakeholders and employees that have valued interest. The evaluation process is based on criteria, which is known upfront in the RFP, along with all the instructions. The proposers are confidential and reviewed by the panel. Each proposal is reviewed in detail. They are compared against the criteria, but not against each other. They are shortlisted, which means that everyone that is above the break in the scoring, are invited for an interview, where they can clarify their proposal. They are invited to provide a best and final offer by tweaking their proposal after they have heard the concerns from the panel. After the best and finals come in, the panel reviews it again and may vote to recommended who they want to present to the Board.

There is a process for any proposer or bidder to state their case that they are protesting the award. They can do it prior to the award. The incumbent, AVI protested the day before the recommendation was made to the committee. It was then tabled. She

reviewed the protest with the legal department. She went through every process that staff followed and every evaluation document, their scoring and she spoke to the contract administrator and team leader. Along with Legal, she advised AVI in writing that their protest was denied. No part of the process was done incorrect. It's not federally funded so it doesn't have to go to the FTA. Mayor Clough asked if Legal believes everything was done in accordance with RTA requirements and that it was a fair and open bidding process. Legal concurred.

Rev. Lucas asked what the difference was in deciding between the two firms. Sharon Cottrell, team leader stated that the evaluation criteria is the same or similar to when AVI was awarded the contract 15 years ago. The proposal provided by Firelands provided a \$70,008 guaranteed minimum per year, which is higher than the other vendor. At the end of 2018, a credit card swiping was added to the machine. AVI charged the employees an extra .10 cents. The new vendor will not charge a fee to use a credit card. A new feature in the RFP is water coolers, where city water is filtered and available to employees. Firelands offered to provide the machines free of charge. The machines will belong to RTA in five years. AVI offered the machines for free for the first year and then \$20 a month afterwards. And RTA would not own the machines. Firelands offered a maintenance option. RTA could do its own maintenance at no charge or choose a maintenance plan from \$9.95 a month to \$19.95 a month. AVI traditionally offers a signing bonus in different options (commission rate, guaranteed minimum and signing bonus). RTA would gain more revenue with Firelands compared to AVI's best offer. Firelands offered a \$100,000 more in guaranteed revenue. Firelands food was rated higher by employees who tasted the food. The revenue analysis showed that with the three year option, Firelands provided \$75,000 more revenue.

Mr. Serrano clarified his vote to table this in committee to have an opportunity to review the protest. He moved to support the motion, but he acknowledged AVI for asking the Board to look at their economic impact on the region. He asked staff to start looking at economic impact with other vendors. It was seconded by Rev. Lucas. The roll was called. There were seven (7) ayes and one (1) abstention by Mr. Bibb. It was approved.

- G. 2019-33 – Authorizing the Greater Cleveland Regional Transit Authority to execute a Non-Binding Letter of Intent with Carnegie Management and Development Corporation, an Ohio Corporation, for Transit-Oriented Development of GCRTA property located at Columbus Road and Abbey Avenue, adjacent to the West 25<sup>th</sup> Street Rapid Transit Station, the adoption of which was moved by Mr. Serrano, seconded by Mayor Welo. Ms. McCall said she would abstain.

Mr. Bibb asked what the financing capital stack will be. Mr. Schipper stated that the non-binding part is a due diligence period. The result may or may not go forward with a TOD. A second action would be needed by the Board to go into a TOD with Carnegie Management, where there would be a fully developed project with a financing stack that has due diligence with the City of Cleveland. This will give them an opportunity to spend their money to come up with a proposal that is acceptable to the Board and City of Cleveland in terms of zoning and land use and will provide the financial benefit and riders to RTA. The term of the LOI is 9 months.

There were seven (7) ayes and one (1) recuse from Ms. McCall.

- H. 2019-34 – To amend the fiscal year 2019 revenues and appropriations for the General Fund, as adopted in Resolution No. 2018-119, and to provide for an increase in the amount of \$6,000,000 in the transfer to the Reserve Fund for Rail Car Replacement, the adoption of which was moved by Mr. Serrano, seconded by Mr. Bibb and approved by unanimous vote.

This went through committee. The 2018 budget concluded the year with a higher than expected sales tax. The 2018 budget will be amended to show the change. This will provide \$6 million for the Rail Car Replacement fund, bringing this fund to \$24 million.

- I. 2019-35 – Enacting new Chapter 1089 “Transit Waiting Environment and Community Partner Investment Programs” of the Codified Rules and Regulations of the Greater Cleveland Regional Transit Authority, the adoption of which was moved by Mr. Serrano, seconded by Mayor Byrne and approved by unanimous vote.

Ms. McCall suggested the Board be updated on who the partners are and the station locations. Nothing offensive like alcohol and tobacco should be a part of the station. There should be a maintenance part of the agreement too.

#### Interim General Manager/Secretary-Treasurer's Report

Dr. Caver gave the report. March sales tax was \$19.6 million bringing the YTD total to \$54.7 million or \$2.3 million above budget. Ridership for February was down 6%, but it was up 2% compared to January. The YTD goal for ridership through Feb. was 5.7 million rides. Current ridership is 5.2 million rides. The E. 105<sup>th</sup> Street Station east entrance will open soon. The dedication is April 5. The E. 116<sup>th</sup> Street Station dedication is in progress with a soft opening March 8. The Farnsleigh Station will be complete with the installation of solar powered shelters. The Tower City Customer Service Center (CSC) will be reconstructed effective yesterday. The CSC has been temporarily moved to the heavy rail side. St. Patrick's Day service went well without occurred incident. This day is traditionally the largest service day of the year.

The House passed a bill that would provide \$100 million in federal flex funds for transit agencies in the State. Last week, the Senate passed a different version of the bill, which includes a \$55 million public transit investment. However, it moves that transit from flex funds, which are capital related to operating funds. Senator Dolan was active in ensuring there was an increase in public transit funding. It now moves to conference committee. Staff will continue to work with legislatures to ensure public transit remains a priority for the State. Last week, he, Mike Schipper, Eric Johnson and Ms. McCall attended the APTA Legislative Conference in D.C. They met with legislative staff members to discuss RTA needs, especially rail and rail infrastructure. RTA will host the 2021 APTA Rail Conference thanks to Board member Ms. McCall. This will be a great opportunity for RTA, with projecting to be in place to purchase rail cars. The Secretary of Transportation, FTA administrators and other leaders will attend this conference. This will allow RTA to showcase the rail needs. This will be the first time RTA hosted this conference. Ms. McCall said that RTA previously hosted the APTA Bus Conference. Visitors from all over the world will attend this conference. They estimate 2,000 attendees, not including the vendors.

He recently discussed RTA's strategic plan efforts and addressing the spatial job mismatch with the Cuyahoga County Economic Development Commission. He discussed downtown job needs and the economic impact study at the DCA Board Meeting. Staff has met with Parma residents on service and the strategic plan. The preventable collision rate is 1.3 per 100,000 miles, which is lower than the goal. On-time performance YTD is 84.15%, with a goal of 80%. Mr. Bibb asked how much of the \$55 million proposed in the Senate would RTA get if it passed in the House. Dr. Caver said they are working with OPTA. RTA could get less than the normal allocation of \$10 million. This money will be used for

recapitalization of the rail system. The majority of the west side rail work was funded with the State's OTP3 funds.

### President's Report

The Board was scheduled to have a retreat, Tuesday, April 9, 2019 from 9 a.m. – 2 p.m. The Board voted to postpone it. The combined Board and Committee meeting scheduled, April 16, 2019 will go forward.

Mr. Calabrese sent a letter to Mayor Clough stating that he intends to resign as Senior Advisor, effective March 29, 2019. He expressed how honored he was to have led the organization over the last 19 years. Arrangements will be made at a later date to thank Mr. Calabrese for his service.

### New Business

Due to the Primary Election, Tuesday, May 7, 2019, the Board and Committee Meetings will be held Tuesday, May 14, 2019. Due to the MLB All-Star Game, Tuesday, July 9, 2019, the Board and Committee Meeting will be held, Tuesday, July 16, 2019. The External and Stakeholder Relations & Advocacy Committee plans to meet the week of July 22, when the system redesign consultant, Jarrett Walker & Associates is on location. The chair will follow-up with staff to select a date.

### Questions or comments from the audience (2 minutes)

1. Rev. Pinkney Butts – The Governor took money from education and transportation and put it into roads. She has a need for public transit. The ACLU drafted a law in Cuyahoga County based upon an 1800 law. The laws of 1800 did not give women and children rights. She is concerned about the way George Dixon and Joe Calabrese left the organization. They attended meetings on behalf of RTA only to be publicly humiliated and degraded. She is concerned about her safety.
2. George Zeller – Cleveland, OH – Once a year, all of the job figures get revised on a national and state basis. It changed his previous report. We are below the national average again. The earlier figures were revised. They take the complete count of jobs and compare them to the month survey figures. They also looked at how their seasonal adjustment modal is doing. We are five months in a row below the national average. December was a weak month. There have been 27 months (through Feb.) in a row where Ohio is unemployment rate is above the national average. The recent closure of the GM plant in Lordstown will affect NE Ohio. The yield curve inverted, which means the long bond is higher than the short term bond. All of the recessions we've had have followed the yield curve.
3. William Tarter – Broadview Hts., OH – He congratulated RTA on being selected to host the 2020 APTA rail conference. In the Ohio bill, there was an allotment for \$18.5 for seniors and people with disabilities. He asked if this will be an expectation for seniors and disabilities or will it be a general request. There needs to be a landing page for government actions so the public can be informed about what is happening so they can get engaged. The state announced increased funding for child protective services. He asked if RTA's Safe Place program could increase the locations where people could get help. Dr. Caver stated that the Safe Place program partners with West Haven and JCB Bellaire to provide counseling and other services 24 hours. There is always a possibility for this service to expand, but these two organizations have volunteered to provide this service. Senior and ADA services are important to RTA, but the \$18.5 million was not a part of RTA's request. Mayor Clough spoke to Rep. Greenspan, who is fighting to keep the original set aside, but there are some parameters to get the votes. He spoke to each representative on the committee.
4. Terry McGrady – He is a Triskett retiree. ATU Local 268 is working through their internal issues. He ask that staff understand that Mr. Nix is handling everything. He asked that the Triskett District

Council, dispatch and banked vacation policy be reviewed. He said he would speak to Tony Garofoli. He requested an email he sent to Scott Ferraro on March 8 be sent to the Board.

5. Chris Stocking – Cleveland, OH – The state transportation budget is under way. His House rep, Michael Skindell put \$100 million in the House version of the budget. It can't be spent on operating cost. They will have to fight for the \$55 million since it is a part of the general fund. Finally there are state republicans at the table, but they are not seeing major reforms from RTA. There needs to be term limits for the chair, organizational Board reform and rotating chairs. Without these reforms, ridership suffers. The #26 was cut to every 20 minutes and it was 10 minutes late.

Mayor Clough said the bylaws committee has been meeting. There will be rotating terms. He's spoken to the reps and they have not traditionally been in favor of funding for public transit. Mr. Bibb said that these things take time, but the Board wants to be as diligent and intentional as possible. They need the public's partnership and commitment to elevate the importance of public transit in the region. The Board is working hard to change the narrative. Ms. McCall added that the rotating of the officers have already been drafted in the bylaws. Also the External Stakeholders committee is new. Issues will continue to go through that committee through testimonies. The five pillars are new and have not been done before. The public can also suggest topics for discussion through this committee. The State just set a Senate hearing on the budget so something is about to happen.

6. Brian Gibbons – Fairview Park, OH – He suggested that the meetings be live streamed and that some of the meetings be in the evening or late afternoon so that more people can attend and give feedback. It will demonstrate that the Board has an interest in hearing from the public.
7. Alaina Faith – Cleveland, OH – She suggested accessible meetings and to have a seat at the table when meeting with the system redesign consultant. Most of them had to take off from work to attend the meeting. They are all volunteers. They would like to make a joint trip to Columbus to speak with legislatures.

Ms. McCall said that all of the meetings will be posted and open to the public. Her next meeting will be late afternoon or evening.

8. Deborah Gray – Cleveland, OH – She thanked the Board for the E. 116<sup>th</sup> Street Rapid Station. Last month, there was replacement bus service at E. 55<sup>th</sup> because of rail issues. The buses were packed from downtown passengers. This needs to be planned better so the buses are not so full they can't accommodate everyone. They waited 1 hour and 15 minutes for a replacement bus. She gave kudos to Mr. Bibb, who spoke about the HealthLine at a Cleveland Alliance meeting. She suggested the Board attend community meetings to hear the public concerns.
9. Lenny Stover – Cleveland, OH – He's with Keep Our Greenway Green. They are for keeping the land at Columbus and Abbey green. They believe this would better serve RTA and the community if kept as an event and social gathering place. At a public meeting, RTA said it was a TOD expert, but the examples they gave while successful, didn't involve the destruction of an urban forest or green space. Nor does RTA have expertise in building Greenways and trails. TODs were designed in the 80's and never included Greenways, which didn't exist until the 90's. It should be called TTOD or Trail and Transit Oriented Development. The developer will probably have to build up to the property line because of the length of the site. This will squeeze the trail to 12-22 ft. The RTA website promotes the development as a money generator and it implies that the money will return to the riders. He requested this be reviewed. There needs to be more public meetings.
10. Loh – Cuyahoga County – She objected to the CAC meetings changing from monthly to quarterly. This group could be used to raise the concerns of the public. The State Senate doesn't have interest in investing in public transit because the rural cities were not given an opportunity to raise

their voices. She would like the CAC meetings moved to monthly and to use the economic impact studies to speed up funding efforts.

Executive Session Requested


10:34 a.m. - Mayor Clough asked for a motion to go into executive session to consider the investigation of charges or complaints against a public employee, official, licensee, or regulated individual. It was moved by Mr. Bibb, seconded by Ms. McCall. There were seven (7) ayes and none opposed. Mayor Welo had to leave.

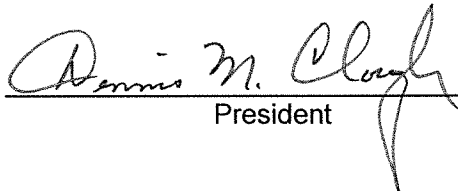
11:31 a.m. - Mayor Clough asked for a motion to come out of executive session. It was moved by Mr. Serrano, seconded by Mr. Joyce. There were seven (7) ayes and none opposed.

The next regular Board meeting is scheduled for Tuesday, April 16, 2019 in the Board Room of the Authority, Root-McBride Building, 1240 West Sixth Street, Cleveland, Ohio 44113

This meeting was adjourned at 11:32 a.m.

Attest:

  
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Interim CEO, General Manager/Secretary-Treasurer

  
\_\_\_\_\_  
President